



# Safe Electric Rules of Registration

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## 1. Definitions

<b>1999 Act</b>	means the Electricity Regulation Act 1999 (as amended by the Act); Annual Inspection and Audit Programme means the report produced by the Body Performance Report under and in terms of Section B.3.5 of the Criteria Document;
<b>ACT</b>	means the Energy (Miscellaneous Provisions) Act 2006 (and any amendment thereto);
<b>Commission</b>	means the Commission for Energy Regulation as established further to the 1999 Act;
<b>Criteria Document</b>	means the Criteria Document which is specified and published by the Commission pursuant to the Act and as may be amended from time to time;
<b>CRU</b>	Commission for Regulation of Utilities
<b>ESSB</b>	The Electric Safety Supervisory Body operating the Safe Electric Scheme
<b>National Craft Certificate</b>	means the National Craft Certificate awarded by FETAC as part of the National Framework of Qualifications;
<b>Principal Duty Holder</b>	means the person appointed by the REC to the role of Principal Duty Holder as set out in Section C.1 of the Criteria Document and as approved by the Body further to that Section and the procedure produced pursuant to that Section;
<b>Qualified Certifier</b>	means the person(s) assigned the role of Qualified Certifier by the REC as set out in Section C.1 of the Criteria Document and in accordance with the requirements pursuant to that Section;
<b>Register</b>	means the Register of RECs published by the Body in accordance with Section B.5.2 of the Criteria Document;
<b>Registered Associate</b>	means a party who meets the criteria for Registration as specified by the Body further to Section B but who does not carry out electrical installation works on a commercial basis for any other party;
<b>Registered Electrical Contractor or REC</b>	means any party who is registered by the Body pursuant to the Act and who has not had their Registration suspended or revoked by the Body;
<b>Safe Electric</b>	Means the Electrical Regulatory Safety Scheme.

## 2. General Principles

2.1. SGS Ireland has been appointed by the Commission for Regulation of Utilities (CRU) ('the Commission') as the Safety Supervisory Body (SSB) under Section 9D (1) (a) of the Electricity Regulation Act 1999 as amended by the Energy (Miscellaneous Provisions) Act 2006 ("the Act"). The SSB is referred to hereafter as 'ESSB'.

2.2. Safe Electric's primary objective is to protect the safety interests of customers with respect to electrical installation activities through the registration and supervision of electrical contractors, all in accordance with the provisions of the Regulatory System as set out in the Act and the Criteria Document (which is referred to in the Act). The Criteria Document sets out the safety standards and procedures to be adhered to by Electrical Contractors. The Criteria Document is and may be subject to change in accordance with the Act.

2.3. In terms of the Act, an individual shall not certify controlled electrical work (as defined in the Act) unless that person is registered with the Safe Electric scheme.

2.4. These Rules have been prepared by the ESSB and approved by the Commission in accordance with the provisions of the Act. The Rules shall be subject to revision from time to time and any changes made shall be subject to the approval of the Commission.

## 3. Confirmations

3.1. By signing the Application form, the applicant is confirming for the duration of membership with Safe Electric to be bound with all the Regulatory System requirements applicable to the member as set out in the Act, the Criteria Document and these Rules; At renewal of membership the Registered Electrical Contractor undertakes by the payment of the subscription fee to comply with all the Regulatory System requirements applicable to the member as set out in the Act, the Criteria Document and these Rules.

3.2. The ESSB, has the right to inspect and/or seek evidence of compliance with all requirements for Registration and request all relevant information in relation to the notification of any change of registration particulars. The ESSB is bound to comply with the Data Protection Law which concerns the individual's right to privacy. Disclosure of your data to third parties is not permitted, save where the data may be lawfully disclosed (where the ESSB is obliged to disclose to the CRU information in the performance of its functions and responsibilities as the designated Electrical Safety Supervisory Body). The ESSB, as the Joint Data Controller and as the Recipient of the Data, is also bound to comply with the Data Protection law and cannot disseminate data except in discharge of its statutory functions and duties.

In addition, data may be disclosed if required by law (e.g. for the prevention or investigation of crime or injuries to persons). You are entitled to access and correct data held by ESSB about yourself.

## 4. Application for Registration

4.1. Any contractor wishing to become a registered member of Safe Electric must complete the application for registration form (application).

4.2. The application form is available for download on Safe Electric's website and may be amended from time to time subject to the approval of the Commission.

## 5. Payment of Fees

5.1. An application fee of the prescribed amount shall be payable in respect of each application and shall accompany the application. The application fee is non-refundable. Further fees for annual subscriptions, inspections and additional services may also be charged where relevant.

5.2. All fees will be charged in accordance with the Safe Electric's Tariff of Fees and Charges, (please refer to Safe Electric's website) approved by the Commission and published on an annual basis.

## 6. Compliance with Technical Rules

6.1. Every applicant and REC, in addition to the requirements set out In the Act, the Criteria Document and these Rules, shall comply with the technical rules applicable to the Regulatory System being the National Rules for Electrical Installations current edition and its amendments or such other technical rules as may be specified by the Criteria Document from time to time.

