

Hon. Mr. Bitchener.

ELECTRICAL WIREMEN'S REGISTRATION
AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Electrical Wiremen's Registration Act, 1925. Title.

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

1. This Act may be cited as the Electrical Wiremen's Registration Amendment Act, 1934, and shall be read together with and deemed part of the Electrical Wiremen's Registration Act, 1925 (hereinafter referred to as the principal Act). Short Title.
See Reprint of Statutes, Vol. III, p. 73

2. (1) Section three of the principal Act is hereby amended as follows:— Altering constitution of Electrical Wiremen's Registration Board.

(a) By repealing paragraph (b) of subsection one, and substituting the following paragraph:—

“(b) One (who shall be a registered electrical engineer) shall be appointed on the recommendation of a body recognized by the

Minister as representing the electrical engineers employed by the electrical-supply authorities in New Zealand”:

- (b) By adding to paragraph (c) of subsection one the words “or accident insurance or both fire and accident insurance” : 5
- (c) By omitting from paragraph (d) of subsection one the words “a registered”, and substituting the word “an” :
- (d) By inserting, after the word “One” in paragraph (e) of subsection one, the words “(who shall be a registered electrical wireman)” . 10

(2) Nothing in the *last preceding* subsection shall be construed to disqualify any member of the Board in office on the passing of this Act from continuing to hold such office, but on the vacation of office by any such member, by effluxion of time or otherwise, the vacancy shall be filled by the appointment of a person qualified in accordance with the provisions of section three of the principal Act, as amended by the *last preceding* subsection. 15 20

Section 13 of principal Act amended.

3. Section thirteen of the principal Act is hereby amended—

- (a) By omitting from paragraph (d) of subsection one the word “license”, and substituting the words “certificate of registration” . 25
- (b) By omitting from subsection three the words “without payment of any”, and substituting the words “on payment of the prescribed” .

Section 16 of principal Act amended.

4. Section sixteen of the principal Act is hereby amended by adding the following subsection :— 30

“(4) Every person who makes any false or fraudulent representation to the Board or the Registrar for the purpose of obtaining a provisional license under this section commits an offence, and is liable on summary conviction to a fine of *fifty* pounds.” 35

Electrical-supply authority to inspect wiring.

5. (1) The electrical-supply authority shall cause to be inspected all electrical-wiring work in any premises before such electrical-wiring work is 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 40

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
5 do the work of a registered electrical wireman.

(2) On receiving any report of a fault or defect in the work carried out by a registered electrical wireman, or by the holder of a provisional license, the Board may,—

10 (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 suspend him for such period as it thinks fit (and during such period of suspension it shall
15 not be lawful for him to do the work of a registered electrical wireman), 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

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

(3) The Board may cancel any endorsement of a certificate of registration at any time after the expiration of one year from the date of such endorsement, and shall
25 cause a note of such cancellation to be inserted in the register.

(4) If, in any case where a wireman has been suspended by an electrical-supply authority pending the decision of the Board as provided in subsection *one* hereof, the
30 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
35 of employment, and the said amount shall be recoverable as a debt due by the electrical-supply authority to the wireman.

(5) Where there is no electrical-supply authority the following provisions shall apply:—

40 (a) Connection with the source of supply shall not be made until either the electrical-wiring work has, on payment of the prescribed fee, been inspected by a person directed in that behalf

by the Chief Electrical Engineer of the Public Works Department, or the Chief Electrical Engineer has authorized such connection without inspection being made :

(b) The Chief Electrical Engineer shall report to the Board any such fault or defect as an electrical-supply authority is required to report by subsection *one* hereof, and shall have the same powers of suspension as an electrical-supply authority has under that subsection. On receiving any such report from the Chief Electrical Engineer the Board may take action thereon in accordance with this section as if the report were made by an electrical-supply authority.

(6) The Registrar, or any electrical engineer or registered electrical wireman authorized by the Registrar in writing in that behalf, may enter any premises at any reasonable time or times for the purpose of making for the information of the Board an inspection and report concerning any electrical-wiring work whether or not a complaint has been made under the foregoing provisions of this section in respect of such work.

(7) Any registered Inspector of Electrical Wiring appointed by an electrical-supply authority may, at any reasonable time or times, upon producing his certificate of registration, enter upon any premises and inspect and test for the purposes of this section any electrical wiring or electrical apparatus therein if such wiring or apparatus is, or is intended to be, connected directly or indirectly with the electric lines of that electrical-supply authority, or has been disconnected from such electric lines within a reasonable period prior to such inspection.

(8) If any person, without reasonable cause, refuses to permit such Inspector to make any inspection as aforesaid, the electrical-supply authority may disconnect the installation from the source of supply.

(9) For the purposes of this section the source of supply shall be deemed to be any point at which a supply of electrical energy is available whether that point is inside a building or not.

(10) This section is in substitution for section nineteen of the principal Act, and that section and section five of the Electrical Wiremen's Registration Amendment Act, 1928, are hereby consequentially repealed.

Repeal.

See Reprint of Statutes, Vol. III, pp. 79, 87

5 6. Section twenty-three of the principal Act is hereby amended as follows :—

Section 23 of principal Act amended.

