EVC response to

Review of Queensland's Electrical Safety Act 2002

2021 report

August 2023

With reference to:

https://www.oir.qld.gov.au/public-consultation/electrical-safety-act-2002-review

https://www.oir.qld.gov.au/system/files/2023-05/ea-act-2002-review-final-report.pdf

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Preamble:

The Electric Vehicle Council (EVC) appreciates the opportunity to provide feedback on the recommendations of the December 2021 final report on the review of Queensland's Electrical Safety Act.

Some of our feedback, particularly with respect to recommendation 8, is captured within our response to the ESO Discussion Paper, which was published alongside the final report.

Our submission to that document can be accessed here:

https://electricvehiclecouncil.com.au/submissions/evc-response-to-eso-discussion-paper-on-review-of-queensland-electrical-safety-act-2002/

As Australia's national representative body for the EV industry, our primary goal is to promote investment certainty through policy development, knowledge sharing, and educational initiatives.

Executive summary of EVC position:

The report runs to 215 pages and contains 83 recommendations. We are providing a brief response to this report. Individual EVC members may have a range of views on this proposal.

We note that while there are recommendations in this report that are highly relevant to the electric vehicle sector, no vehicle manufacturers, vehicle repairers, or peak bodies representing the interests of this sector were part of the industry reference group. We note further that no reference appears to be made in the final report to the existing Australian Standards relevant to electric vehicle maintenance (AS5732) or the various training programs covering the safe maintenance of electric vehicles (AURETH101 and similar), which have existed and been delivered in Australia by RTOs for many years.

The framing of the report is in the context of fatality rates associated with electricity, which identifies on page 15 that the fatality rate (Nationally and in Queensland) is on the order of one fatality per 2 million people per year.

There are several hundred thousand vehicles in use in Australia today with battery systems at voltages high enough to be hazardous. This dates back to the introduction of mild-hybrid vehicles in the late 1990s. There are no recorded instances of a fatality associated with their maintenance that we are aware of.

By contrast, recent work related to the consequences of tailpipe emissions from vehicles indicates over 11,000 premature deaths per year associated with this cause[1], On a population base of 26 million, this is a fatality rate approximately 850 times higher than that associated with electricity.

The transition to electric vehicles will address these 11,000 annual premature deaths. The introduction of ill-conceived regulation in Queensland, developed without adequate engagement with industry stakeholders, will likely inhibit the transition to EVs, maintaining this level of loss of life associated with air pollution. We do not dispute the importance of electrical safety, but in the absence of clear evidence that the existing regulatory arrangements applying to electric vehicles are inadequate to provide for electrical safety, the introduction of regulations that will inhibit or obstruct the transition to EVs appears indefensible.

We address requirements around competency to undertake maintenance work on electric vehicles in our response to the ESO discussion paper, linked in the preamble. In short, the existing regulatory arrangements appear to be adequate, because there is no evidence of negative outcome, and ample evidence of systems delivering safe outcomes in place. If any enhancement to proof of competency is required, the need for it should be robustly demonstrated with data (given any increase in regulation will add cost, ultimately borne by consumers), and it should be limited to at most a restricted electrical licence.

We ask the parties reading this submission to also read and closely consider our submission to the ESO discussion paper on this report.

We note that this final report covers many additional matters that the ESO discussion paper did not touch on, which we address below specifically.

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[1] https://www.unimelb.edu.au/newsroom/news/2023/february/vehicle-emissions-may-cause-over-11,000-deaths-a-year,-research-shows

Specific comments to the items raised in the report

Section 6.3 – core definitions:

B. Electric vehicles and “electrical equipment”

The document claims that electric vehicles were ‘yet to reappear’ in Australia in 2002, and that “The first electric cars became available in Australia around 2010”. In truth, Toyota was supplying vehicles with 200+ volt traction batteries in the year 2000. By 2010, Hybrid electric vehicles with traction batteries at voltages high enough to be potentially hazardous were commonplace. They are now ubiquitous. The absence of representation from the vehicle sector in the Industry Reference Group is the likely cause for this level of error in the report.

