

**REPUBLIC OF VANUATU**

**BILL FOR THE**  
**ELECTRICAL WORKS SAFETY**  
**ACT NO. OF 2023**

**Explanatory Note**

The Bill for the Electrical Works Safety Act No. of 2023 (“the Bill”) sets out the legislative framework to regulate electrical wiring in households in Vanuatu.

An objective under the Economic Pillar 2.1 of the National Sustainable Development Plan of Vanuatu, 2016 – 2030 (“the NSPD”) is to “Improve Infrastructure, to increase access to safe and reliable modern energy. It is an aim for people to have access to safe and reliable electricity. The National Energy Road Map (“the NERM”) also prioritizes on accessible energy and targets 100% electrification throughout Vanuatu by 2030.

Electrical wiring in households in Vanuatu currently comply with the different standards (French, Korean, Chinese and European). Some electrical works are carried out without complying with any standards. Furthermore, an electrical work may be carried out by either a qualified or non-qualified electrician. Electrical works carried out by a non-qualified electrician poses a high risk to the safety of consumers and property.

This Bill gives effect to the NSDP and NERM and will regulate electrical wiring to ensure the safety of consumers and property.

Key features of this Bill include:

- The adoption of the Australia/New Zealand Wiring Rules (“the Rules”) that will be the wiring standard for Vanuatu.
- The licensing regime for electrical work licences which will be issued by the Director for the carrying out and supervision of electrical work in accordance with the Rules.
- The appointment of inspectors to inspect electrical works so that it conforms to the Rules.
- The process for disputes between persons and licensees to be resolved by the Director.

**Minister of Meteorology, Geological Hazards and Climate Change**



## REPUBLIC OF VANUATU

# BILL FOR THE ELECTRICAL WORKS SAFETY ACT NO. OF 2023

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# REPUBLIC OF VANUATU

## BILL FOR THE ELECTRICAL WORKS SAFETY ACT NO. OF 2023

An Act to provide for electrical work safety standards and electrical licences, and related matters.

Be it enacted by the President and Parliament as follows-

### **PART 1 PRELIMINARY MATTERS**

#### **1 Purpose of this Act**

The purposes of this Act are:

- (a) to minimise death, injury or destruction that can be caused by electricity for individuals, families, businesses and communities ; and
- (b) to adopt an internationally recognised electrical standard for electrical work; and
- (c) to provide for the licensing of certain electrical workers and electrical contractors.

#### **2 Application of this Act**

(1) This Act applies:

- (a) to electrical work at a low voltage, but does not apply to electrical work at a high voltage; and
- (b) to electrical work connection leading into a premises to the endpoints of a power point, light bulb holder or electrical appliance and a drop-down pole fuse or distribution box, but excluding an electric meter, which is the responsibility of a power utility; and
- (c) to any person who performs or supervises any electrical work before, on or after the commencement of this Act.

(2) This Act does not affect or limit the standards issued under the Utilities Regulatory Authority Act No. 11 of 2007, being the standards in relation

to the safety of any equipment or installations owned or operated by any person that is connected, or is intended to be connected to an electricity network operated by a power utility.

### 3 Interpretation

In this Act, unless the contrary intention appears:

**a.c.** means alternating current;

**approved form** means a form approved by the Director under section 36;

**Australian/New Zealand Wiring Rules** means AS/ NZS 3000:2018, Australian/New Zealand Standard, "Electrical installations", as published or amended from time to time;

**business premises** means premises where a business, trade, profession or calling is carried on, other than a part used for residential purposes;

**concessionaire** has the same meaning as in the Electricity Supply Act [CAP 65];

**d.c.** means direct current;

**Department** means the Department responsible for energy;

**Director** means the Director of the Department responsible for energy;

**electrical contractor** means a person issued with a licence under the Business Licence Act [CAP 249] to conduct an electrical work business, but does not include a concessionaire;

