

# ***Section C***

## ***The Registered Electrical Contractor***

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## **PREAMBLE**

*This Section C sets out all of the obligations placed on any party registered with the Body i.e. a Registered Electrical Contractor or REC.*

*The Body, in its operations further to the requirements of Section B, is to be bound by the requirements of Section C insofar as they are applicable to its operations.*

*It is important to note that through this Criteria Document, the REC's activities will be regulated as follows:*

- 1) the REC shall only be registered once it meets the requirements specified through this Criteria Document and by the Body;*
- 2) by specifying that Regulated Works require a Certificate and under what conditions such a Certificate can issue (compliance with the Technical Rules), the Commission and the Body will therefore regulate the activities of electrical contractors through that Certification process – this controlled Certification process acts as the “check” in the process to ensure that the activities of the electrical contractor have been carried out in accordance with the prescribed requirements;*
- 3) this Criteria Document and the Body will specify the requirements for the entitlement of an REC to self-certify. These requirements will relate to, among other things, the training, competence and activities of the individual employee carrying out the Certification on behalf of the REC (to be known as the Qualified Certifier); and*
- 4) this Criteria Document also imposes a requirement to ensure that any parties that are engaged by the REC (electricians, apprentices, contractors, etc.) are competent with respect to the type and range of electrical installation work which they are carrying out in order that it is carried out in a safe manner and in accordance with, and meets the requirements of, the Technical Rules.*

*Thus, by imposing:*

- 1. the requirements concerning the qualification, training and competency of the Qualified Certifier;*
- 2. the requirements for, and grounds on which, a Qualified Certifier may certify an installation; and*
- 3. the obligation for the REC to engage competent parties.*

*the Commission is satisfied that electrical works will be carried out in a competent fashion (i.e. in accordance with the Technical Rules) and certified by a competent party and that this therefore forms an adequate mechanism for regulating the activities of electrical contractors.*

*Section C sets out the following with respect to the REC:*

- Conditions for Registration
  - *The broad requirements and obligations with respect to a party's Application for Registration;*
  - *This Criteria against which an Application for Registration must be assessed/evaluated; and*

- *These criteria include the specific requirements placed on any party seeking to be registered with respect to its personnel (roles of certain personnel and competence/qualification of such personnel), and other requirements placed on the electrical contractor with respect to equipment, insurance and the availability of technical reference documentation.*
- *Registration and Maintenance of Registration*
  - *The effect of Registration and the entitlements arising from registration;*
  - *The Requirements/conditions placed on the REC with respect to maintaining Registration, notifying the Body of changes in the details of the REC and De-Registration;*
  - *The requirements with respect to the records of personnel, their training and qualifications, their work and Certification;*
  - *The obligations with respect to the carrying out of electrical works by the REC, with respect to conformance with the technical rules, and the safety of works-in-progress;*
  - *The requirements with respect to the right of the REC, and obligation, to certify all electrical works carried out by them and only those carried out under their supervision/control; and*
  - *Further requirements with respect to the Certification of installations and the release of Certification to those parties on whose behalf the work has been carried out and the overall obligations with respect to the control of Certificates.*
- *Inspection and Audit*
  - *The requirements and obligations with respect to the RECs participation with, and compliance with, the requirements of the Body's Audit and Inspection Plan, Procedures and Inspectors/Auditors acting on behalf of the Body; and*
  - *Such requirements include obligations with respect to corrective actions to be taken in circumstances where the REC is discovered to have behaved in a way which breaches the requirements of this Criteria Document and such other requirements further to this Criteria Document and Common Procedures.*
- *Compliance and Co-Operation by the REC*
  - *The requirements for compliance and co-operation with respect to requirements specified by Authorised Officers, Appeals Officers, Disciplinary Proceedings, the DSO.*
- *Responsibilities of the REC towards the Body, the Customer and the Public*
  - *This section specifies the obligations placed on the REC with respect to informing the Body and the Customer on certain matters, particularly those relating to safety-concerns with respect to an electrical installation; and*
  - *This section also places an obligation on the REC to support public awareness with respect to the new regulatory model in so far as applicable to the role, activities and interactions of the REC.*
- *Complaints on the Performance of the Body*
  - *This section confirms the right of the REC to make complaints on the operation of the Body to the Commission where such complaints remain unresolved.*

