

New Zealand.



ANALYSIS.

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1925, No. 23.

Title.

AN ACT to provide for the Registration of Electrical Wiremen and for the Regulation of Electrical-wiring Work.

[29th September, 1925.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title and commencement.

1. This Act may be cited as the Electrical Wiremen's Registration Act, 1925, and shall come into operation on the first day of April, nineteen hundred and twenty-six.

Interpretation.

2. In this Act, unless inconsistent with the context,—

“Board” means the Electrical Wiremen's Registration Board constituted under this Act:

“Electrical-supply authority” means any person or authority licensed or otherwise authorized to generate and supply electrical energy:

“Minister” means the Minister of Public Works:

“Register” means the Register of Electrical Wiremen kept pursuant to this Act:

“Registered” means registered under this Act.

3. (1.) An Electrical Wiremen's Registration Board is hereby established, consisting of five persons to be appointed by the Minister, of whom—

Constitution and
procedure of
Electrical
Wiremen's
Registration Board.

- (a.) One shall be the person for the time being holding the office of Chief Electrical Engineer in the Public Works Department :
- (b.) One shall be a person holding the position of Electrical Engineer to an Electric-power Board or a Borough Council :
- (c.) One shall be appointed on the recommendation of a body recognized by the Minister as representing the insurance companies carrying on in New Zealand the business of fire insurance :
- (d.) One (who shall be a registered electrical engineer) shall be appointed on the recommendation of a body recognized by the Minister as representing electrical traders or electrical contractors in New Zealand :
- (e.) One shall be appointed on the recommendation of a body recognized by the Minister as representing electrical wiremen in New Zealand.

(2.) The powers of the Board shall not be affected by any vacancy in the membership thereof.

(3.) The Chief Electrical Engineer of the Public Works Department shall be the Chairman of the Board. In the event of his absence from any meeting of the Board some other person, to be appointed by him for the purpose, being an Electrical Engineer of the Public Works Department, may attend, and shall for the purposes of that meeting be deemed to be a member of the Board.

(4.) Save as provided in the next succeeding subsection, every member of the Board other than the Chief Electrical Engineer of the Public Works Department shall be appointed for a term of three years, but may from time to time be reappointed, or may be at any time removed from office by the Minister for disability, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Minister.

(5.) If any member of the Board dies, resigns, or otherwise vacates his office, the vacancy so created shall, within two months after the occurrence thereof, be filled in the manner in which the appointment to the vacant office was originally made. Every person so appointed shall hold office for the residue of the term for which his predecessor was appointed.

(6.) The first meeting of the Board shall be held at such place, and at such time, being not later than two months after the commencement of this Act, as may be determined in that behalf by the Minister.

(7.) At every meeting of the Board three members shall constitute a quorum, and no business shall be transacted at any meeting unless a quorum is present.

(8.) In the absence of the Chairman from any meeting of the Board the members present thereat shall choose one of their number to be chairman of that meeting. At every meeting of the Board the Chairman shall have a deliberative vote, and, in the case of an equality of votes, shall also have a casting-vote.

(9.) Every question before the Board shall be determined by a majority of the votes of the members present at a meeting of the Board.

(10.) A meeting of the Board may be demanded at any time by notice signed by any two members thereof and sent to the Registrar, who shall thereupon convene the meeting.

Allowances and travelling-expenses of members of Board.

4. (1.) Every member of the Board, not being an officer in the service of the Government, shall be paid such allowances as may be lawfully appointed, and all travelling-expenses reasonably incurred by him in respect of his attendance at meetings of the Board and in transacting the business thereof.

(2.) All such amounts shall be paid out of moneys to be appropriated by Parliament for the purpose.

Functions of Board.

5. The functions of the Board shall be—

(a.) To conduct, or provide for the conduct of, examinations under this Act; to appoint examiners and make all other necessary arrangements for the purposes of such examinations; and to issue certificates of having passed such examinations to persons entitled thereto:

(b.) To receive applications for registration under this Act, and to authorize registration in cases where the conditions of registration have been complied with:

(c.) Generally, within the scope of its authority, to do whatever may in its opinion be necessary for the effective administration of this Act.

Registrar of Electrical Wiremen.

6. There shall be appointed an officer of the Public Service to be called the Registrar of Electrical Wiremen. Such office may be held concurrently with any other office.

Register of Electrical Wiremen.

7. The Registrar shall keep in his office a Register of Electrical Wiremen in which shall be entered the names of all persons registered under this Act, the qualifications by virtue of which they are so registered, and such other particulars in relation thereto as may from time to time be prescribed.

Qualifications of applicants for registration under this Act.