**electrical equipment** has the meaning given under section 4;

**electrical meter** means a utility electric meter and its associated components including but not limited to a fuse holder, a circuit breaker and a meter box;

**electrical work** means:

- (a) connecting electricity supply wiring to electrical equipment or disconnecting electricity supply wiring from electrical equipment; or
- (b) manufacturing, constructing, installing, removing, adding, testing, replacing, repairing, altering or maintaining electrical equipment;

**electrical work licence** means a licence issued under section 8;

**extra-low voltage** means a voltage not exceeding 50V a.c. or 120 V ripple-free direct current d.c.;

**high voltage** means a voltage exceeding the low voltage;

**inspector** means a person appointed as an inspector under section 20;

**licensee** means the holder of an electrical work licence issued under section 8;

**low voltage** means a voltage exceeding extra-low voltage, but not exceeding 1000V a.c. or 1500V d.c. Low voltage includes:

- (a) 120 a.c volts (single phase); and
- (b) 220 a.c volts (single phase); and
- (c) 220 a.c volts (three phase); and
- (d) 380 a.c volts (three phase);

**Minister** means the Minister responsible for energy;

**occupier of premises** includes:

- (a) a person believed on reasonable grounds to be an occupier of the premises;  
or
- (b) a person apparently in charge of the premises;

**police officer** means any member of the Vanuatu Police Force appointed under the Police Act [CAP 105];

**power utility** means a concessionaire or an independent power producer within the meaning of the Electrical Supply Act [CAP 65];

**premises** means:

- (a) a building or other structure; or
- (b) a part of a building or other structure; or

(c) the land where a building or other structure is situated;

but does not include an aircraft, vessel or vehicle;

**serious electrical incident** means an incident involving electricity which causes or has the potential to cause the death of or injury to a person, significant damage to property or a serious risk to public safety;

**temporary electrical work licence** means the holder of a temporary electrical work licence issued under section 18;

**warrant** means a warrant issued under section 30.

#### 4 Definition of electrical equipment

(1) Subject to subsection (2), **electrical equipment** means any apparatus, appliance, cable, conductor, fitting, insulator, material, meter or wire that is:

- (a) used for controlling, generating, supplying, transforming or transmitting electricity at a voltage greater than extra low voltage;  
or
- (b) operated by electricity at a voltage greater than extra-low voltage;  
or
- (c) prescribed by the Regulations to be an electrical equipment.

(2) An electrical equipment does not include:

- (a) any apparatus, appliance, cable, conductor, fitting, insulator, material, meter or wire that is part of an aircraft, vessel or vehicle;  
or
- (b) any electrical equipment from the utility power generating to and including the electrical meter.

## **PART 2 AUSTRALIA/NEW ZEALAND WIRING RULES**

### **5 Adoption of the Australian/New Zealand Wiring Rules**

- (1) The Australian/New Zealand Wiring Rules are adopted.
- (2) The Regulations may prescribe modifications to the Australian/New Zealand Wiring Rules.

### **6 Australian/New Zealand Wiring Rules applies to all electrical work**

- (1) The Australian/New Zealand Wiring Rules apply to:
  - (a) any electrical work that is undertaken on or after the commencement of this Act, whether for new or existing premises; and
  - (b) the safety operation procedures of licensees on or after the commencement of this Act.
- (2) Despite subsection (1), the Director may, in writing, exempt an electrical work from compliance with the Australian/New Zealand Wiring Rules if the Director is satisfied that:
  - (a) the electrical work complies with another internationally recognized standard acceptable to the Director; and
  - (b) there are special circumstances that make it impractical to apply the Australian/New Zealand Wiring Rules to the electrical work.
- (3) To avoid doubt, subsection (1), applies despite the provisions of any funding agreement or arrangement with one or more aid donors.
- (4) Subject to subsection (2), if a person performs or supervises an electrical work that does not comply with the Australian/New Zealand Wiring Rules, the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000, or to imprisonment for a term not exceeding 12 months, or to both.