# 1 CONDITIONS FOR REGISTRATION

## 1.1 Application for Registration

- 1.1.1 For any Application for Registration with the Body to be valid, it must be made, and completed, in accordance with the Application Procedure published by the Body.
- 1.1.2 The Applicant is required to ensure that all information provided is accurate and correct as at the time of submission of the application and is required to provide a declaration to that effect.
- 1.1.3 The Applicant is required to declare any interests or involvement with any personnel of the Body.
- 1.1.4 Any (material) changes to the accuracy of the information submitted as part of the application are required to be notified to the Body immediately.
- 1.1.5 Any material information provided that is subsequently discovered to be false or misleading will result in the cancellation of the Application, or where Registration has taken place on the basis of such false or misleading information, cancellation of Registration will take place with immediate effect.
- 1.1.6 The Body has the right to inspect and/or seek evidence of compliance with all of its requirements for Registration, as specified in this Criteria Document, its Application Procedure and/or Rules of Registration, as part of the assessment for Registration.
- 1.1.7 The Applicant is required to comply with the procedure for appealing the decision of the Body with respect to the rejection of the Application.
- 1.1.8 Where the original decision to reject the Application is upheld by the Body upon appeal, the Applicant may appeal the decision to the Commission.
- 1.1.9 Such appeals are to be in accordance with the procedure to be specified by the Commission and the Commission's determination on this matter will be final and the Body and Applicant are to be bound by same.

## 1.2 Criteria for Eligibility

### ***Overall Personnel Requirements***

- 1.2.1 Each Applicant must propose, as part of its Application, the following:
  - (i) a person to act as a Principal Duty Holder; and,
  - (ii) the person/persons whom the Applicant proposes to fulfil the role(s) of Named Qualified Certifier on its behalf (and which must be at least one person as per the requirements of Clause 1.2.8).
- 1.2.2 The roles and responsibilities of these parties and the role of the REC in relation to same are described in Section C.1.2.5 (Principal Duty Holder) and Section C.1.2.7 (Qualified Certifier of this Criteria Document).

- 1.2.3 In proposing and/or appointing a person or persons to act in the capacity of Principal Duty Holder and/or Qualified Certifier, the Applicant, or REC, as the case may be, is required to ensure that any such persons have the capacity and capability to perform the roles in accordance with the requirements specified in this Criteria Document. Such persons will also be required to meet the criteria specified by the Body in the Rules of Registration.
- 1.2.4 For the avoidance of doubt, any duties/responsibilities specified in this Criteria Document that are required to apply to the Principal Duty Holder and to the Qualified Certifier roles are required to also apply to the REC. The REC will ensure that these duties/responsibilities are discharged accordingly by relevant personnel, who act on behalf of the REC and operate under its control.

### ***Requirements for Principal Duty Holder***

- 1.2.5 A Principal Duty Holder will:
- (i) have responsibility for all matters relating to Registration and be the primary point of contact with the Body;
  - (ii) have an understanding of, and responsibility for, the safety conditions relating to the range of electrical work undertaken by the business;
  - (iii) have responsibility for the maintenance of the overall standard and quality of the electrical work carried out or managed by the enterprise and for ensuring that there are systems in place **whereby all electrical work undertaken is carried out by competent persons** who are adequately and appropriately supervised; and
  - (iv) be responsible for ensuring that the REC is in compliance with the conditions of this Criteria Document and anything further to this Criteria Document. This will include (but is not limited to) activities relating to the following:
    - (a) ensuring any person acting as a Qualified Certifier meets the conditions outlined in Clause 1.2.7 (Qualified Certifier);
    - (b) ensuring that the necessary records of all Qualified Certifiers are maintained and are kept up to date. Such records must be able to demonstrate the competency, qualifications and training of each Qualified Certifier;
    - (c) ensuring that any material changes to the details of its Named Qualified Certifier(s) are communicated immediately to the Body;
    - (d) ensuring that only persons who comply with the conditions laid down in this Criteria Document for a Qualified Certifier issue Certificates on behalf of the REC;
    - (e) ensuring that the appropriate Certificates and other documentation are issued and recorded for **all** completed electrical work in accordance with the requirements of this Criteria Document;

- (f) safeguarding any unused Certificates which have been issued to the REC in order to prevent loss, theft and/or unauthorised use;
- (g) ensuring that the REC holds the appropriate level of insurance cover as specified by this Criteria Document/the Body;
- (h) ensuring that all records required to be held by the REC as part of the Rules of Registration are maintained and kept up to date; and,
- (i) complying with the requirements of the Body concerning Audit and Inspection.