This section notes the potential risks associated with vehicle electrification, but ignores the benefits in terms of avoided loss or damage to lives and property. Specifically, decarbonisation of transport is essential if we are to address climate change, and that (per above) we lose thousands of lives each year to air pollution attributable to tailpipe emissions.

NECA and the ETU are referenced in this section as seeking coverage of electric vehicles and charging stations under electrical safety legislation. Coverage of electric vehicle charging stations under the legislation and regulations is not at issue – that is already covered, their installation and maintenance are electrical work. It is however reasonable to question the organisational motivation of representative bodies, where they seek legislation that will expand their influence and reach into industries in which they are not currently participants. It would no doubt suit the ETU and NECA if every mechanic and vehicle assembly worker were required to be licenced as an electrical worker – but the fact that this outcome would serve the specific interests of these organisations does not automatically make it a good idea.

We also note that Ergon’s comment, “…voltage is almost irrelevant in assessing the nature of the danger for batteries…”. We consider this position incorrect. While it is possible to cause harm by dropping a spanner across the terminals of a 12V battery, that is a risk which has been present in mechanical workshops since cars started using starter motors. It does not require new legislation to manage. It’s already being managed. The new risk (which, is in fact over 20 years old at this point) is that the battery is of a voltage high enough to cause electrocution. The voltage is the ***most relevant*** new factor.

With respect to recommendation 2:

Review the electrical safety risks presented in electric vehicles and consider their inclusion in the scope of regulation by the Act. It is further recommended that the Electrical Safety Office engage with other relevant Queensland and Australian regulators as needed to ensure appropriate scope and to avoid both regulatory gaps and duplication.

The expectation of industry is that this review should include consideration of the existing regulatory arrangements that have, to date, delivered safe outcomes in the domain of maintenance of electric vehicles.

The discussion paper produced by the ESO on this matter fails to do this, as covered in our response to that document. It does not acknowledge the existence of the relevant Australian standards, or RTO delivered training programs, much less consider their fitness for purpose.

The risk we perceive is that Queensland will go it alone in this domain, creating new, state-specific regulations that will drive up cost for industry and stymie EV uptake, without actually delivering any safety improvements, because the domain is already quite safe.

With respect to recommendation 7:

Ensure the installation of mechanical protection for cables, including but not limited to conduit (both plastic and metal), cable racks and trays, skirting, troughs etc., and the installation of cabling into these protection components is the work of licensed electrical workers or to be performed under the direct supervision of a licensed electrical worker. Associated with this work is earthing and bonding work, to be defined as electrical work (recommendation 5) and must only be performed by competent licensed electrical worker/s.

Requiring the installation of cable tray and similar, which are basic mechanical components, to be undertaken by licenced electrical workers, or supervised by licenced electrical workers, could reasonably be expected to drive up the costs associated with retrofitting buildings to support the deployment of EV charging equipment. This uplift in cost will be felt across the community, and may contribute to a delay in the uptake of EVs by consumers in settings like apartment complexes.

It would be appropriate to undertake a cost-benefit analysis on this recommendation, to identify the cost associated with this measure, and the commensurate risk reduction that is reasonably expected – for example, is there significant evidence of cable tray being installed incorrectly by parties other than licenced electrical workers, and if so, what mitigation has been attempted?

While NECA's motivation to have this requirement brought into place is reasonably clear, it is not self-evident that this type of work needs to be undertaken by, or supervised by, a person with an electrical licence in order that it be done correctly.

With respect to recommendation 8:

For electric vehicles (or parts thereof) falling within the definition of "electrical equipment" (see Recommendations 2 and 4), consider requiring:
***(a)** appropriately licensed electrical workers to carry out the electrical work on the electrical components when the vehicle is serviced and or repaired, to ensure the safety of owners/operators and community; and*
***(b)** appropriately licensed electrical workers carry out the electrical work on the electrical components of the vehicle when an electric vehicle requires on-road break-down work to ensure safety of owners/operators, the community and first responders.*

And in particular noting from the preamble to this recommendation:

"The ETU advocated for the involvement of electrical fitter mechanics in manufacturing of electric vehicles in Queensland."