## **PART 3 ELECTRICAL WORK LICENCES AND TEMPORARY ELECTRICAL WORK LICENCES**

### **Division 1 Electrical Work Licence**

#### **7 Application for an electrical work licence**

- (1) A person must apply to the Director for an electrical work licence.
- (2) The application for an electrical work licence must:
  - (a) be made in the approved form; and
  - (b) be accompanied by the prescribed fee.

#### **8 Issuing of an electrical work licence**

- (1) Subject to subsection (2), the Director may upon receiving an application under section 7:
  - (a) issue an electrical work licence with or without conditions or restrictions; or
  - (b) refuse to issue an electrical work licence.
- (2) The Director must not issue an electrical work licence to an applicant unless the applicant:
  - (a) sits and passes a prescribed theoretical and practical exam; and
  - (b) complies with any other prescribed requirements for issuing an electrical work licence.
- (3) The Director may impose all or any of the following conditions in an electrical work licence:
  - (a) the licensee must successfully complete a specified training course or examination on or before a specified date;
  - (b) the extent to which the licensee may supervise an electrical work;
  - (c) the kind of electrical work that the licensee is certified to perform under the licence;
  - (d) any other condition that the Director considers necessary.

- (4) The Director may, in writing, require the applicant to provide additional information or documents within a specific time.
- (5) If the applicant fails to provide the additional information or documents within the specific time required under subsection (4), without a reasonable excuse, the application will be refused.
- (6) Without limiting subsection (5), a reasonable excuse includes:
  - (a) other persons have delayed making the information or documents available; and
  - (b) the applicant has health issues and is unable to gather the required information or documents; and
  - (c) an investigation into the applicant is being undertaken by other government authorities and the applicant's documents are withheld as part of the investigation.
- (7) The Director must notify the applicant, in writing, of his or her decision within 30 working days after receiving the application or additional information.
- (8) If the Director refuses to issue a licence, the notification given under subsection (7), must include the reasons for the decision.
- (9) An electrical work licence is to be issued in the approved form.
- (10) The term of a licence is to be set out in the licence.

## **9 Compliance with conditions**

The licensee must comply with the conditions of the electrical work licence.

## **10 Renewal of an electrical work licence**

- (1) The licensee may apply for a renewal of the electrical work licence at least 3 months prior to the expiry of the licence.
- (2) The application for renewal of an electrical work licence must:
  - (a) be made in the approved form; and
  - (b) be accompanied by the prescribed fee.

- (3) In deciding whether to issue the application, the Director must be satisfied that the applicant complies with the prescribed requirements for renewing an electrical work licence.
- (4) If a licensee fails to apply for the renewal of the electrical work licence within the period set out under subsection (1), the licensee may apply in the prescribed form at another time, and must pay a higher prescribed fee.

**11 Request for information or document for renewal of an electrical work licence**

- (1) The Director may notify the licensee, in writing, to provide any additional information or document within a specific time.
- (2) If the applicant fails to provide the additional information or documents within the specific time required under subsection (1), without a reasonable excuse, the application for renewal will be refused.
- (3) Without limiting subsection (2), a reasonable excuse includes:
  - (a) other persons have delayed making the information or documents available; and
  - (b) the applicant has health issues and is unable to gather the required information or documents; and
  - (c) an investigation into the applicant is being undertaken by other government authorities and the applicant's documents are withheld as part of the investigation.

**12 Additional requirements for licensing of electrical contractors**

- (1) The Regulations may prescribe requirements that an electrical contractor must comply with for the purposes of this Act.
- (2) Any prescribed requirements made under subsection (1), are in addition to the requirements for the issuing of a licence under the Business Licence Act [CAP 249] to an electrical contractor.
- (3) The Director must consult with the relevant licensing authority under the Business Licence Act [CAP 249] before making any advice to the Minister to make a Regulation.