1.2.6 A Principal Duty Holder may also be a Qualified Certifier.

### ***Requirements for Qualified Certifier***

1.2.7 A Qualified Certifier will:

- (i) be a principal or employee of the REC who is available on a full-time basis;
- (ii) be an electrically-competent person, satisfying the criteria specified in Clauses 1.2.13 to 1.2.15 (Training and Competence of Qualified Certifier), responsible for, on a day-to-day basis, the safety, quality and certification of the electrical installation works of the REC with regard to the Technical Rules;
- (iii) be a party who may carry out Certification on behalf of the REC;
- (iv) be responsible for safeguarding unused Certificates in their possession against loss, theft and/or unauthorised use;
- (v) ensure that results of Inspection and testing are properly recorded on the appropriate prescribed forms of Certification and reporting, and reviews and confirms the results for compliance with the Technical Rules;
- (vi) complete up-to-date training courses as specified by the Body (failure to complete required training courses without reasonable cause may result in the person being in breach of the requirements of this section and, therefore, they shall not be entitled to act as Qualified Certifier); and
- (vii) is required to have successfully completed a recognised course in "Testing, Verification and Certification" in the previous three (3) years.

1.2.8 The REC is required, in order to have its Application for Registration approved by the Body, to name **at least one person** whom they are proposing to act as a Qualified Certifier and must provide particulars including the signature of each such Qualified Certifier on submission of an Application for Registration and confirmation of his/her consent with respect to the recording of their details with the Body. Any such person is a Named Qualified Certifier.

1.2.9 The Body will assess the details of those parties whom the REC has nominated to act as a Named Qualified Certifier, and will, where appropriate, give its approval for those parties to act as Named Qualified Certifiers.

- 1.2.10 The REC is required to ensure that they engage a suitable number of Qualified Certifiers, considering the range, scale, geographical spread and category of electrical work undertaken by the REC.
- 1.2.11 The REC is required to maintain the Register of all of its Qualified Certifiers, together with evidence of each Qualified Certifier meeting the competency conditions as determined by the Body and this Criteria Document. This Register is to be subject to Inspection and Audit in accordance with the requirements of Section C.5 of this Criteria Document.

### **Training and Competence of Qualified Certifier**

- 1.2.12 A Qualified Certifier is required to satisfy the basic requirement of having:
- (i) served a recognised apprenticeship as an electrician and having been awarded a National Craft Certificate; or,
  - (ii) another suitable electrical award, equivalent to Level 6 or higher on the National Framework of Qualifications;
- and
- (iii) is required to have successfully completed a recognised course in “Testing, Verification and Certification” in the previous 3 years.
- 1.2.13 A Qualified Certifier is to also undertake any other course/training/instruction as specified by the Body (which may be deemed necessary in response to an Inspection, Audit, a change in the Technical Rules, etc.).
- 1.2.14 Each Qualified Certifier is to be conversant with the current edition of the Technical Rules for the range of electrical works being undertaken, including all published amendments to same, and any other relevant standard or publication as may be specified by the Body/the ETCl from time to time.

**Note 1:** *A person, proposed as a Qualified Certifier, who is not in possession of a National Craft Certificate but has been awarded a qualification in another country, is required to provide evidence to the Body demonstrating that the training they have undertaken and the type of award granted on completion of that training, is at least equivalent to the conditions specified by the Body. They will be informed by the Body whether this qualification satisfies the conditions set down above. If not, the Body is required to provide confirmation in writing as to the reasons why such person does not meet the conditions.*

### **Parties Carrying Out Electrical Works on behalf of the REC**

- 1.2.15 The REC is required to engage only competent persons to carry out electrical installation work on its behalf. These individuals are required to have the technical knowledge and experience to prevent danger and avoid injury and where they do not have sufficient expertise, the degree of supervision must be appropriate having regard to the nature of the work.
- 1.2.16 The REC is required to maintain up to date records of those employed in the carrying out of electrical installation works on its behalf.

1.2.17 These records must be able to demonstrate the qualifications, training and experience of such parties and the works carried out by them. These records are required to be available for Audit and Inspection by the Body on request.

1.2.18 The Body will have the entitlement to review the training and safety standards undertaken by an REC and all person[s] engaged in the carrying out of electrical works on behalf of the REC including those of a Qualified Certifier. The REC will, following a request by the Body in this regard, submit any relevant documentation as deemed appropriate by the Body.

