

Electrical Safety Update for Property Managers - RCDs

Electrical Safety Update

There has been much spoken about the need to retrofit RCD devices in some workplaces. Changes introduced by the adoption of the national harmonised regulations in some states have compounded this confusion. The following information aims to clarify the current regulatory status of RCD installation.

Previous obligations

On 18th February 2011 the NSW Occupational Health & Safety Amendment (Residual Current Devices) Regulations 2011 were published. Under these regulations there was an obligation to install RCDs, as far as reasonably practicable, before or as part of the socket outlet. This obligation meant that existing workplaces needed to retrofit RCD devices in the workplace. This obligation did not commence for a 4 year transitional period until 18th February 2015. The NSW OH&S (RCD) Regulation 2011 also placed obligations on employers and controllers of premises to provide portable RCDs for higher risk electrical articles. These obligations had a 1 year transitional period and commenced on 18th February 2012.

It is noted that the commencement date for both the obligations was after the introduction of harmonised Work Health & Safety Legislation (WH&S) in NSW. Due to this, many workplaces held off retrofitting their sockets to see what the new requirements would be. Legislative obligations similar to those found in the NSW OH&S (RCD) Regulation 2011 were also in place in Queensland, South Australia, Western Australia and the Northern Territory.

National Harmonised WHS Legislation

On 1st January 2012, NSW, Queensland, ACT and NT adopted the nationally harmonised WH&S Regulations. Under the new harmonised legislation, the previous RCD regulations in NSW, Queensland and Northern Territory have been repealed.

Queensland, ACT, Northern Territory and NSW have now adopted the national model WHS regulations which regulate the use of RCDs. The regulations in these states therefore impose the following obligations:

New or Modified Circuits

A Person Conducting a Business or Undertaking (PCBU) must protect new or modified circuits with a non-portable RCD consistent with AS/NZS 3000:2007 (subject to some exemptions). Hence, both the landlord and tenants have an obligation to ensure all new refurbishments are provided with RCDs either at the socket or the switchboard. This obligation commences on 1st January 2013.



Existing Circuits

A person conducting a business or undertaking (PCBU) must ensure, so far as reasonably practicable, that electrical risks are minimised by the use of an appropriate residual current device (RCD) in the following circumstances:

- Use of electrical equipment in a hostile environment (moisture, heat, vibration, mechanical damage, corrosive chemicals or dust);
- Where electrical equipment is moved between different locations in circumstances where damage to the equipment or to a flexible electricity supply cord is reasonably likely;
- Electrical equipment is frequently moved during its normal use; and
- Electrical equipment forms part of, or is used in connection with, an amusement device.

This obligation is the same as that required under the previous regulations.

Common examples of electrical equipment requiring an RCD include:

- Hand-held electrical equipment, for example drills, saws, hair dryers, curling wands and electric knives;
- Electrical equipment that is moved while in operation, including jackhammers, electric lawn mowers, floor polishers and extension cords; and
- Electrical equipment that is moved between jobs in ways that could result in damage to the equipment, for example electric welders, electric cement mixers, portable bench saws and extension cords.

However, for construction and demolition sites PCBUs must comply with the RCD requirements described in AS/NZS 3012:2010 Electrical installations—Construction and demolition sites.

Importantly, the obligation to retrofit existing sockets has not been included in the new Work Health & Safety Regulations. The new regulations have adopted the less onerous national model legislation which require only that RCDs be provided in hostile environments, or when equipment is moved between locations or moved when in use and for amusement devices. **In each case this can be achieved by use of either a fixed RCD located at the switchboard or in the socket outlet, or a portable RCD for portable type electrical equipment.**

Obligations to provide RCDs under these circumstances commence on 1st January 2013.

Testing of RCDs

Where RCDs are installed, all legislation requires regular testing and record keeping. This obligation is unchanged under the new harmonised legislation and comes into effect from the date the RCD is installed. Testing frequencies and methods are detailed in AS/NZS 3760:2010 In-Service Safety Inspection and Testing of Electrical Equipment.