**13 Suspension and cancellation of an electrical work licence**

- (1) If the Director is satisfied that the licensee:
- (a) has failed to comply with this Act, the Regulations or the Australian/New Zealand Wiring Rules; or
  - (b) has failed to comply with any condition of an electrical work licence; or
  - (c) has been negligent or incompetent, or was a party to any act of negligence or incompetence, in carrying out an electrical work,
- the Director must serve a notice of non-compliance to the licensee as required under subsection (3).
- (2) In addition to subsection (1), if the Director is satisfied that there is a serious breach of an electrical work licence, the Director may suspend the electrical work licence.
- (3) A notice of non-compliance must specify:
- (a) the conditions of the electrical work licence or provision of the Act, the Regulations or the Australia/New Zealand Wiring Rules that was breached; and
  - (b) the compensation or penalty payable under the electrical work licence; and
  - (c) the period that the breach is to be rectified; and
  - (d) the period that the compensation or penalty must be paid.
- (4) If the licensee fails to rectify the breach of the electrical work licence or fails to pay the compensation or penalty within the period specified in the notice, the Director may:
- (a) suspend the electrical work licence; and
  - (b) serve a notice of suspension to the licensee; and
  - (c) allow the licensee to provide reasons why the electrical work licence should not be cancelled.

- (5) If the licensee fails to comply with paragraph (4)(c), the Director may cancel the electrical work licence and serve a notice of the cancellation to the licensee.

#### **14 Termination of electrical work licence**

An electrical work licence may be terminated if:

- (a) the licensee obtained an electrical work licence by fraud, misrepresentation or by the concealment of facts; or
- (b) the licensee has engaged in a fraudulent conduct in the carrying out of an electrical work; or
- (c) the licensee in carrying out an electrical work, commits a serious electrical incident causing serious damage or injury to a property or person; or
- (d) the licensee becomes bankrupt; or
- (e) for a body corporate, the Court appoints a liquidator.

#### **15 Offence to perform or supervise an electrical work without an electrical work licence**

- (1) If a person performs or supervises an electrical work without an electrical work licence issued under this Act, the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000, or to imprisonment for a term not exceeding 12 months, or to both.
- (2) Subsection (1), does not apply to a person:
  - (a) who does not have an electrical work licence and performs an electrical work for and under the supervision of a licensee; or
  - (b) if that person is supervised by a licensee who is engaged by an electrical contractor.

### **Division 2 Temporary electrical work licence**

#### **16 Application for a temporary electrical work licence**

- (1) A person must apply to the Director for a temporary electrical work licence for the following purposes:
  - (a) to perform temporary electrical work on short term infrastructures;  
or

- (b) to perform a specific electrical work that complies with another internationally recognized standard and if there is a requirement for a foreign expertise to perform that specific electrical work.
- (2) Without limiting paragraph (1)(a), short term infrastructures may be for all or any of the following:
  - (a) public events;
  - (b) ceremonies;
  - (c) construction sites.
- (2) The application for a temporary electrical work licence must:
  - (a) be made in the approved form; and
  - (b) be accompanied by the prescribed fee.

### **17 Issuing of a temporary electrical work licence**

- (1) The Director may upon receiving an application under section 16:
  - (a) issue a temporary electrical work licence with or without conditions; or
  - (b) refuse to issue a temporary electrical work licence.
- (2) The term of a temporary electrical work licence is to be set out in the licence.

### **18 Termination of temporary electrical work licence**

A temporary electrical work licence may be terminated if:

- (a) the person breaches a condition of the temporary electrical work licence;  
or
- (b) the person obtained a temporary electrical work licence by fraud, misrepresentation or by the concealment of facts; or
- (c) the licensee has engaged in a fraudulent conduct in the carrying out of a temporary electrical work; or

- (d) the licensee in carrying out a temporary electrical work, commits a serious electrical incident causing serious damage or injury to a property or person.

**19 Offence to perform an electrical work without a temporary electrical work licence**

If a person performs an electrical work without a temporary electrical work licence issued under this Act, the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000, or to imprisonment for a term not exceeding 12 months, or to both.