### ***Test Equipment***

1.2.19 The REC must possess, in sufficient quantity for the amount and range of electrical work being carried out, and as may be specified or directed by the Body from time to time, appropriate test equipment to carry out the tests necessary for issuing a Certificate for an electrical installation, as required further to the requirements specified in the Technical Rules.

1.2.20 All test instruments are required to be calibrated at least annually and/or more often if required by the manufacturer or according to best practice.

1.2.21 The Principal Duty Holder is to ensure that records of all instrument calibrations are maintained.

### ***Reference Documents***

1.2.22 The REC is to ensure that there are adequate copies of all necessary technical reference documents available for reference to each work location.

1.2.23 Such reference documents include, but are not limited to, the latest version of the Technical Rules and any other documents as may be specified by the Body.

### ***Insurance***

1.2.24 The Applicant, or REC, as the case may be, is required to have in place and maintain insurance cover as may be specified by the Body/the Commission and which may include:

- (i) public liability insurance to a minimum level of indemnity specified by the Body and/or the Commission;
- (ii) products liability insurance; and
- (iii) appropriate employer's liability insurance (if applicable).

1.2.25 The onus to hold insurance cover over and above the specified minimum rests with the REC in such cases where it is appropriate to the work being carried out.

1.2.26 Such insurance policies will, as appropriate, indemnify (jointly and separately) the Body, the Commission, or any party acting on either's behalf.

1.2.27 The specified levels of insurance cover will be subject to review from time to time, as appropriate.

## **2 REGISTRATION AND MAINTENANCE OF REGISTRATION**

### **2.1 Effect of Registration**

- 2.1.1 Registration will take effect from the date confirmed in writing by the Body.
- 2.1.2 If Registration has been granted by the Body, the REC's name will be added to the Register.
- 2.1.3 Registration will entitle the REC to certify their works in accordance with the requirements of this Criteria Document, and any other such requirements specified by the Body or the Commission.
- 2.1.4 The REC will receive a Registration Number that they must quote on all Certificates issued for electrical installation works.
- 2.1.5 The REC is to provide evidence of its Registration with the Body upon request.

### **2.2 Entitlement to use title of “Registered Electrical Contractor”, the Brand and Name/Logo/Brand of the Body**

- 2.2.1 Only RECs are entitled to use the title “Registered Electrical Contractor”.
- 2.2.2 An REC is entitled to use the logo of the Body and the Brand on business documentation and/or vehicles.
- 2.2.3 An REC is required, at all times, to present/detail its Registration Number on Business Documentation where it presents itself as a Registered Electrical Contractor and/or uses the name and logo of the Body or the Brand.
- 2.2.4 An REC is required to furnish, to any party, confirmation of its Registration and Registration details upon the request of any such party. Such confirmation is to be in the form specified by the Body.

### **2.3 Requirements Further to Registration**

- 2.3.1 An REC is to comply with the Rules of Registration as set down by the Body.
- 2.3.2 Failure to comply with the Rules of Registration may result in disciplinary action and/or the suspension/revocation of Registration.
- 2.3.3 An REC will be eligible to renew its Registration by the Body, provided that the Rules of Registration continue to be met.
- 2.3.4 An REC will renew its Registration with the Body in accordance with the procedure of the Body for renewal of Registration (the Registration Renewal Procedure of the Body).
- 2.3.5 An REC may not be registered with more than one Body at any point in time (subject to the requirements of “Common Procedure No. 4 – Transfer of Registration”).

## **2.4 Change in Registration Details**

- 2.4.1 Any changes required to be notified to the Body shall be done in accordance with its procedure for notification of change in particulars of an REC and on the “Change in Particulars Notification Form” as published by the Body.
- 2.4.2 The REC is required to immediately inform the Body of changes to its trading name.
- 2.4.3 In the case where an REC ceases trading, the REC is required to inform the Body immediately and such notice will serve as direction to the Body to remove the particulars of that REC from the Register.
- 2.4.4 In the event that an REC changes any particulars upon which its original Application for Registration was approved, it is required to inform the Body immediately by way of written notice.
- 2.4.5 Such notice is required to be given within 10 working days of any such change becoming effective, unless otherwise specified.
- 2.4.6 The REC is required to, following a request from the Body, furnish all relevant information as deemed appropriate by the Body in relation to the notification of any change of Registration particulars.
- 2.4.7 Following any material change, continued Registration will be at the discretion of the Body, in accordance with its procedures for the evaluation of Applicants.