8. (1.) Save as otherwise expressly provided in this Act, every person shall, on payment of the prescribed fee, be entitled to be registered under this Act as an electrical wireman who—

(a.) Has received satisfactory training as an electrical wireman, and is the holder of a certificate as an electrical wireman granted after an examination in both theoretical and practical electrical wiring and recognized by the Board as a sufficient certificate for the purposes of this Act; or

(b.) Passes such examination as may be prescribed by regulations under this Act of a standard not lower than that prescribed for electrical wiremen by the City of London Guilds; or

(c.) At the commencement of this Act is the holder of a certificate or license as an electrical wireman issued by an electrical-supply authority approved for the purpose by the Board; or

(d.) Not being the holder of a certificate or license as provided in the foregoing paragraphs of this subsection and not having passed the prescribed examination is, in the opinion of the Board, competent to perform the duties of an electrical wireman.

(2.) In addition to the persons entitled to be registered as aforesaid the Board may, on application made at any time within one month after the expiry of a provisional license issued under section sixteen hereof, register as an electrical wireman the person to whom such license was issued if the Board is satisfied that the applicant had been employed as an electrical wireman for at least three years prior to the issue of such provisional license, and that during the currency of such license he has satisfactorily performed the work of a registered electrical wireman.

(3.) No person shall be registered as an electrical wireman—

(a.) Under paragraph (a) or paragraph (b) of subsection one hereof, unless he produces to the Board sufficient evidence of his having been employed or engaged in the work of an electrical wireman for at least three years prior to the date of his application for registration :

(b.) Under paragraph (c) or paragraph (d) of that subsection, unless application for registration is made to the Board within nine months after the commencement of this Act.

9. (1.) Every application for registration under this Act shall be in writing addressed to the Board, and shall state an address at which notices may be served by the Board pursuant to subsection two of section thirteen hereof. Applications for registration to be in writing.

(2.) No entry in the register of the name of any person shall be made by the Registrar without the direction in writing of the Board.

10. Every person who makes any false or fraudulent representation, or produces to the Board or the Registrar any false certificate or testimonial, for the purpose of securing registration under this Act commits an offence and is liable to a fine of fifty pounds. Penalty for fraudulently procuring registration.

11. (1.) No person shall be registered under this Act who is less than nineteen years of age. Limitations as to age and character.

(2.) The Board shall not direct the registration under this Act of any applicant who is not, in the opinion of the Board, of good character and reputation.

12. Every person registered as an electrical wireman under this Act shall be entitled to receive a certificate of registration under the hand of the Registrar. Every such certificate shall remain the property of the Board, and shall be surrendered on demand. Certificates of registration.

13. (1.) The Board may cause to be removed from the register the name of every person who— Cancellation of registration.

(a.) Is proved to the satisfaction of the Board to have died ; or

(b.) Has been registered under this Act in error ; or

(c.) Is punished by imprisonment for any offence which in the opinion of the Board renders him unfit to be registered under this Act ; or

(d.) Has two or more endorsements made on his license as hereinafter provided ; or

(e.) Has been guilty of such improper conduct as renders him, in the opinion of the Board, unfit to be registered under this Act.

(2.) In addition to the powers conferred on it by the last preceding subsection the Board may cause to be removed from the register the name of every person who, within the time limited in that behalf by

a notice served on him by the Board, fails to notify the Board that he continues to be engaged in the calling of a registered electrical wireman, or that, though not so engaged, he desires his name to be retained on the register. The time limited as aforesaid shall in no case be less than three months from the date of the Board's notice. It shall be sufficient service of such notice on any person to post the same to him at the address stated by him in his application for registration as an electrical wireman pursuant to subsection one of section nine hereof, or at an address furnished by him to the Board in substitution for that address.

(3.) The Board may at any time without payment of any fee re-register any person whose name has been removed from the register pursuant to the last preceding subsection.

Copy of register to be gazetted.

14. (1.) The Board shall in the month of April in every year furnish to the Minister a copy of the register as at the thirty-first day of March then last past, and the Minister shall cause the same to be published in the *Gazette*.

(2.) The *Gazette* containing any such copy shall, unless the contrary is proved, be sufficient evidence in all judicial proceedings that on the thirty-first day of March immediately preceding the date of the *Gazette* every person whose name appears therein as a registered electrical wireman was duly registered as such by virtue of the qualifications therein appearing, and that no person was so registered whose name does not appear therein as a registered electrical wireman; and also that every person has continued to be so registered at all times after the said thirty-first day of March and before the date of the next annual publication of the register.

Copy of register to be kept at office of electrical-supply authority.