## **PART 4 ENFORCEMENT**

### **20 Inspectors**

- (1) The Director may appoint:
  - (a) an officer of the Department; or
  - (b) any other person,who satisfies the prescribed criteria, to be an inspector for the purposes of this Act.
- (2) The Director must give an identity card to a person who is appointed as an inspector.
- (3) The identity card must be signed by the Director and include a photograph of the inspector and his or her signature.
- (4) An inspector must, in the course of performing functions or exercising powers under this Act, produce his or her identity card if requested to do so.

### **21 Powers of entry - compliance**

- (1) An inspector may enter:
  - (a) any premises at any time with the consent of the occupier; or
  - (b) business premises during business hours at the premises; or
  - (c) premises when open to the public.
- (2) When seeking the consent of an occupier for entering premises, an inspector must:
  - (a) produce his or her identity card; and
  - (b) inform the occupier:
    - (i) of the purpose of the entry; and
    - (ii) that anything found and seized may be used as evidence in Court; and



(iii) that his or her consent may be refused.

- (3) In carrying out an inspection, an inspector must:
- (a) avoid any damage or inconvenience; and
  - (b) not remain on the premises any longer than is reasonably necessary; and
  - (c) leave the premises so far as practicable in the same condition as it was found prior to the inspection being carried out.

## **22 Powers of entry – serious electrical incident**

- (1) This section applies if an inspector believes on reasonable grounds that a serious electrical incident has occurred on a premises.
- (2) The inspector may enter the premises at any time without the consent of the occupier to investigate the incident, ensure the premises are safe and prevent the concealment, loss or destruction of anything reasonably relevant to the investigation.
- (3) The inspector may do anything necessary and reasonable for a purpose under subsection (2).
- (4) An inspector may cause the electricity to be disconnected at a premises if it is necessary to do so in the interest of electrical safety.
- (5) If an inspector acts under this section, without the occupier being present, the inspector must when leaving the premises, leave a written notice, secured in a place to be visible to the occupier, providing:
- (a) the inspector's name; and
  - (b) the time and date of the entry; and
  - (c) the purpose of entry; and
  - (d) particulars of how to contact the inspector.

## **23 Powers on entry**

- (1) In exercising a power of entry under section 21 or 22, an inspector may do all or any of the following:

- (a) examine, test and, if necessary, disconnect, seize and remove or otherwise make safe any electrical work or electrical equipment that the inspector considers unsafe or does not comply with this Act, the Regulations or the Australian/New Zealand Wiring Rules, or was involved in a serious electrical incident;
  - (b) cause the electricity to be disconnected at the premises if it is necessary to do so in the interest of electrical safety;
  - (c) check whether electrical wiring work is safe or has been, or is being, done in accordance with this Act, the Regulations and the Australian/New Zealand Wiring Rules;
  - (d) search the premises and anything found at the premises; inspect and take photographs (including video recordings) that are related to the search only, or make sketches, of the premises or anything on the premises;
  - (e) inspect, and make copies of, or take extracts from, any document kept on the premises;
  - (f) seize anything on the premises the inspector believes on reasonable grounds is necessary to be seized in order to prevent its concealment, loss or destruction;
  - (g) test or take samples of or from anything on the premises;
  - (h) take into the premises any equipment or material the inspector reasonably needs for exercising a power under this Part;
  - (i) require the occupier, or a person on the premises, to give the inspector reasonable help to exercise a power under this Part.
- (2) A person who refuses or fails, without reasonable excuse, to comply with a requirement made of the person under paragraph (1)(i), commits an offence and is liable on conviction to a fine not exceeding VT 100,000.

#### **24 Receipt for things seized**

- (1) Immediately after a thing is seized by an inspector, the inspector must confirm in writing to the person, the receipt of the thing from the person.
- (2) If, for any reason, it is not practicable to comply with subsection (1), the inspector must leave the confirmation in writing, secured at a place to be visible to the occupier.

