

ELECTRON

Empowering Today's Electrical Workers

Issue No 13 April 2004

1. Editorial

In this edition of ELECTRON the emphasis has been placed on the results of complaints hearings conducted by the Board.

In the future complaints hearing reporting will have a more educational role and details will be provided to assist registered people in meeting their obligations in relation to the legislative requirements.

In the January 2004 issue of ELECTRON details of a new agreement with Site Safe were provided. Since that time a new safety refresher course has been developed by Site Safe and the Electrical Training Company.

The course satisfies the overall outcome objectives of the electricians/electrical inspectors practising licence requirements and the requirements for access to sites covered by Site Safe Passports.

An application form for the course accompanies this issue of ELECTRON and people using the form to demonstrate prerequisite training, including CPR and first aid, for practising licences are entitled to expect a rapid turnaround time for the issue of licences.

People who opt to undertake parts of the prerequisite practising licence/Site Safe training separately must ensure all information is provided to ensure that any delay in issuing licences is minimised.

People who undertake other practising licence training courses being offered by other providers must ensure details of all training are provided when an application for a practising licence is made. This will also ensure that practising licences are issued promptly.

2. Overall Results of Complaints

In the past twelve months Complaints Assessment Committees considered sixty-eight complaints. The complaints had been laid against fifty-two electricians, seven inspectors, six line mechanics and three electrical service technicians.

The Committees decided to refer thirty-seven of the sixty-eight complaints to the Board for disciplinary hearings. Five complaints were referred to the Board with a recommendation that the Board consider interim suspension of the registered person's registration pending the outcome of the disciplinary hearing. The Board ordered four interim suspensions.

The Complaints Assessment Committees dismissed the other thirty-one complaints.

3. Results of Disciplinary Hearings

James Lee Reid (E 17076)

A complaint was lodged by a homeowner about the workmanship of Mr James Lee Reid from Auckland. The Board considered the complaint and Mr Reid was found guilty of working without a current Practising Licence.

Mr Reid was fined \$1000 and ordered to pay costs of \$750.

The Board did not order the suppression of Mr Reid's name.

Electrician

A complaint was received from a homeowner in Timaru who was complaining about commercial aspects of an electrician's work and also that the electrician had allegedly failed to complete a certificate of compliance.

The Board considered the complaint and found the electrician from Timaru not guilty of a disciplinary offence due to the commercial issues being outside the scope of a disciplinary hearing and the case regarding the certificate of compliance not being proven to the Board's satisfaction (because of discrepancies with the facts). No further action was taken against the electrician in relation to the complaint.

Electrician

A complaint was received from a property owner alleging that an electrician from Christchurch had failed to label a newly installed switchboard and had failed to issue a certificate of compliance.

The Board considered the complaint and the electrician was found guilty of failing to provide a certificate of compliance to the property owner [regulation 40(2)] and not guilty on all other matters.

The electrician was censured and ordered to pay costs of \$250.

Electrician

A homeowner complained about an electrician from Christchurch who allegedly poorly installed halogen downlights (excessively long and untidy cables).

The Board considered the complaint and found the electrician not guilty of a disciplinary offence, as the cabling was extra-low voltage cabling. It was not prescribed electrical work that the electrician could be disciplined for. No further action was taken against the electrician in relation to the complaint.

Electrician

A complaint was made against an electrician from Auckland for failing to issue a certificate of compliance, not having an inspection by inspector, switchboard problems and poor installation of fittings.

The Board considered the complaint and found the electrician not guilty of a disciplinary offence because a sub-contractor, who is a registered electrician, had actually carried out

the work. No further action was taken against the electrician in relation to the complaint however the sub-contractor has been referred to the Secretary for investigation.

Electrician

A homeowner in Albany lodged a complaint about an electrician from Auckland who had no practising licence while working for the homeowner, withheld a certificate of compliance and installed an incorrect dimmer with halogen downlights.

The electrician was found guilty of working without a current practising licence and of failing to provide a certificate of compliance but not guilty of any charges relating to the halogen lights.

The electrician was fined \$900 and ordered to pay costs of \$750.

Inspector

A complaint was received from a Government Department concerning an incident at a school in Porirua where a pupil received an electric shock. An electrical inspector had certified work but had allegedly failed to test and therefore failed to discover non-compliant work which contributed to the incident.

The Board found the electrical inspector guilty of failing to test in accordance with regulation 37 but not of contributing to the incident. The Board restricted the electrical inspector's registration for a period of twelve months and required the electrical inspector to submit copies of certificates of compliance completed during that period to the Registrar for potential audit. The Board also ordered costs of \$500.

Electrician

A complaint was received after a homeowner repeatedly requested a copy of a certificate of compliance, from an electrician from Auckland. The electrician promised to supply the certificate but never did.