## **2.5 Change in Principal Duty Holder**

- 2.5.1 Where a Principal Duty Holder ceases to be employed in that capacity, the REC is required to advise the Body in writing without delay.
- 2.5.2 Another person must be appointed within 20 working days of the change and a declaration must be signed on the form prescribed by the Body to confirm that a suitable replacement has been appointed.
- 2.5.3 Suitable arrangements must be put in place by the REC in the intervening period to ensure that the duties of the Principal Duty Holder continue to be discharged.
- 2.5.4 Any extension to the time limit of 20 working days will be at the discretion of the Body. The Body may decide to suspend Registration of an REC until a replacement Principal Duty Holder has been nominated.

## **2.6 Change in Named Qualified Certifier**

- 2.6.1 An REC may at any time propose a person to act as a Named Qualified Certifier in accordance with the procedure specified by the Body and in accordance with the requirements of this Criteria Document.
- 2.6.2 Where a Named Qualified Certifier ceases to be engaged in that capacity, the REC is required to advise the Body in writing without delay.

- 2.6.3 In the case where there is no other Named Qualified Certifier employed by the REC, the REC's entitlement to self-certify will be withdrawn until such time as a new Named Qualified Certifier has been proposed and approved by the Body.

## **2.7 Ceasing/Lapse/Suspension of Insurance Cover**

- 2.7.1 Failure to maintain insurance as required under Section 1 and/or provide the Body with proof of such when requested to do so will result in automatic suspension of Registration<sup>1</sup>, and, for the avoidance of doubt, this will result in the automatic and immediate suspension of the entitlement to self-certify work.
- 2.7.2 Such suspension and withdrawal of the entitlement to self-certify work will continue in force until appropriate insurance cover is put in place, confirmed to the Body and same is acknowledged and the Body confirms suspension is lifted and full self-Certification rights are resumed.

## **2.8 De-Registration**

- 2.8.1 Where the REC is de-registered, either voluntarily or further to a decision by the Body or the Commission, the REC is required to return all outstanding Certificates. For the avoidance of doubt, this will include those Certificates issued but not yet remitted to the Body.
- 2.8.2 The REC is required to also return the form of confirmation of Registration issued to it by the Body.

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<sup>1</sup> "automatic suspension", for the avoidance of doubt, means that, with immediate effect from the point that the contractor's insurance ceases to be effective, the contractor no longer has the legal status of "Registered Electrical Contractor".

## **3 RECORDS**

### **3.1 Training and Qualification Records**

- 3.1.1 The Principal Duty Holder is to ensure that evidence of each Qualified Certifier's qualifications, as required by Section C.1 of this Criteria Document, are held by the REC at all times.
- 3.1.2 The Principal Duty Holder is required to ensure that records of training courses attended by each Qualified Certifier are kept up to date.
- 3.1.3 Such training records should include details of course name and course accreditation, training provider, dates attended, type of assessment, and, if appropriate, results achieved.
- 3.1.4 It is the responsibility of the Principal Duty Holder and the REC to store these records and make these available for Inspection and Audit by the Body or an Authorised Officer upon request.
- 3.1.5 It is the responsibility of the Principal Duty Holder to ensure that evidence of all parties carrying out electrical installation work on behalf the REC are maintained and available for Audit and Inspection or upon the request of the Body.

### **3.2 Certificates and Test Record Sheet Copies**

- 3.2.1 Qualified Certifiers are responsible for ensuring that:
  - (i) the relevant copies of all Certificates issued by them are properly filed;
  - (ii) they are in full compliance with the process for issuing Certificates as set out in the "Common Procedure No. 1 - Certification";
  - (iii) insofar as practicable and applicable to them, records for work that they are certifying are properly maintained and stored in accordance with the requirements of the Technical Rules; and
  - (iv) test record sheets for completed installations supervised and certified by them are properly maintained.
- 3.2.2 The Principal Duty Holder is to have the overall responsibility for ensuring that:
  - (i) a copy is properly recorded and maintained of each Certificate issued by the REC;
  - (ii) all such records are kept in an appropriate manner and available for Audit and Inspection by the Body; and
  - (iii) copies of all Certificates issued for Controlled Works are returned to the Body without delay.

## **4 RESPONSIBILITIES IN RELATION TO CARRYING OUT ELECTRICAL WORKS**

### **4.1 Conformance to Technical Rules**

4.1.1 All electrical works carried out by the REC are to be carried out in compliance with the Technical Rules in so far as these are applicable to the electrical works being undertaken.