Our response on the topic of appropriate competency with respect to vehicle maintenance is captured in our submission to the ESO discussion paper:

https://electricvehiclecouncil.com.au/submissions/evc-response-to-eso-discussion-paper-on-review-of-queensland-electrical-safety-act-2002/

The need for requiring persons undertaking maintenance on EVs to be licenced electrical workers has not been demonstrated. The presence of a robust framework in existence today, inclusive of Australian standards and RTO delivered training programs, has been overlooked in this work, in favour of pursuit of increased regulation.

In the event that a robust, evidence-based review determines that current regulatory approaches are inadequate, a practical alternative to a four-year licensing requirement would be the introduction of a short upskill licence akin to a "restricted electrical licence" obtained by plumbers, enabling safe, competent electrical work to be undertaken.

The ESO discussion paper did not touch on vehicle manufacture specifically, but from the text in the final report, it is reasonably clear that the ETU would like to see a future where the manufacture of EVs requires the involvement of licenced electrical workers. This would predictably result in ETU union presence in the facilities manufacturing EVs, to the extent that EVs are manufactured in Australia. The ETU's motivation to bring this about is reasonably clear. Once again, it is not clear that this is in the national or state interest, or necessary to ensure safe outcomes.

Before taking a step of this nature, it would be appropriate to seek the input of organisations currently manufacturing vehicles in Queensland. Volvo Trucks would be a good place to start, along with the five Queensland based bus manufacturers currently in operation.

With respect to recommendation 12:

Evaluate existing powers to make subordinate legislation and amend the Act as required to enable regulations to be made with respect to new technologies and methodologies that pose an electrical safety risk, as those technologies arise (Act s 210).

The EVC agrees that the legislation needs to enable regulation to keep up with new technologies and methodologies. However, we note that when contemplating new technologies such as electric vehicles, this review, and the ESO discussion paper we've already responded to:

- make significant errors in matters of fact
- make errors of omission (for example ignoring the existence of currently applicable standards, RTO delivered training, and workplace practices)
- identify an absence of engagement with key stakeholders

The proposed direction of regulation (requiring mechanics to be licenced electrical workers) would be highly likely to disrupt the supply of electric vehicles to Queensland.

We also note the background to the report, wherein new regulation was brought in relating to solar farms, that was challenged in court and ultimately declared invalid in short order.

Given the demonstrated propensity of the regulator to introduce regulation with significant commercial consequence on business and the community, without adequate consultation or engagement, we would like to see an appropriate oversight framework applied.

The clearest pathway to this outcome would likely be for Queensland Treasury's Office of Best Practice Regulation to review and sign off on any proposed new regulations, with a view to ensuring that newly proposed regulations are economically appropriate.

With respect to recommendation 20:

Consider clarifying the meaning of miscellaneous terms found in core definitions of the Act and Regulations, to ensure stakeholder understanding and appropriate scope.
Specifically, within the Act, it is considered that further clarification is required in relation to:
(a) *the definition of a "prescribed entity" generally via characteristics, other than listed entities (Regulations, ss 6, 233)*
(b) *the meaning of "an area in which the atmosphere presents a risk to health and safety from fire or explosion", to assist with straightforward application to real world situations (s 14(1)(c))*
(c) *the relationship between AS3000 and AS3008 and the definition of "electrical work" (s 18)*
(d) *the meaning of "performance of work" in contrast to "performance of electrical work" (s 56(3)(b)).*

Specifically with respect to 20(b). Any revision to this terminology within the Act or the subordinate regulations should bring it into alignment with the Australian Standards currently mandated for application in this domain, which are themselves aligned with the relevant international standards. The relevant standards series is AS/NZS60079.

The invention of new terms to describe things that are already explicitly described in long-standing documents will predictably lead to confusion and misunderstanding; alignment will fix this.

The relevance of this to the EV industry is that EV charging equipment is likely to be deployed at existing petrol stations at scale over the coming years. These locations contain

areas defined under the AS/NZS60079 series of standards as 'explosive atmospheres'. Re-inventing the way these areas are referenced in the Act could easily create room for deployment of these types of installations to be needlessly obstructed or hindered.