The electrician was found guilty by the Board of failing to issue a certificate of compliance after carrying out prescribed electrical work. The electrician was fined \$350 and ordered to pay costs of \$450.

Electrician

An apartment owner laid a complaint about an electrician from Auckland who allegedly had not completed his work in accordance with the regulations.

The Board did not find that the electrician's work was non-compliant. However, the electrician was found guilty of carrying out prescribed electrical work without having a current practising licence.

The Board restricted the electrician's registration for a period of six months requiring the electrician to submit copies of certificates of compliance completed during that period, to the Registrar for potential audit. The Board also ordered costs of \$300.

Brian Scurry (E 81090)

A homeowner in Milford complained about Mr Scurry after low voltage halogen downlights, which Mr Scurry had installed, caused a fire. Mr Scurry also had no practising licence while working and he failed to certify his work on a certificate of compliance.

Mr Scurry was found guilty of carrying out prescribed electrical work without having a current practising licence and of failing to issue a certificate of compliance for the prescribed electrical work he had carried out. However, Mr Scurry was found not guilty of installing the downlights in a negligent and incompetent manner. Mr Scurry was fined \$350 and ordered to pay costs of \$750.

The Board did not order the suppression of Mr Scurry's name.

Electrician

A complaint was received from a Government Department concerning an electrician from Palmerston North depicted on television as breaching the safety provisions of the regulations

The electrician was found guilty of failing to carry out insulation resistance tests on an electrical appliance that had just been repaired.

In view of the circumstances of the case the Board made no disciplinary order under section 127 of the Electricity Act 1992 and ordered the electrician to pay costs of \$500.

Electrician

A homeowner complained about an electrician from Wellington after a switchboard fire. An under-rated circuit breaker had failed and there were loose connections on the switchboard.

The Board found the electrician guilty on the grounds that the circuit breaker selection that was carried out was not satisfactory and the terminations on the switchboard were not compliant.

The electrician was fined \$300 and ordered to pay costs of \$750.

Electrician

A complaint was made by a homeowner who had not been provided with a certificate of compliance by an electrician from Wellington.

The Board considered the complaint and found the electrician not guilty of a disciplinary offence due to extenuating circumstances. No further action was taken against the electrician in relation to the complaint.

Electrician

A homeowner complained about an electrician from Christchurch who had installed halogen downlights and their transformers under thermal insulation. The electrician had also installed a submerged pump for a water feature on a circuit without RCD protection.

The electrician was found guilty of installing the downlights in a negligent and incompetent manner. The Board considered that the transformers were not designed to be installed under insulation. However, the Board considered that the pump had not been installed in a manner contrary to NZECP 2.

The electrician was censured and ordered to pay costs of \$750.

Electrician

A homeowner complained about an electrician from Taupo for not having a new switchboard inspected. New RCDs on the switchboard tripped frequently and a night store was not being connected to the ripple control. He also complained about non-functioning fixed wired appliances, the locations of outlets and that the electrician did not hold a practising licence while working. The Complaints Assessment Committee referred only one issue on to the Board: the matter of failing to have the switchboard inspected by an inspector.

At a disciplinary hearing the Board found the electrician guilty of failing to have the replacement switchboard inspected and certified by a registered electrical inspector. Because an inspector did not certify the certificate of compliance provided by the electrician that certificate was incomplete and the electrician was also found guilty of failing to furnish the correct certificate.

Due to extenuating circumstance the Board made no disciplinary order under section 127 of the Electricity Act 1992. However, the board ordered the electrician to pay costs of \$250.

Inspector

A caravan owner laid a complaint against an electrical inspector from Auckland after receiving an electrical warrant of fitness for the caravan which was not valid for the usual length of time. During routine investigation it was discovered that the inspector who had warranted the caravan was not the holder of a current practising licence while inspecting the caravan.

The Board found the inspector was guilty of working without a current practising licence. The inspector was fined \$500 and ordered to pay costs of \$750.

Electrician

A homeowner complained about the manner in which an electrician from Christchurch had installed a halogen downlight. The downlight had been positioned by cutting through the bottom chord of a roof truss causing structural damage and resulting in a light fitting positioned in very close proximity to timber.

The Board determined that a trainee, who was supervised by the electrician, had carried out the work. Because trainees only ever assist to carry out work the work was considered to have been carried out by the electrician.

The Board considered the complaint and found the electrician not guilty of a disciplinary offence. No further action was taken against the electrician in relation to the complaint.

Electrician

The Secretary of the Electricity Act lodged a complaint, against an electrician from Paraparaumu. A homeowner had originally complained about the installation of a light fitting that had resulted in a scorched ceiling. However, there was considerable confusion about who had carried out the work and it was found that the initial complaint had been laid against the wrong person.

The Board considered the complaint and found that, irrespective of the identity issue, the electrician could not be guilty of a disciplinary offence, as the installation of the fitting in

question did not contravene the regulatory requirements that were in place in 2000, when the work was done.

