

*SECRETARIAT: c/o Electrical Safety Office  
Department of Justice and Attorney-General  
GPO Box 69 Brisbane QLD 4001  
Email: [ERAC@justice.qld.gov.au](mailto:ERAC@justice.qld.gov.au)  
Telephone: (07) 3405 6463 Fax: (07) 3237 0229  
Website: [www.erac.gov.au](http://www.erac.gov.au)*

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## **Australian/New Zealand Electrical Equipment Safety System**

### **Equipment Safety Rules**

# Australian and New Zealand Electrical Equipment Safety System

## Equipment Safety Rules

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## PREFACE

The Electrical Regulatory Authorities Council (ERAC) is made up of representatives of the regulatory authorities responsible for electrical safety, supply and energy efficiency in New Zealand and the Australian States, Territories and Commonwealth.

Within Australia, electrical equipment safety is the responsibility of State and Territory governments administered through local legislation, regulatory requirements and compliance interventions. Although minor inter-jurisdictional differences exist, the broad objectives have traditionally been consistent.

In early 2007, ERAC recognized that a changing marketplace profile, owing to a greater reliance on imported electrical equipment and the emergence of non-traditional retail sources such as the internet, was increasing the risk of unsafe electrical equipment being supplied in Australia and New Zealand. These emerging problems and challenges led regulators to collectively believe a formal and comprehensive review of the electrical equipment safety system was essential to providing a strategic direction for future regulatory policy. The Review would also maintain community, industry, and other stakeholders' confidence in the integrity of the system.

During the review consultation, stakeholders consistently raised the following two issues:

- A lack of harmonisation/consistency/uniformity between jurisdictions in both legislative requirements and in the practical application of those requirements; and
- A serious deficiency in enforcement across all jurisdictions, and the need for an appropriate mix of pre and post-market issues.

The review recommended that the new Electrical Equipment Safety System (EESS) be underpinned by nationally consistent legislation in each jurisdiction and by comprehensive Equipment Safety Rules. It proposed that this system should:

- Classify electrical equipment into three levels, based upon a risk assessment;
- Provide Equipment Safety Rules so that certification of electrical equipment be undertaken in a uniform manner by all certifiers in the EESS;
- Contain an appropriate mixture of pre-market registration and post-market enforcement;
- Include a regular review of the need to reclassify electrical equipment into a more appropriate risk level based on market experience; and
- Be coordinated by a centrally administered and managed ERAC Secretariat.

These Equipment Safety Rules cover the pre-market component of the broader EESS, with market surveillance and other post-market issues being covered by other mechanisms. These Equipment Safety Rules apply to the sale of new electrical equipment, including sales via the world-wide web, but do not cover the sale of second hand goods that are covered by regulations administered by State, Territory and New Zealand Regulatory Authorities.

These Rules do not address compliance with Electromagnetic Compatibility (EMC), Electromagnetic radiation (EMR), radiocommunications and telecommunication requirements under the Australian Communication and Media Authority's (ACMA) regulatory arrangements. Information on the ACMA's arrangements can be found at [www.acma.gov.au](http://www.acma.gov.au).

Within this document there are 'notes' in various sections. These notes are provided to assist in further understanding of requirements, or give examples of the requirements, or for the supply of additional information. Examples or additional information are not necessarily exclusive or exhaustive detail and not intended to imply any limiting information. In the context of this document, Notes are an integral part and cannot be ignored.

# **Electrical Equipment Safety System Equipment Safety Rules**

## **1. Scope and Objectives**

### **1.1 Scope**

- 1) These ERAC Electrical Equipment Safety System Equipment Safety Rules (hereafter referred to as “Equipment Safety Rules”) cover all new electrical equipment with a rated voltage of:
  - a) Greater than 50 V AC RMS or 120V ripple-free DC, and
  - b) Less than 1000V AC RMS or 1500V ripple-free DC,
- 2) That is designed, or marketed as suitable, for household, personal or similar use.
- 3) It is immaterial whether the low voltage electrical equipment is also designed or marketed to be used for commercial or industrial purposes.
- 4) The regulation of electrical equipment, and these Equipment Safety Rules, only applies to electrical equipment that is in-scope (generally used by consumers, or generally found within domestic installations).
- 5) A supplier would need to show that the electrical equipment is designed and used exclusively for commercial or industrial purposes only, if they were claiming exemption from the scope of this scheme.