With respect to recommendation 21-23

Recommendation 21: *Consider implementing enhanced regulation of the supply chain for in-scope electrical equipment by adopting additional duties found in "non-conforming building products" (NCBP) legislation, administered by the Queensland Building and Construction Commission, including consideration of:*
(a) *ensuring the product/equipment is safe as per the safety standard; and*
(b) *ensuring each level of the supply chain only passes on products with the required information for the product/equipment; and*
(c) *reporting requirements for licensed electrical workers when they encounter work employing non-conforming electrical products; and*
(d) *ensuring requirements to comply with recall orders extend throughout the supply chain and including in multiple jurisdictions.*
In addition, consideration of expanded duties in relation to non-conforming electrical equipment to:
(e) *empower the Regulator to require, on demand, the supplier of relevant equipment to provide that equipment for testing at no cost to the Regulator (s 184); and*
(f) *enabling the Regulator to impose a condition on a certificate of conformity (s 155(a)); and*
(g) *establishing prohibitive penalties for non-conforming electrical equipment; and*
(h) *clarifying the relationship between NCBP legislation scope and electrical safety requirements and legislation.*

Recommendation 22*: Consider strengthening requirements for importers and suppliers of electrical equipment to confirm they conform with the appropriate standard or Regulations, whichever is greater, and are electrically safe prior to sale.*
(i) *noting that the applicable standard or Regulations is that at the time of import or manufacture in Australia.*

Recommendation 23*: Consider enhancing the Regulator's powers to cancel responsible supplier registrations; for example, where the person is ineligible, overseas or interstate (Regulations ss 139-142).*

Requiring that electrical equipment installed be safe as per relevant standards is a laudable goal. It's one that is already covered under the EESS scheme, which covers most of the country, as discussed in section 7.5 of the report.

Before enhancing state-level regulation in this domain, it would be appropriate for a robust review to be undertaken to identify shortcomings of the EESS scheme that have resulted in negative safety outcomes.

The risk here is that we end up with a Queensland specific set of compliance requirements for electrical equipment, that does not apply to other states – and, that this balkanisation of electrical compliance requirements would continue. The EV industry is already seeing similar moves in South Australia, promulgated by the OTR. To the extent that

manufacturers seek to be compliant to these types of requirements, this would drive up cost for manufacturers, limit product available in market (ie, limit competition), and hence drive up consumer cost.

It would be far more appropriate to address concerns of this nature at a national level. A nation of 25 million people does not need 8 different sets of compliance requirements around electrical equipment.

Rather than addressing this matter in the Electrical Safety Act in Queensland, the EVC suggests that stakeholders interested in securing this outcome in Queensland should engage in this discussion at a national level, specifically with a view to enhancing the EESS, if that is actually necessary. This actually a variation of recommendation 75 from the report:

"Consider clarifying and enhancing in-scope electrical equipment-related standards and sanctions (Act, Part 2A; Regulations Part 7)."

From the preamble leading to these recommendations, we note:

"It was considered during the Review that current provisions in the legislation provided an opportunity for strengthening these requirements. Strengthening these requirements would afford further protections for the community consistent with the purpose of the Act….. It was considered that an opportunity to strengthen these requirements should not be missed to ensure that electrical safety framework in Queensland remains rigorous and effective."

Our response to recommendation 12 – that Queensland Treasury's OBPR should have some oversight – is applicable here as well. The review has identified that there is room to strengthen the regulations, and that strengthening the regulations may enhance safety. It appears to give no consideration to the ***cost on consumers*** (either direct or as passed through by industry or government) of strengthening the regulations.

From the preamble leading to these recommendations, we also note:

"Duties on importers, designers and manufacturers are key in ensuring that electrical equipment in its design is ***intrinsically safe….***"

The term 'intrinsically safe' has a specific meaning in the electrical industry, under standards series AS/NZS60079. It is **definitely not** the right term to be using in this context. Requiring all electrical equipment in its design to be 'intrinsically safe' would bar from sale the vast majority of electrical equipment in the market.

We expect that this term in this context is not intended to have this meaning, but would point to its usage as further evidence that a broad enough range of stakeholders was not involved in this work.