(a) By inserting, after the words "application for registration" in subsection one, the words "or the endorsement of a certificate of registration":

10 (b) By inserting, after the words "appropriate register" in subsection two, the words "or the cancellation of the endorsement on his certificate of registration":

15 (c) By adding the following subsection :—

"(3) On any appeal under this section the provisions of the Commissions of Inquiry Act, 1908, shall, so far as they are applicable, apply as if the Board of Appeal were a Commission of Inquiry appointed under that Act."

See Reprint of Statutes, Vol. I, p. 1036

20 7. Section twenty-five of the principal Act is hereby amended as follows :—

Section 25 of principal Act amended.

25 (a) By omitting the word "twenty" in subsection one, and substituting the word "fifty":

(b) By inserting, after the word "except" in the proviso to paragraph (c) of subsection one, the words "by the Registrar or":

30 (c) By adding to subsection two the following words: "In any prosecution for an offence under this subsection, a certificate under the hand of the Registrar to the effect that a demand has been made in accordance with this subsection for the surrender of a certificate of registration or a provisional license and that such demand has not been complied with shall be *prima facie* evidence of those facts, and judicial notice shall be taken of the signature of the Registrar on such certificate":

35 40 (d) By inserting, after subsection two, the following subsections :—

"(2A) Every person commits an offence, and is liable on summary conviction to a fine

of *twenty* pounds, who wilfully hinders or obstructs any authorized person in the exercise of any powers conferred by this Act.

“(2B) Every person commits an offence and is liable on summary conviction to a fine of *twenty* pounds who allows his certificate of registration or provisional license to be used by any other person for the purpose of enabling such other person to do electrical-wiring work in contravention of the provisions of the principal Act”.

Onus of proof of registration.

8. In any prosecution for an offence against the principal Act the onus shall be on the defendant to prove, where such facts are in issue, that he is, or on all material dates was, a registered electrical wireman or the holder of a provisional license, as the case may be. The production by the defendant of a certificate of registration under the hand of the Registrar, or of a provisional license issued in accordance with the provisions of section sixteen of the principal Act, shall be sufficient evidence, unless the contrary is proved, that the defendant is a registered electrical wireman or is duly licensed under the provisions of the said section.

Section 27 of principal Act amended.

9. Section twenty-seven of the principal Act is hereby amended by repealing paragraph (d), and substituting the following paragraph :—

“(d) Prescribing the fees to be payable in respect of any matter for which fees are contemplated or required or are deemed necessary for the purposes of this Act.”

Section 2 of Electrical Wiremen's Registration Amendment Act, 1928, amended.

10. Section two of the Electrical Wiremen's Registration Amendment Act, 1928, is hereby amended by adding the following subsection :—

“(6) The Board may remove from the special register provided for by subsection three hereof the name of any person who becomes registered as an electrical wireman in accordance with the provisions of section eight of the principal Act.”

See Reprint of Statutes, Vol. III, p. 85

11. Section four of the Electrical Wiremen's Registration Amendment Act, 1928, is hereby amended as follows :—

Section 4 of Electrical Wiremen's Registration Amendment Act, 1928, amended.

(a) By omitting from subsection one all words after the word “improvers”, and substituting the words “or students attending one of the

5 constituent colleges of the University of New Zealand and taking therein a prescribed course of electrical engineering. Such apprentices, improvers, or students shall at all times work under the supervision and in the presence of such registered electrical wireman, or holder of a provisional license, as the case may be” :

10 (b) By adding to subsection two the words “ Such notice may be given verbally or in writing, but if verbal notice is given it shall be confirmed in writing within forty-eight hours thereafter. Where there is no electrical-supply authority and notice is required under the provisions of the Coal-mines Act, 1925, or the Mining Act, 1926, to be given to an Inspector of Mines, such notice shall be deemed to be sufficient for the purposes of this subsection ” :

See Reprint of Statutes, Vol. V, pp. 843, 943.

20 (c) By omitting from subsection three the words “ is put into use ”, and adding the words “ is removed from the premises where the work was done. The person inspecting such work shall enter in ink, in a register to be provided by the person undertaking such work, particulars of the work inspected and shall sign such entry. The register shall be kept on the premises of the person undertaking the work and shall be open for inspection during hours of business by any registered Inspector of Electrical Wiring or by any person authorized by the Board in that behalf ” :

30 (d) By omitting all words after the word “ trade ” in subsection four, and substituting the words “ has sat for the examination prescribed for electrical wiremen, but is not yet a registered electrical wireman ”.

35 **12.** Section eleven of the Electrical Wiremen's Registration Amendment Act, 1928, is hereby amended by omitting the words “ twelve months ”, and substituting the words “ three years ”.

Section 11 of Electrical Wiremen's Registration Amendment Act, 1928, amended.

Employment
in contravention
of principal Act
not to count
as qualification.

13. In computing for the purposes of sections eight and sixteen of the principal Act and of section two of the Electrical Wiremen's Registration Amendment Act, 1928, the period during which any person has been employed or engaged as an electrical wireman, any time occupied in employment or engagement in contravention of the provisions of the principal Act shall not be taken into account. 5