### **4.2 Safety of Unfinished Works**

4.2.1 In the interests of safety, all RECs are required to ensure that electrical works which are in progress but not yet completed by them (unfinished works), are left in such a manner, so as to ensure they do not pose a danger to persons or property.

4.2.2 The REC is to take all reasonable steps to ensure that any unfinished works cannot inadvertently be made live by another party and, if they are made live, that they are safe.

### **4.3 Right and Obligation to Certify**

4.3.1 An REC is required to certify (as appropriate and in accordance with the requirements of “Common Procedure No.1 – Certification”) **all** electrical works, or part thereof, carried out for which it is responsible.

4.3.2 Where an REC has had the entitlement to self-certify withdrawn, it will not issue any further Certificates without the permission of the Body.

4.3.3 An REC will only issue Certificates provided to it by the Body.

4.3.4 A Qualified Certifier, acting on behalf of the REC, is the only party entitled to certify an installation on behalf of the REC (where that REC has been granted the entitlement to self-certify).

4.3.5 A Qualified Certifier will not certify electrical works if:

- (i) their entitlement to self-certify has been suspended or withdrawn by the REC or the Body; and/or
- (ii) the REC for whom they are employed has its entitlement to self-certify suspended or withdrawn.

4.3.6 The conditions for issuing a Certificate are outlined in the “Common Procedure No.1 – Certification”.

4.3.7 Failure to comply with these requirements in this section is automatically deemed to be a material breach of the Rules of Registration.

- 4.3.8 In the case where an REC has been requested by a Customer to finish and subsequently certify an installation that has been partially completed by another person, the REC is required to, before any work is done on the installation, ensure that it is in compliance with the requirements of the “Common Procedure No. 3 - Change of Contractor”.

#### **4.4 Requirements for Certification**

- 4.4.1 The Qualified Certifier may only certify an installation if the Certification is carried out in accordance with the “Common Procedure No. 1 - Certification” and:
- (i) the installation has been completed by employees or subcontractors of the REC by whom he is employed; or,
  - (ii) he is certifying a previously disconnected premises for reconnection in accordance with the Technical Rules; or,
  - (iii) the REC has been given authorisation to complete and certify the installation in question by the Body. The REC, in doing so, is required to adhere to the conditions as set out in the “Common Procedure No. 3 - Change of Contractor”.
- 4.4.2 The Qualified Certifier is required to certify using a Certificate which has been provided to the REC by whom he is employed, and which has been issued to him for use in certifying an installation being tested and certified as directed by that REC.
- 4.4.3 The Qualified Certifier is required to always use and issue the appropriate type of Certificate for the type of installation being tested and certified.
- 4.4.4 The Qualified Certifier is required to only sign a Certificate once the required testing has been completed and verified in accordance with the Technical Rules and the “Common Procedure No. 1 - Certification”. For the avoidance of doubt, this is to include the holding of all necessary Subsystem Certificates for the installation in question.
- 4.4.5 All Certificates are to be completed and all required information included in accordance with the “Common Procedure No.1 – Certification” before they are submitted to the Body or furnished to the Customer.

#### **4.5 Provision of Copies of Certification Documents to the Customer**

- 4.5.1 Once a Certificate has been issued for an installation, the person who requested the works to be carried out is to be furnished with the appropriate copy of the Certificate.
- 4.5.2 The appropriate copy of the Certificate is to be kept on record by the REC.

## **4.6 Control of a Certificate**

- 4.6.1 The REC, and therefore the Principal Duty Holder and all Qualified Certifiers in possession of Certificates, is responsible for ensuring that all Certificates are:
- (i) only used to certify installations in accordance with the requirements specified;
  - (ii) only signed and issued by the appropriate (and approved) personnel; and,
  - (iii) securely stored so as to prevent their loss, theft or misuse.
- 4.6.2 Any instances of destruction, loss or theft of Certificates must be reported to the Body immediately and the reference numbers of the Certificates in question quoted.