With respect to recommendations 24-26:

Recommendation 24*: Consider including explicit duties of Qualified Technical Persons (QTP) in electrical safety legislation, as set out in current ESO guidance on the role of a QTP (as published on the WorkSafe website The role of the qualified technical person (QTP) | WorkSafe.qld.gov.au), requiring QTPs to:*
(a) *develop and implement a safe system of work, and review and update procedures; and*
(b) *ensure currency of worker competence and that scope of work is within a worker's current license scope and competence level; and*
(c) *ensure appropriate levels of supervision for all workers, including apprentices and trainees (recommendation 13); and*
(d) *annually arranging training and skills programs for workers, and regularly consult with workers on training needs; and*
(e) *advise the PCBU and workers on compliance matters, including Australian Standards, legislation, and codes of practice.*
Recommendation 25*: Consider introducing a requirement that all businesses that employ (non-contract) electrical workers also must directly employ a QTP.*
Recommendation 26*: Consider introducing administrative means to ensure QTPs working across several organisations can fulfill the duties of the position effectively.*

Read in conjunction with recommendations that vehicle maintenance and vehicle manufacture be treated as electrical work, these recommendations could be expected to lead to an outcome where a vehicle workshop is not only required to have trade-qualified electricians undertake maintenance work, but is also required to appoint a 'QTP', who would have a broad range of responsibilities under the regulations.

Once again, it appears form the preamble that the ETU is the driving force behind this recommendation. This is logical; a requirement of this nature would be in the interests of the ETU. As with our comment to recommendation 8, it is not clear that this is in the national or state interest, or necessary to ensure safe outcomes.

Before giving consideration to the implementation of this recommendation with respect to vehicle maintenance or vehicle manufacture, it would be appropriate to undertake a robust review the existing arrangements, to determine if there is a genuine safety-based need to introduce new requirements, and hence new operating costs that will ultimately be borne by consumers, and taking into account the likely impact on the Queensland government's Zero Emission Vehicle Strategy.

With respect to recommendation 29:

Consider including within the Act, provisions equivalent to Health and Safety Representatives (HSR) and Work Health and Safety Officers (WHSO) found in the Work Health and Safety Act 2011.

Same commentary as with respect to recommendation 24-26. Enterprises undertaking maintenance of vehicles, and manufacture of vehicles, are already subject to the WHSA. It has not been demonstrated that in these contexts, an 'electrically qualified HSR' is necessary – per our submission to the ESO discussion paper, maintenance work on vehicles including batteries

at significant voltage has been commonplace in Queensland for over 20 years, without any need for this.

Further, we'd observe that the line of thinking would logically lead to an explosion in the number of HSRs and WHSOs. Electrical safety is one particular kind of risk, with specific knowledge and skills attached to it. In every workplace, however, there can be expected to be specific kinds of risks associated with the nature of the work being undertaken, that a generalist HSR would not necessarily be competent to identify.

Rather than mimicking the provisions of the *Work Health and Safety Act 2011* in the Electrical Safety Act, it would be more appropriate to go to the *Work Health and Safety Act 2011*, and ensure that the HSRs and WHSOs are required to be competent to identify the risks relevant to their specific workplaces.

With respect to Recommendation 34:

Consider the introduction of CPD requirements for all licence holders, phasing in a requirement at initially low points attainment threshold (recommended at 6 hours/year equivalent or similar), to be increased over a suitable period of time until full implementation is achieved over no more than two contractor licence periods (six years).

(a) *It is considered that a full CPD program would not exceed a total of 20 hours CPD per year, or 60 hours each three-year licensing period upon full implementation. It is further recommended that for electrical contractors, professional development activities may include four areas of competence being technical, safety, business and leadership to ensure maintenance of competency across the scope of the licence; and*
(b) *for licensed electrical workers who hold a supervisory or management role, a maximum of 15 hours CPD per year across technical, safety and leadership; and*
(c) *for electrical worker license holders, a maximum of 12 hours CPD per year across technical and safety in accordance with the maintenance of competency across the scope of the licence.*

The EVC supports the introduction of CPD arrangements for electrical workers. To the extent possible, this should be aligned with existing arrangements in other states.