**25 Return of things seized**

- (1) If an inspector seizes a thing, the inspector must take reasonable steps to return it to the person from whom it was seized if the reason for its seizure no longer exists.
- (2) If the item has not been returned within 14 days after it is seized, the inspector must take reasonable steps to return it unless:
  - (a) proceedings have commenced and those proceedings have not been completed; or
  - (b) the Court makes an order under subsection (3), extending the period of 14 days.
- (3) An inspector may apply to the Court before the expiration of the 14 days period or within a period extended by the Court for an extension of that period.
- (4) The Court may order an extension if satisfied that the retention of the thing is necessary for the purposes of an investigation into whether an offence has been committed or to enable evidence of an offence to be obtained for the purposes of a prosecution.
- (5) The inspector must notify the person of any application made under subsection (3).

**26 Offence to give false information to inspector**

- (1) A person must not:
  - (a) give information to an inspector that the person knows to be false or misleading; or
  - (b) produce a document to an inspector that the person knows to be false or misleading.
- (2) If a person contravenes subsection (1), the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000 or to imprisonment for a term not exceeding 12 months, or both.

**27 Police to assist inspectors**

An inspector may request the assistance of a police officer to take any action authorised by this Act.

**28 Offence to obstruct inspector**

If a person without reasonable excuse obstructs or hinders an inspector in exercising any power under this Act, the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000, or to imprisonment for a term not exceeding 12 months, or both.

**29 Impersonation of inspector**

If a person impersonates an inspector, the person commits an offence and is liable on conviction to a fine not exceeding VT 1,000,000, or to imprisonment for a term not exceeding 12 months, or both.

**30 Warrant**

- (1) A police officer may apply to the Court for a warrant to enter premises:
  - (a) to search the premises; or
  - (b) to seize anything connected with an offence against this Act.
- (2) The application must be sworn and state the grounds on which the warrant is sought.
- (3) The Court may refuse to consider the application until the police officer gives the Court all the information the Court requires about the application in the way the Court requires.
- (4) The Court may issue a warrant if it is satisfied on reasonable grounds that there is a particular thing ('the evidence') at the premises connected with an offence against this Act.
- (5) If a warrant is issued under subsection (4), the warrant must state:
  - (a) the purpose of the entry; and
  - (b) that a police officer named in the warrant may, with necessary help and force, enter the premises and exercise the powers under this Part; and
  - (c) the offence for which the warrant is sought; and
  - (d) the evidence that may be seized under the warrant; and
  - (e) anything found and seized under the warrant may be used in evidence in Court; and

- (f) the hours when the premises may be entered; and
- (g) the expiry of the warrant, which must be within 14 days after the warrant has been issued.

## **PART 5 MISCELLANEOUS**

### **31 Entry by power utility**

- (1) A licensee or an electrical contractor authorized by a power utility may enter land or premises with the consent of the owner or occupier of the land or premises to check or carry out repairs, maintenance or other work on an electrical meter, or to install a new electrical meter.
- (2) If the owner or occupier of the land or premises does not consent to the entry, then the power utility may cause the electricity to be disconnected at the land or premises if it is necessary to do so in the interests of electrical safety.

### **32 Complaint resolution**

- (1) The Director may, if requested by a person, assist that person to resolve any dispute with a licensee in respect to an electrical work.
- (2) Without limiting subsection (1), the Director may:
  - (a) require the licensee to answer any question; or
  - (b) require the licensee to provide any document.
- (3) A licensee to a dispute under subsection (1), must provide the Director with any information which the Director may require from that licensee.

### **33 Liability of licensee**

A licensee is liable to any costs incurred from any damage or injury to a property or person in carrying out any electrical work.

### **34 Immunity**

- (1) A civil or criminal proceeding must not be brought against the Director, officer of the Department or an inspector for anything done or omitted to be done in good faith by him or her in the execution or purported executions of his or her functions and powers under this Act.
- (2) Subsection (1) does not apply if the Director, officer of the Department or an inspector acted in bad faith in executing his or her functions or powers or in dereliction of his or her functions and powers under this Act.