15. A copy of the register as published in the *Gazette* shall be kept at the office of every electrical-supply authority, and shall be open for inspection by any person during office hours.

Provisional licenses.

16. (1.) The Board may grant to any person not qualified to be registered under this Act a provisional license for a period not exceeding six months at any one time, and while such license remains in force the holder thereof shall be entitled to carry out any work as if he were a registered electrical wireman.

(2.) Any such license may at any time during the currency thereof be withdrawn by the Board.

Registered wiremen not required to pass further examination.

17. While any person is registered under this Act or is the holder of a provisional license under the last preceding section it shall not be lawful for any electrical-supply authority to require him to pass any examination to test his competency as an electrical wireman or to require him to pay any license fee under any by-law made by such authority and relating to electrical-wiring work.

Wiring of premises to be done by or under supervision of registered electrical wireman.

18. (1.) No person other than a registered electrical wireman, or the holder of a provisional license, with or without the assistance of apprentices in any case, shall be engaged in the work of wiring any premises for electric lighting, heating, or power purposes.

(2.) Before any work is begun in connection with such wiring the person undertaking such work shall notify the electrical-supply authority concerned of the name of the registered electrical wireman or holder of a provisional license by whom such work will be performed, or, if

there is more than one such person, the names of all such persons, or, in the alternative, the name of the person charged with the supervision of the work.

19. (1.) The electrical-supply authority shall cause to be inspected all electrical-wiring work in any premises before the same are connected with the source of supply, and shall forthwith report to the Board any fault or defect in such work which in its opinion would justify the removal from the register of the name of any registered electrical wireman, or the endorsement of his certificate of registration, or the withdrawal of a provisional license, as the case may be; and may, pending the decision of the Board, suspend any such wireman for a period not exceeding one month, and during the period of suspension it shall not be lawful for him to do the work of a registered electrical wireman.

Electrical-supply authority to inspect wiring.

(2.) On receiving such a report as aforesaid the Board may,—

(a.) If the person in respect of whose work the report is made is a registered electrical wireman, either cause his name to be removed from the register or cause his certificate of registration to be endorsed with a record of such fault or defect as aforesaid and a note of such endorsement to be inserted in the register against his name; or

(b.) If he is the holder of a provisional license, withdraw such license.

(3.) If, in any case where a wireman has been suspended pending the decision of the Board as provided in subsection one hereof, the Board is satisfied that there were no reasonable grounds for his suspension, the electrical-supply authority shall pay to the wireman an amount equal to the loss suffered by him during the period of suspension by reason of any consequent reduction of wages or loss of employment, and the said amount shall be recoverable as a debt due by the electrical-supply authority to the wireman.

20. (1.) No electrical-supply authority shall cause any inspection of wiring of any premises to be made for the purposes of the last preceding section by any person other than a person appointed by it for the purpose and registered or licensed as an Inspector of electrical wiring as hereinafter provided.

Appointment of Inspectors of electrical wiring.

(2.) No person shall be so appointed who is not a registered electrical wireman, save that any person employed by such supply authority as an Inspector before the commencement of this Act may be appointed for a period not exceeding six months after the commencement of this Act.

21. (1.) Every electrical-supply authority shall forthwith in the prescribed form notify the Board of its appointment of any person as an Inspector of electrical wiring.

Register of Inspectors.

(2.) If the person whose appointment is so notified is a registered electrical wireman the Board shall enter his name in a Register of Inspectors of Electrical Wiring to be kept by it; and if such person is not a registered electrical wireman but is otherwise qualified under the last preceding section to be appointed an Inspector the Board shall issue to him a license to make inspections for the purposes of section nineteen hereof for a period of six months after the commencement of this Act; and if at the expiration of that period the Board is satisfied as to

his competency to make such inspections as aforesaid it may register him as an Inspector of electrical wiring.

Complaints as to
inspection of wiring.

22. (1.) If at any time a complaint as to the manner in which the inspection of any wiring has been or is being carried out by an electrical-supply authority is made to the Board by the body recognized by the Minister as representing electrical traders or electrical contractors in New Zealand, the Board shall appoint some competent person to inquire and report to the Board in the matter of the complaint. If as a result of such inquiry and report the Board is satisfied that such inspection has been or is being made in an unfair manner, the Board may cancel the registration under the last preceding section of the Inspector making such inspection, or may withdraw his license, as the case may be, or may suspend him for such period as it thinks fit, and during the period of such suspension it shall not be lawful for him to act as an Inspector of electrical wiring.

(2.) The cost of making an inquiry and report pursuant to this section shall be ascertained by the Board, and shall be claimed by it from the body making the complaint or from the electrical-supply authority as the Board may determine, or may be apportioned by the Board in such manner as it thinks proper, and the amount so claimed shall constitute a debt due to the Crown, and shall be recoverable in any Court of competent jurisdiction.