With respect to Recommendation 48:

Ensure the electrical safety of installations in recreational vehicles by requiring an electrical installation audit at point of sale and every 10 years (in line with gas tank testing), and:
(a) *consider extending this provision to domestic, commercial and recreational vessels that utilise solar panels and or generators as their primary source of electricity*
(b) *ensure regulatory oversight and proactive inspections are undertaken by the Regulator.*

For the avoidance of doubt, the EVC notes that this recommendation should not be applied to road-registered electric vehicles, such as (but not limited to) motorcycles, cars, buses, and trucks. Safety of road registered vehicles is addressed via other mechanisms.

With respect to Recommendation 49:

Consider enhancing the Regulator's powers to obtain and provide information regarding electrical safety (Act s 122C), to better fulfill the Regulator's function to "provide advice and information on electrical safety to duty holders under this Act and to the community" (Act s 122(1)(c)).

The EVC notes that the function of '*provide advice and information on electrical safety to duty holders under this Act and to the community'* is extremely wide reachcould lead the regulator to believe that they require an extremely wide variety of information, much of which is likely to be commercially sensitive. The EVC would suggest that if the recommendation is carried through, it is done in a manner that does not deliver the regulator carte blanche.

With respect to Recommendation 60:

Consider implementing similar provisions from the Queensland Coal Mining Safety and Health Act 1999 (s 109 & s 118) for industry safety and health representatives. The union after a ballot of its members may appoint up to three industry safety and health representatives for a term of up to four years. The role is conducted on a full-time basis and ensures an acceptable level of electrical safety, reviews electrical safety procedures, takes action to 'make safe' in the event of an electrically unsafe installation and assists in the onsite investigation of unsafe practices.

And noting from the preamble to this recommendation:
"The Review is of the view that a similar unique risk profile is present in the electrical industry and a replica model would be a sensible approach to elevate the profile of electrical safety and afford additional protections for workers."

As with our response to recommendations 24-26, and read in conjunction with recommendation 8, the EVC considers that this approach could be construed as placing unwarranted and unjustified requirements on the vehicle maintenance and manufacturing sectors.

Despite the assertion of the review quoted above, the activity of vehicle maintenance is not as dangerous as the activity of coal mining, and the ongoing transition to electric vehicles is not going to make it so.

We note further that the recommendation specifically identifies 'the union' as the party empowered to appoint industry health and safety representatives. This aligns with our response to recommendation 8. It appears to our read of this review that the ETU is seeking an outcome whereby there would be significant ETU union presence in the facilities maintaining and manufacturing EVs.

Clarity around precisely which workplaces would fall within the purview of this recommendation is required.

With respect to Recommendation 61:

Consider conducting a review of the financial contributions that support electrical safety in Queensland with a view to require proportionately determined financial contributions from all relevant Government Owned Corporations and industry sectors including electrical contracting and renewable generators, in addition to existing "electrical safety contributions" for distribution entities (Act, Part 14A, Division 1). This recommendation is to ensure these financial contributions keep pace with the rapidly expanding volume of electricity market participants.

The operation of the Electrical Safety Office is function of Queensland government, which has a responsibility to ensure adequate regulation and enforcement occurs. The private sector already contributes to the cost of running government, through taxation. Rather than standing up a new mechanisms to levy a new fee on electrical contractors to fund the regulator, if the regulator requires additional funding, this could simply be paid for by state government. Ultimately, it is the community that will pay for this – either through taxation, or through pass-through of increased costs of electrical work.

With respect to Recommendation 64 (a):

Consider enhancing compliance with electrical safety laws by expanding the regulatory means to discover, prevent and sanction breaches, and to otherwise clarify compliance requirements, by:
***(a)** making explicit that inspectors have the power to access residential premises for the purposes of examining and assess switchboards (Act, s 140); and*

And noting the preamble to the recommendation:
"Inspector powers of entry have significant limitations on places used for residential purposes. Under section 140 of the Act, powers are not exercisable in a residential context except with the consent of the person with management or control of the place, under the authority conferred by a search warrant, or for the purpose of gaining access to a place the inspector may enter under section 138, but only if the inspector reasonably believes that no reasonable alternative access is available and at a reasonable time having regard to the times at which the inspection believes work is being carried out at the place to which access is sought considered necessary that inspectors have access to residential premises."

The EVC notes that in other recommendations, this review has prioritised the preferences of parties in the electrical sector (ESO, ETU, NECA), over the interests of other parties who were not participants in the review process – inclusive of private citizens. For example, costs likely to be imposed on consumers associated with strengthened regulatory requirements are not considered adequately, and impacts on businesses required to comply with new requirements are generally not considered either.