## 5 INSPECTION AND AUDIT

### **Preamble**

*The Body is required to carry out a programme of Inspections and Audits on RECs.*

*These conditions are set out in Section B of this Criteria Document and this section of the document sets out the corresponding requirement for the REC with regard to Audits and Inspections. As set out in Section B, the Body can, where it deems appropriate, carry out an unannounced Inspection.*

*Notwithstanding the notice period for an announced Inspection, the following requirements apply to the REC in the case of either an announced or unannounced Inspection.*

### **5.1 Inspection of REC's Work by the Body**

#### ***Documented Procedure and Notice of Inspection and Audit***

- 5.1.1 The Body is obliged to provide a copy of its Inspection Procedure to any REC on request.
- 5.1.2 In the case of an *announced* Inspection, the REC is to be given prior notice of the Inspection and the timeframe for its occurrence.
- 5.1.3 In the case of an *unannounced* Inspection, the REC is to fully comply with the conditions of the Body with regard to the Inspection and/or Audit to be carried out.
- 5.1.4 For the avoidance of doubt, any work (which includes a work-in-progress) carried out by the REC, and therefore certifiable, is to be eligible for Inspection and/or Audit by the Body.

#### ***Co-operation with Inspector***

- 5.1.5 The REC is required to comply with any requirements of the Inspector during the carrying out of an Inspection and/or Audit.
- 5.1.6 This includes being present during an Inspection/Audit (as may reasonably be required), answering any questions posed by the Inspector relating to the work and/or the provision of relevant documentation and/or records, including (but not limited to) copies of Certificates, Subsystem Certificates, Test Record Sheets and technical information/drawings associated with the REC's work which is the subject of the Inspection/Audit.

### ***Inspection Report, Corrective Actions and Follow-up Inspection***

- 5.1.7 The REC is to be provided with a copy of the Inspection Report from the Body's Inspector once the Inspection has been carried out.
- 5.1.8 This Inspection Report will outline any non-conformances that have been identified and the corrective actions that may be required. The Inspection Report will also specify the timeframe in which these must be completed.
- 5.1.9 The REC is required to carry out all corrective actions that have been identified in the course of an Inspection by the Body and as outlined in the Inspection Report.
- 5.1.10 The Body may carry out a follow-up Inspection to ensure that corrective actions have been carried out.
- 5.1.11 The REC will be obliged to comply with the conditions for that Inspection as would be the case for any other Inspection.
- 5.1.12 Disciplinary action may result where serious breaches of the Technical Rules have been identified or where corrective actions have not been carried out in accordance with the requirements specified and within the specified timeframe.

## **5.2 Audit of REC by the Body**

*The Body is required to carry out a programme of Inspections and Audits on RECs. These conditions are set out in Section B of this Criteria Document and this section of the document sets out the corresponding requirement for the REC with regard to Audits and Inspections.*

### ***Documented Procedure and Notice of Audit***

- 5.2.1 The Audit relates to a review and assessment of records and/or documentation required to be held by the REC as required under this Criteria Document or as specified by the Commission or the Body from time to time and relates to the overall compliance of the REC with the requirements of this Criteria Document.
- 5.2.2 The Body is obliged to provide a copy of its Audit Procedure to any REC on request.
- 5.2.3 This includes, but is not limited to, a review of the following:
  - (i) Qualifications and Training Records of Qualified Certifiers and those parties carrying out electrical works on behalf of the REC;
  - (ii) Copies of issued Certificates and associated Subsystem Certificates and Test Record Sheets;
  - (iii) Calibration records for test equipment; and
  - (iv) Insurance Certificates.
- 5.2.4 An Audit may be carried out either in conjunction with an Inspection of work or be done independently.

- 5.2.5 The Body shall ensure reasonable notice of an Audit is given to the REC and such notice shall specify the timeframe for its occurrence.
- 5.2.6 For the avoidance of doubt, any documentation which relates to any work carried out by the REC is to be eligible for Audit by the Body.

***Co-operation with Auditor***

- 5.2.7 The REC is required to comply with any requirements of the Body in carrying out the Audit, including:
- (i) providing copies and/or originals, if appropriate, of requested documentation;
  - (ii) making an appropriate person from the organisation available to answer any questions in relation to the documentation; and,
  - (iii) giving details of third parties who may need to be contacted to verify relevant information.

***Audit Report, Corrective Actions and Follow-up Audit***

- 5.2.8 The REC is to be provided with an Audit Report from the Body's Auditor once the Audit has been carried out.
- 5.2.9 This report will outline any non-conformances that have been identified and the corrective actions that may be required. The Audit Report will also contain the timeframe in which these must be completed.
- 5.2.10 The REC is required to carry out all corrective actions that have been identified in the course of an Audit by the Body and as may be specified in the Audit Report.
- 5.2.11 The Body may carry out a follow-up Audit to ensure that all necessary corrective actions have been completed.
- 5.2.12 The REC will be obliged to comply with the conditions for that Audit as would be the case for any other Audit.
- 5.2.13 Disciplinary action may result where corrective actions have not been carried out within the specified timeframe.