6.2. The REC shall be in possession in its own right of at least one copy of the current National Rules for Electrical Installations. Enough copies must be kept to ensure that every employee of the REC has reasonable access to these rules when required.

## 7. Criteria for Eligibility

7.1. Applicants and RECs must appoint and keep appointed at all times:

- (i) a Principal Duty Holder; and
- (ii) at least one Qualified Certifier (as referred to in the Criteria Document)

7.2. A person can be both a Principal Duty Holder and a Qualified Certifier.

7.3. The applicant or REC must meet the eligibility criteria contained in Section C.1.2 of the Criteria Document (with regard to matters such as training, competence, inspection/audit, test equipment, insurance and completion certificates) at all times.

## 8. Evidence of Qualifications

The ESSB may, at its discretion, require applicants for registration to support their application with such evidence as to their own and/or their Principal Duty Holder and Qualified Certifier(s) qualifications for registration, their technical competence and their standard of workmanship as the ESSB may require. Furthermore, they shall afford to the ESSB such information and facilities for inspection of electrical test equipment and installation work completed or in progress, as the ESSB may request, in compliance with the Act and Criteria Document.

## 9. Decisions on Application for Registration

The ESSB will follow the Safe Electric Application Procedure (as referred to in the Criteria Document) when considering any application for registration. Applicants for registration and renewal shall be entitled to appeal any rejection of their application in accordance with the provisions of the Criteria Document.

## 10. Certificates of Registration etc.

10.1. Every electrical contractor admitted for membership shall have their name appear on the Register and shall, after payment of all fees due and proof of valid insurance, be entitled to the following for so long as its name remains on the Register:

- (i) a Certificate of Registration,
- (ii) a registration number,
- (iii) the use of the words "Registered Electrical Contractor" or "REC",
- (iv) the use of the Safe Electric brand and logo on business documentation and/or vehicles (in accordance with the Criteria Document): Where a REC puts their details on their vehicle identifying them as an electrical contractor then they should display the Safe Electric logo.

10.2. Every Certificate of Registration shall remain the property of ESSB and shall be returned forthwith to ESSB upon removal, for any reason, of the holder's name from the Register.

10.3. Items bearing the Safe Electric mark, may be made available to a REC upon payment of such licence fees as may be prescribed by the ESSB but will remain the property of Safe Electric and shall be returned to the ESSB upon removal of the REC's name from the Register, whatever the reason for such removal or if, for any reason, the Certificate of Registration is cancelled.

10.4. The REC shall be obliged to ensure its business documentation includes its registration number and the Safe Electric logo/branding.

## 11. Registration and Renewal of Registration

11.1. Registration shall be effective from the initial date of approval of a fully completed application form to the end of the financial year in which approval takes place unless, in the meantime, the REC's name is removed from the Register.

11.2. The ESSB may, following the registration and evaluation of the REC, grant the REC the entitlement to self-certify electrical works in case the REC adequately demonstrates its capabilities.

11.3. Continued registration shall be on an annual basis and subject to the payment of an annual subscription and continued compliance with the conditions of Registration (as referred to in the Criteria Document).

11.4. A renewal notification and an invoice for the annual subscription fee will be issued at the end of the year.

11.5. The ESSB financial year is the calendar year.

11.6. Following any material change, continued Registration will be at the discretion of the ESSB, in accordance with its procedures for the evaluation of Applicants.

11.7. The annual subscription fee, payable in accordance with the Tariff of fees and charges referred to in section 4 above must be paid in full within 30 calendar days of renewal date.

11.8. In the event of non-compliance with Clause 10.7, the ESSB may, at its discretion, revoke the registration to Safe Electric and demand the return of all property and removal of all reference to registration from the REC's notepaper and intellectual property.

## 12. Insurance

12.1. The Applicant, or REC, as the case may be, is required to have in place and ensure continuous insurance cover as specified by the ESSB and which may include:

- (i) public liability insurance to a minimum level of indemnity specified by ESSB and/or by the Commission
- (ii) products liability insurance; and
- (iii) appropriate employer's liability insurance (if applicable).

12.2. Failure to maintain insurance as required in 11.1 and/or provide the ESSB with proof of such when requested to do so will result in automatic suspension of Registration and in the automatic and immediate suspension of the entitlement to self-certify work and ultimately may lead to termination of your registration.

## 13. Evidence of Registration

Every REC shall be prepared to produce his Certificate of Registration for inspection by any duly authorised officer of the ESSB or the Commission.

## 14. Change of Registration Details

14.1. Every REC shall give notice in writing to the ESSB of any change in business status (including change in Principal Duty Holder, Qualified Certifier and/or trading name) or of any other change in the particulars contained in his application form, within 10 working days of such changes.

14.2. Failure to comply with this clause will cause the REC to be liable to disciplinary action in accordance with Section D of the Criteria Document.