This preamble to this particular recommendation notes that the powers of electrical inspectors to enter private homes is limited – which is entirely appropriate. Electrical switchboards are routinely located inside private homes. It is not appropriate for an electrical inspector to have an automatic right to enter a private home, without some consideration to the rights of the resident. This is captured within the existing limitations.

The EVC strongly suggests that any change to this provision be considered by appropriate government agencies and should hold as a priority the rights of the citizenry.

With respect to recommendation 70:

Consider a phased introduction of a requirement for a licensed electrical worker to perform an electrical safety inspection on all properties within five years of commencement of this requirement, and thereafter within five years of the last electrical safety inspection or receipt of an electrical safety certificate [see Recommendation 69, directly above], whichever is later.

(a) *it is further recommended for consideration that where an inspection identifies asbestos panels and boards within electrical switchboards, the homeowner must replace to meet current standards. It is suggested that homeowners have up to two years from the date of initial identification to rectify.*

The EVC notes that rectification works to remove asbestos coupled with replacement of the switchboard are likely to prove expensive - potentially on the order of thousands of dollars per home. If there is otherwise no need to disturb the asbestos, it is likely safe to be left in place through to the end of life of the structure – which means that this cost to consumers can potentially be wholly, and safely, avoided.

This recommendation should be tested by the OBPR, with a view to validating whether it stacks up on a cost/benefit basis, noting that the cost appears intended to be entirely borne by the consumer, and that in many cases there will not necessarily be a significant benefit.

With respect to recommendation 72:

Consider the introduction of record keeping by the wholesaler or retailer at the point of sale of prescribed electrical equipment, being equipment that must be installed by a licensed electrical worker. Prescribed electrical equipment would include specified fixed wired electrical accessories, components and electrical appliances. The purchaser's name and address or other contact information and the specific equipment purchased must be recorded. It is recommended these records should be made available to the Electrical Safety Office on request for the purposes of regulatory activities such as assisting with recalls and identifying unlicenced electrical work in the interest of electrical safety.

And noting from the preamble to the recommendation:

"The group discussed the vast number of items that consumers can purchase that require installation by a licensed electrician and whether a registration approach would be necessary for all goods that require licensed installation. The group discussed that a narrow list of items requiring the registration of sale would more appropriate excluding items such as ceiling fans but including items such as cable noting this was a stronger indicator of unlicensed work."

"This issue was discussed in great length during consultation."

The EVC notes that this measure does not appear well thought through. This recommendation is disproportionate by comparison to obligations associated with record keeping and reporting at point of sale associated with other products with potentially hazardous outcomes, and which require competence to safely use.

For example, a private person can buy a chainsaw, or an oxy-acetylene kit, or any of an extremely wide variety of toxic chemicals, with no tracking whatsoever at any number of retail outlets, and without providing any evidence that they are competent to safely use such things.

The EVC would suggest that if the desire to take this recommendation forward is serious, it would be appropriate to form a working group, inclusive of industry stakeholders, consumer group representatives, retailers of electrical products, and the Queensland privacy commissioner to develop a better thought through recommendation.

Additional comment:

The EVC notes that among the many sound elements in AS5732, the relevant Australian Standard covering maintenance of electric vehicles, there is specific mention of automated external defibrillators (AEDs).

The EVC is in agreement with the standard on this matter, and contributed to its most recent re-drafting.

> **4.2.5 AEDs**
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> Immediate availability (within 200 m of the competent person) of an AED is recommended (see Clause 1.3.2) in a workshop environment where any electric vehicle is undergoing repairs to its electrical systems. An AED should be applied as quickly as possible (ideally within 3 min).

This recommendation is in no way linked to the proof of competence of the individual and should not be construed as the EVC suggesting that an AED can be considered an alternative to competence. The position is that in the case of an electric shock, an AED can make all the difference to the survival of the individual concerned – and hence, in environments where there is potentially a heightened risk of occurrence of electric shock, an AED is recommended.

The EVC notes that while the final report makes many, many recommendations, it appears that AEDs are not considered.