NOTE: Such examples could include cases where electrical equipment is so designed, operated and/or installed so that:

- a) It is only used in a workplace where occupational health and safety legislation applies, and is only marketed to the workforce, or
- b) By its nature and/or its electrical ratings, is extremely unlikely to be installed in premises occupied by members of the public.

Equipment claimed to be exempt by a supplier, but is available for the general public to purchase or use is not exempt based on the claims alone that it is designed, marketed, or intended for non domestic use if it is of a type or similar type to equipment that is available to the general public.

### **1.2 Objectives**

- 1) These Equipment Safety Rules are intended to ensure a nationally consistent and transparent approach is taken when administering the pre-market requirements for the EESS. These Equipment Safety Rules aim to improve deficiencies in the administration process. Preventing unsafe electrical equipment from entering the market is the primary goal.

### **1.3 Application**

- 1) The appropriate working of these Equipment Safety Rules is reviewed regularly with meetings and input from ERAC Equipment Working Group and relevant stakeholders.
- 2) Where there is conflict or apparent conflict between these Equipment Safety Rules and other documents the ERAC Equipment Working Group will have initial responsibility to clarify or propose corrections to this document after taking into account stakeholder views

on the conflict or apparent conflict. If the ERAC Equipment Working Group cannot resolve any particular issue it is to be referred to the main ERAC body for final determination.

## **2. Overview**

- 1) These Equipment Safety Rules outline the processes required to address the legislative requirements of the Electrical Equipment Safety System. They do this by providing a framework which defines the processes, and the roles and responsibilities of key parties.
- 2) The key elements of these Equipment Safety Rules are as follows:
  - a) All in-scope electrical equipment cannot be sold unless it is electrically safe.
  - b) All in-scope electrical equipment is classified into one of three levels based on risk assessment.
  - c) All Responsible Suppliers of all in-scope electrical equipment offered for sale must be Australian or New Zealand legal entities (including foreign companies with an Australian or New Zealand business registration) and must be registered on the National Database as Responsible Suppliers.
  - d) All level 2 (medium risk) and level 3 (high risk) electrical equipment must be registered on the National Database before it is offered for sale.
  - e) Documentation and evidence appropriate to the level of risk must be prepared and kept by the Responsible Supplier. For level 2 (medium risk) electrical equipment, a Compliance Folder is required and, if not held by the Responsible Supplier, must be made available if requested. For level 3 (high risk) electrical equipment, a Certificate of Conformity is required.
  - f) All in-scope electrical equipment must comply with relevant standards and be electrically safe.
  - g) Certifiers, being a Recognised External Certification Scheme (who have applied and been recognised by a regulator participating in the Electrical Equipment Safety System) or Regulatory Authorities who undertake a similar function, assess relevant evidence and issue Certificates for electrical equipment.
  - h) Certificates may be issued for levels 1, 2 and level 3 equipment. Requirements for the issue of a certificate include a Standards Australia or joint Standards Australia and Standards New Zealand product standard that applies specifically to the type, or a standard accepted by a Regulatory Authority as a standard that can be readily applied to the type. Certificates for level 1 and 2 are issued on a voluntary basis (referred to as Certificate of Suitability) subject to meeting the same criteria as that required for level 3 equipment (referred to as Certificates of Conformity) as detailed in these Equipment Safety Rules. All Certificates issued under the EESS must have the appropriate details registered on the National Database.

- i) All Certificates to be used as evidence of compliance must have the appropriate details recorded on the National Database.
- j) All in-scope electrical equipment must be marked with a Regulatory Compliance Mark (RCM).
- k) Responsible Suppliers must make a declaration that all in-scope electrical equipment that they supply is electrically safe.
- l) Failure by a Responsible Supplier to discharge their obligations under the EESS will result in the imposition of significant penalties and possible de-registration.