## 15. Completion Certificate

15.1. Every REC shall issue a valid completion certificate signed by a Qualified Certifier to its customer in respect of all Controlled Works it constructs.

15.2. This clause is subject to the "Common Procedure Number 1 on Certification" (referred to in the Criteria Document).

15.3. The REC may not certify electrical installations not constructed by him/her without specific authority by the ESSB. A fee will be charged if an inspection by the ESSB is required. Failure to comply with this clause will cause the REC to be liable to disciplinary action in accordance with Section D of the Criteria Document and Safe Electric's disciplinary procedure.

## 16. Records

The REC is required to keep all records in accordance with Section C.3 of the Criteria Document.

## 17. Responsibilities in relation to electrical works

The REC will carry out all electrical works with the highest regard for safety. This includes making arrangements for the safety of unfinished works in accordance with Section C.4.2 of the Criteria Document.

## 18. Inspection and Audit of Premises, Equipment and Installation Work

18.1. Every REC shall permit the ESSB to carry out an inspection and/or audit at any time in accordance with the Safe Electric's Audit and Inspection Procedures published by the ESSB and approved by the Commission and Section C.5 of the Criteria Document.



18.2. Failure to comply with this clause will cause the REC to be liable to disciplinary action in accordance with Section D of the Criteria Document and the Safe Electric's disciplinary procedure.

18.3. An additional fee is payable in respect of each Branch or other address of the REC.

## 19. Disciplinary Process

The REC will be subject to the Safe Electric's disciplinary procedure as approved by the Commission in accordance with Section D of the Criteria Document. The disciplinary procedure also includes provision for appeals in accordance with Section D.10-11 of the Criteria Document. In the event that a REC is found to have been in breach of the provisions of the Act, the Criteria Document or these Rules, they may be faced with a serious sanction including, but not limited to, the loss of certification facility, suspension and/or revocation of registration. The REC will be provided with fair procedures throughout. The suspension and revocation procedures shall be subject to the approval of the Commission.

## 20. De-registration

20.1. Where a REC is de-registered for whatever reason, he must remove all reference to registration from his notepaper and property and he shall not in any way represent himself or his business as being registered with Safe Electric. The de-registered contractor will no longer be entitled to use the branding associated with the Regulatory System.

20.2. The de-registered contractor must return all ESSB property, including the registration certificate. It must also relinquish all completion certificates.

20.3. Where reasonable, the ESSB may, at its discretion, publish or advertise the cancellation of a de-registered contractor's name from the register on Safe Electric's website and also in such newspaper or periodicals and in such manner as it may think reasonable (in accordance with the Act and Criteria Document).

20.4. In the case where a REC ceases trading, the REC is required to inform the ESSB immediately and such notice will serve as direction to the ESSB to remove the particulars of that REC from the Register.

## 21. Consequences of illegal electrical works

Prosecutions can be obtained against individuals who undertake electrical works illegally while not registered or falsely portray themselves as registered when they were not:

With the exception of certain Minor Electrical Works\*, it is a criminal offence for a non-registered Contractor to carry out electrical work in a domestic premises. The penalties for non-compliance set out in the 2006 Act include a fine of up to €15,000 and/or imprisonment for up to 3 years.

On revocation or withdrawal of Safe Electric registration, the company/sole trader shall immediately cease to issue documentation or literature in print or electronically, displaying the Safe Electric logo or implying in any way that they continue to be a REC. It is a criminal offence under the Energy (Miscellaneous Provisions) 2006 Act, for a person to describe themselves as a Registered Electrical Contractor or in a manner likely to suggest that they are a Registered Electrical Contractor unless they are member of the Safe Electric scheme. The

penalties for contravention of subsection (25) as set out in the 2006 Act include a fine of up to €15,000 and/or imprisonment for up to 3 years.

(\*): Minor Electrical Works generally involve the “like for like” replacement of switches, sockets, lighting fittings and/or additions to an existing circuit. The work must be in compliance with the National Rules for Electrical Installations.

## 22. Training and Competence

The ESSB shall have an appropriate registration and inspection system in place to ensure that Registered Electrical Contractors have the requisite levels of training and competence required as set out in the provisions of the Criteria Document.

## 23. Complaints

The ESSB shall deal with all complaints received in respect of work completed by RECs. ESSB shall only be required to deal with complaints in so far as they relate to;

- (i) Regulation of RECs by Safe Electric);
- (ii) Safety of the electrical installation works carried out by the REC; or
- (iii) Operations of the ESSB.

## 24. Public awareness

ESSB shall establish and maintain a website for the purposes of presenting information relating to its operation of its activities to RECs and the general public. This website shall present such information and be in such format as may be specified by the Commission.

## 25. Associated Documents

- CRU Criteria Document CER/16/001 (Version 3)
- Safe Electric: <http://safeelectric.ie>
- I.S. 10101 National Rules for Electrical Installations - current edition
- Schedule of Fees