**35 Director may delegate powers**

- (1) The Director may delegate to an officer of the Department all or any of his or her powers, duties or functions under this Act or the Regulations, other than this power of delegation.
- (2) A delegation under this section:
  - (a) must be made in writing; and
  - (b) may be made generally or subject to express limitation or conditions; and
  - (c) may be given for a specified period.
- (3) The Director may at any time revoke or vary a delegation.
- (4) A delegation does not prevent the Director from performing the function or exercising the power that he or she has delegated.
- (5) The Director remains responsible for actions taken under a delegation made under this section.

**36 Approved forms**

The Director may approve forms for the purposes of this Act or its Regulations.

**37 Register**

- (1) The Department must establish a register of licensees and keep the register up to date.
- (2) The register is open for inspection by the public at all times.

**38 Regulations**

- (1) The Minister may, by Order, on the advice of the Director, make Regulations not inconsistent with this Act for the better carrying out or giving effect to the provisions of this Act.
- (2) Without limiting the generality of subsection (1), the Minister may make Regulations for any or all of the following purposes:
  - (a) to fix fees and charges, including maximum or minimum fees and charges, for or with respect to any function or service carried out by the Director under this Act;

- (b) to waive or refund the payment of a fee or charge in specified circumstances or to refund amounts paid to the Director in specified circumstances;
  - (c) to provide for the keeping of records;
  - (d) to provide for the conduct of electrical safety and other tests;
  - (e) the recognition of licences issued outside of Vanuatu to perform an electrical work;
  - (f) the micro credentials, qualifications, training and standards of competence required for the licensing of persons performing or supervising electrical work, and electrical contractors;
  - (g) the examination, assessment and grading of licensees and electrical contractors;
  - (h) periodic or other tests of the competence of licensees and electrical contractors for carrying out electrical work;
  - (i) applications for and the issue and variation of electrical work licences, including the conditions and restrictions to which electrical work licences are subject;
  - (j) the expiry, renewal, cancellation and suspension of electrical work licences;
  - (k) forms for and in relation to electrical work licences;
  - (l) reasonable fees to be paid for applying for, issuing, renewing and varying electrical work licences;
  - (m) reasonable fees to be paid for any theoretical or practical examination or assessment in electrical work;
  - (n) refund of fees.
- (3) The Director must consult with the Vanuatu Qualifications Authority about proposed Regulations under paragraphs (2)(f), (g) and (h) to ensure consistency of requirements.
- (4) The Regulations may impose a fine not exceeding 10,000 VT for a breach of a Regulation.



**39 Transitional provisions**

- (1) This section applies to a person if the person, immediately before the commencement of this Act, is the holder of a valid licence (“foreign licence”) issued outside of Vanuatu to undertake electrical work that satisfies an internationally recognized standard acceptable to the Director.
- (2) A person to whom this section applies is able to continue to perform electrical work in Vanuatu on and after the commencement of this Act, subject to subsection (5).
- (3) A person to whom this section applies must, within 6 months after the commencement of this Act, present his or her foreign licence to the Department for registration.
- (4) The Director may review a foreign licence.
- (5) Following a review under subsection (4), the Director may:
  - (a) issue an electrical work licence to the person; or
  - (b) direct the person to undertake specified courses or training by a specified date in order to satisfy the prescribed eligibility requirements for the issuing of an electrical work licence.
- (6) If a person performs any electrical work in Vanuatu and has not complied with a direction under paragraph (5)(b), the person commits an offence and is liable on conviction to a fine not exceeding VT 100,000.
- (7) The foreign licence of a person who has not complied with a direction under paragraph (5)(b) is deemed to be invalid for all purposes within Vanuatu.

**40 Commencement**

This Act commences on the day on which it is published in the Gazette.