No further action was taken against the electrician in relation to the complaint.

4. EWLG Investigations Report

Recent investigations undertaken by the Electrical Workers Licensing Group (EWLG) into work done by unregistered workers has resulted in the Ministry of Economic Development's Legal section considering eight possible recommendations for prosecution.

A further eighteen investigations of registered workers have been referred to the Complaint Assessment Committee. In general the reason for a referral falls into two categories:

1. The investigation has shown that the person doing the work is registered; or
2. A registered worker has signed the certificate of compliance for an unregistered person who carried out the defective work. This on many occasions illustrates that the registered worker has never been on site or carried out the essential testing required to ensure electrical safety.

In the second category, a prosecution of the unregistered worker is also considered.

If the defective work involves inspection and has been signed off by an electrical inspector, that electrical inspector is also referred to a Complaints Assessment Committee.

Further details and outcomes of EWLG investigations will be included in future editions of ELECTRON.

5. Government makes wireless broadband spectrum available

The government has announced licensing proposals for Crown-managed spectrum in the 3.5 GHz band, which is suitable for wireless broadband services. The spectrum is expected to help meet Project PROBE requirements, as well as supporting other regional and community-based broadband projects.

The spectrum will be managed by the Ministry of Economic Development and consists of two management right pairs retained from Auction 5 in 2002, in which 9 further 3.5 GHz management right pairs were auctioned.

Under the allocation proposals, the Ministry would invite applications for spectrum licences within the Crown-retained blocks in a number of allocation rounds. Applications may be lodged at any time, but applications received after the closing date for an allocation round would be processed in the next published allocation round. Restrictions on use and eligibility are proposed to promote use of the spectrum in accordance with the government's objectives and a process is proposed for dealing with competing applications, such as where two or more applications have overlapping coverage areas.

The spectrum licences will be available on a commercial basis, with a charge based on the auction prices of management rights in the 3.5 GHz band, and are likely to be subject to implementation requirements.

Full details of the allocation proposals are available at:
<http://www.med.govt.nz/rsm/spp/fixed-wireless-access>

6. Government reviews 3G spectrum cap

A 15 MHz spectrum cap is currently in place over spectrum suitable for 3G cellular services, imposed via management rights deeds entered into between the Crown and successful bidders in Auction 3. The purpose of the spectrum cap is to facilitate the development of competition in the provision of 3G mobile services in New Zealand.

The 3G spectrum caps had an initial period of three years to May 2004, but the Crown reserved the right to extend the caps for a further period. The Associate Minister of Communications, David Cunliffe, has announced government's decision to extend the spectrum cap to May 2007 in order to facilitate competition in the future market for 3G mobile telephony services.

1. Seeing rainbows on Channel One? Better check your cordless phone!

Cordless telephones brought into the country from overseas transmit on different frequencies from those manufactured for New Zealand use. Usually these phones are brought into New Zealand unwittingly by individuals immigrating or on a long-term stay.

The phones operate satisfactorily for the user but unfortunately cause interference to any television receiver that is tuned to television channel one (45.250 MHz vision carrier) within a 100 metre radius. The area in which television channel one is used includes Northland, Auckland, Waikato/Bay of Plenty, Wellington, Canterbury and Dunedin. Other VHF, UHF and satellite television channels are not affected.

The interference effect can range from faint, thin diagonal lines through to strong black or rainbow coloured horizontal lines and sometimes loss of picture altogether.

The phones can be traced by radio direction finding techniques but the most time-efficient method is simply knocking on doors and speaking to residents about the problem, asking to inspect a cordless telephone if one is in use.

Cordless phones brought into New Zealand from Asia, USA, UK and Europe have been located as sources of television interference.

Cordless phones purchased in Australia, particularly those bearing the C-Tick symbol, are likely to be acceptable for use in New Zealand.

The cheapest and permanent solution is to buy a new phone bearing the C-Tick symbol, from a New Zealand retailer.

8. Keeping business records

Now that a new tax year is underway, it's a good time to review your record keeping system. You are required to keep records under the tax laws – Inland Revenue can disallow a claim if it is not supported by proper records – but there are also good business reasons for keeping records:

- better control of your business
- more chance of getting a loan
- savings in time and money
- less stress if you are audited
- more chance of selling your business for a competitive price.

Examples of records you need to keep are: tax invoices, receipts, bank statements, cheque and deposit books, cashbooks, wage records, stocktake records and motor vehicle logbooks. Make sure you file your records carefully so you can retrieve them when necessary.

Records must be kept for at least *seven* years from the end of the tax year or the taxable period to which they relate.

For more information about record keeping go to Inland Revenue's website at www.ird.govt.nz/business-info/starting/records.html.

Don't forget to phone the Industry Partnership direct phone line 0800 TAXTALK (0800 829 825) if you have any questions about tax.