Appeals from Board.

23. (1.) Every person who is aggrieved by any decision of the Board under this Act in relation to registration or an application for registration, other than a decision under the last preceding section, may, within three months after notice of such decision has been communicated to him by the Registrar, appeal in the prescribed manner to a Board of Appeal consisting of a Magistrate and two assessors, of whom one shall be appointed by the Board and one by the appellant.

(2.) The Board of Appeal shall thereupon hear the appeal, and may either confirm the decision of the Board, or order the registration of the appellant, or the restoration of his name to the appropriate register, and the determination of the Board of Appeal shall be final and conclusive.

Board to notify
Minister of removals
from register, &c.

24. (1.) Forthwith after the removal of the name of any person from a register under this Act or after the withdrawal of a provisional license the Board shall give notice thereof to the Minister.

(2.) The Minister shall cause to be published in the *Gazette* a quarterly return showing the names and addresses of persons whose names have been removed from any register as aforesaid, and also of persons from whom a provisional license issued under section sixteen hereof has been withdrawn.

(3.) A copy of every such notice published in the *Gazette* shall be kept in the office of every electrical-supply authority, and shall be open for inspection by any person during office hours.

Offences.

25. (1.) Every person commits an offence and is liable on summary conviction to a fine of twenty pounds who,—

(a.) Not being registered or licensed as an electrical wireman, or as an Inspector of electrical wiring under this Act, uses or causes to be used in connection with his business, trade, or calling any written words, titles, initials or abbreviation of words,

titles, or initials intended to cause, or which may reasonably cause, any other person to believe that he is so registered or licensed ; or

- (b.) Does, or knowingly employs or permits any person to do, any electrical-wiring work contrary to the provisions of this Act or of any regulations thereunder.

(2.) Every person commits an offence and is liable on summary conviction to a fine of five pounds who fails or refuses to surrender to the Board on demand in writing his certificate of registration as an electrical wireman, or who fails or refuses so to surrender on its withdrawal or suspension any other certificate of registration or any license issued to him under this Act, and in the meantime such certificate or license shall not be an authority to do any work that it purports to authorize.

(3.) Every person who commits an offence against this Act for which no specific penalty is elsewhere provided is liable on summary conviction to a fine of ten pounds.

26. All fees, fines, and other moneys received or recovered under this Act shall be paid into the Public Account to the credit of the Ordinary Revenue Account of the Consolidated Fund, and, except as otherwise provided by regulations in that behalf, all expenses incurred by or on behalf of the Board or otherwise incurred in carrying out the provisions of this Act shall be paid out of moneys to be from time to time appropriated by Parliament for the purpose.

Application of fees
and expenses of
administration.

27. The Governor-General may from time to time, by Order in Council, make regulations—

Regulations.

- (a.) Prescribing forms of application for and certificates of registration and licenses under this Act :
- (b.) Prescribing the form of the registers to be kept and the particulars to be entered therein :
- (c.) Prescribing such other forms as may be necessary for the purposes of this Act :
- (d.) Prescribing the fees payable in respect of examinations and of registration and licensing under this Act, for the issue of certificates of registration and of licenses, and for inspection of registers :
- (e.) Prescribing the subject-matter of examinations to be conducted by or under the direction of the Board in the case of applicants, or of any class of applicants, for registration or provisional licensing under this Act :
- (f.) Providing for the apportionment between electrical-supply authorities of the cost of conducting examinations under this Act in any case where the fees received from applicants for examination are less than the cost of conducting such examination :
- (g.) Providing for the conduct of appeals under section twenty-three of this Act, and prescribing the fees that may be paid to assessors :
- (h.) Defining what shall be deemed to be electrical-wiring work for the purposes of this Act :
- (i.) Generally providing for such other matters as may be necessary for the effective administration of this Act.

Saving of rights of
registered engineers.

28. Nothing in this Act shall render it unlawful for any person registered under the Engineers Registration Act, 1924, as an electrical engineer, but not registered under this Act, to do any electrical-wiring work, or to be appointed and registered as an Inspector of electrical wiring without being registered as an electrical wireman :

Provided that if any such person does in fact act with respect to any electrical-wiring work in the capacity of a registered electrical wireman he shall for the purposes of this Act be deemed to be a registered electrical wireman, and for any fault or defect in the work for which he is responsible the Board may either suspend him for such period as it thinks fit or disqualify him permanently from acting in such capacity, and while he is so suspended or disqualified it shall not be lawful for him to do the work of a registered electrical wireman.