## **6 COMPLIANCE AND CO-OPERATION ON THE PART OF THE REC**

### **6.1 Compliance with requirements of Authorised Officers and Appeals Officers**

- 6.1.1 An REC is required to give all reasonable assistance to an Authorised Officer in the exercise of his/her powers as prescribed under this Criteria Document (Section F) and/or pursuant to the provisions of the Act.
- 6.1.2 An REC is required to comply with any request from an Appeals Officer in accordance with the provisions set out under Section E of this Criteria Document and/or pursuant to the provisions of the Act.

### **6.2 Disciplinary Proceedings and Appeals**

- 6.2.1 An REC found to be in breach of any of the provisions/conditions of this Criteria Document may be subject to disciplinary proceedings by the Body under, and in accordance with, the provisions of the Disciplinary Procedure as set out in Section D of this Criteria Document.
- 6.2.2 The REC is to comply with the provisions of the Disciplinary Procedure as set out in Section D of this Criteria Document and any other ancillary procedures as may be prescribed by the Body.
- 6.2.3 The REC's obligations, rights and entitlements with respect to the Disciplinary Procedure are as set out in Section D of this Criteria Document.

### **6.3 Interaction with the DSO**

- 6.3.1 The REC is required to comply with any procedures of the DSO and/or any other requirements specified by the DSO pursuant to its procedures and policies.

### **6.4 Compliance with Legislation**

- 6.4.1 The REC is required to ensure that, in complying with the requirements of this Criteria Document and the Rules of Registration, it is in compliance with all relevant legislative requirements placed upon it.
- 6.4.2 For the avoidance of doubt, this is to include compliance with the requirements of Data Protection legislation with respect to the recording and distribution of information on individuals engaged by the REC (Principal Duty Holder, Qualified Certifier and other employees), including the release of information on such individuals to the Body.

## **7 RESPONSIBILITIES TOWARDS THE BODY, THE CUSTOMER AND THE PUBLIC**

### **7.1 Responsibilities with respect to the Body:**

7.1.1 In addition to such other requirements as set out in this Criteria Document, the REC is responsible for the following with respect to the Body:

- (i) informing the Body of any unsafe works encountered;
- (ii) informing the Body of any electrical safety issues;
- (iii) informing the Body of any activities by any other parties whereby Certificates are issued on an invalid basis; and
- (iv) informing the Body as soon as possible of any serious safety concerns relating to an electrical installation which may pose an **immediate** threat to the health, safety and well-being of any party.

7.1.2 For the avoidance of doubt, the duty to inform the Body under 7.1.1 above shall not affect any of the REC's other responsibilities relating to unsafe works

### **7.2 Responsibilities with respect to the Customer:**

7.2.1 In addition to such other requirements as set out in this Criteria Document, the REC is responsible for the following with respect to the Customer:

- (i) Providing confirmation of the status of the REC to the Customer, including providing their Registration Number and the details for the Customer to independently verify these with the Body;
- (ii) Providing copies of Certification for the works carried out by the REC to the Customer in accordance with the "Common Procedure No.1 – Certification";
- (iii) Informing the Customer of the contact details of the Body and the entitlement to pursue complaints against the REC with respect to the safety of the electrical installation work carried out by the REC and compliance with the requirements of this Criteria Document;
- (iv) Informing the Customer of any safety concerns discovered during the course of their work and advising them of the appropriate measures to be taken.

### **7.3 Responsibilities with respect to the Public:**

7.3.1 In addition to such other requirements as set out in this Criteria Document, the REC is responsible for the following with respect to the public:

- (i) Assist in raising public awareness with respect to electrical safety, the Brand and specific safety concerns/issues, the availability of the Register, the Regulatory System and such other matters as may be requested by the Body or the Commission from time to time.

## **8 COMPLAINTS ON THE PERFORMANCE OF THE BODY**

- 8.1.1 The REC will have the right to refer any unresolved complaints between the REC and the Body to the Commission regarding any aspect of operation and/or performance of the Body;
- 8.1.2 Such complaints are required to be made in accordance with any requirements specified by the Commission for the making of such a complaint.