### 3. Reference Documents and Nomenclature

#### 3.1 Reference Documents

1) The following documents are referred to in these Equipment Safety Rules:

**a) Australian/New Zealand Standards**

- (i) AS/NZS 3000, *Wiring Rules*
- (ii) AS/NZS 3820, Essential safety requirements for low voltage electrical equipment
- (iii) AS/NZS 4417, Marking of electrical products to indicate compliance with regulations AS/NZS 4417.1, Part 1: General rules for use of the mark
- (iv) AS/NZS 4417.2, Part 2: Specific requirements for electrical safety regulatory applications

**b) International Standards and Guides**

- (i) ISO/IEC 17000, Conformity assessment -- Vocabulary and general principles
- (ii) ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories
- (iii) ISO/IEC 17050, *Conformity assessment - Supplier's declaration of conformity*
- (iv) ISO/IEC Guide 2, Standardization and related activities -- General vocabulary
- (v) ISO/IEC Guide 65, General requirements for bodies operating product certification systems
- (vi) ISO/IEC Guide 67, Conformity assessment – Fundamentals of product certification.

**c) Joint Accreditation System of Australia and New Zealand**

- (i) JAS-ANZ Procedure 15, General Requirements for Bodies operating Product Certification Systems (identical to IAF GD 5)

#### 3.2 Definitions

- 1) Where words or expressions are used in these Equipment Safety Rules they shall be read as used in common practice in Australia and New Zealand and by the electrical and related industries in Australia and New Zealand.
- 2) For the purposes of these Equipment Safety Rules the following terms, definitions and abbreviations apply (with sources given, where applicable):

**Accreditation** – third-party attestation related to a conformity assessment body conveying formal demonstration of its competence to carry out specific conformity assessment tests (ISO/IEC 17000).

**Authorised Representative** – a person or organisation that has written permission to act for and on behalf of the Responsible Supplier or manufacturer.

NOTE: The Authorised Representative may be a facilitator/consultant or a Certifier.

**Authorised Officer** – a member of the staff of a Responsible Supplier who has delegated responsibility from management for electrical safety and/or regulatory compliance.

**Certificate Identifier** – Certificate of Conformity – an identifier unique to each Certificate of Conformity that applies to an item of registered electrical equipment or family of electrical equipment.

**Certificate of Conformity** – a certificate, with details registered on the EESS national database, stating that a type of level 3 electrical equipment complies with the relevant standard for that type. Certificates of conformity are issued by a Certifier in accordance with electrical safety legislation and these Equipment Safety Rules.

**Certificate of Suitability** – certificate, with details registered on the EESS national database, stating that a type of level 1 or 2 electrical equipment complies with the Standards Australia or Joint Standards Australia and Standards New Zealand product standard that applies specifically to the type, or to a standard accepted by a Regulatory Authority as a standard that can be readily applied to the type. Certificates of Suitability are issued by a Certifier in accordance with electrical safety legislation and these Equipment Safety Rules.

**Certificate of Conformity Holder (Certificate Holder)** – any person who obtains a Certificate from a Certifier.

NOTE: A Certificate Holder may be located in an economy other than Australia and New Zealand.

**Certifier** – a body that conducts certification that may operate its own testing and inspection activities or oversee these activities carried out on its behalf by other bodies. This body may either be a Regulatory Authority or a Recognised External Certification Scheme that has been declared by a Regulatory Authority in Australia or New Zealand where the Regulatory Authority is participating in the EESS.

NOTES:

- a) Affiliated Certifiers directly enter Certificate information, in real time, in the National Database; and
- b) Non-affiliated Certifiers upload Certificate information, including their own Certificate Identifiers, to the National Database.

**Certification** – third party attestation related to products, processes, systems or persons. (ISO/IEC 17000)

NOTE: ISO/IEC 17000 defines *attestation* as the “issue of a statement based on a decision following review that fulfilment of specified requirements has been demonstrated”.

- Under the EESS, this relates to Certifiers issuing a Certificate of Conformity stating that a type of level 3 electrical equipment meets the relevant standard for that type or for level 2 and 1 equipment the type of equipment meets the product standard that applies specifically to the type or to a standard accepted by a Regulatory Authority as a standard that can be readily applied to the type.

**Compliance Folder** – document recording evidence in English that must include test reports completed by an approved testing entity or a suitably qualified person confirming that the equipment meets the relevant standard. A Compliance Folder is the required evidence of compliance with relevant standards for level 2 equipment.

**Conformity Assessment** – any activity concerned with determining directly or indirectly that relevant requirements are fulfilled.

NOTE: Examples of conformity-assessment activities are sampling, testing and inspection, evaluation, verification and assurance of conformity (supplier's declaration, certification), registration, accreditation and approval as well as their combinations. (ISO/IEC 17000)

**Database Administrator** – the organization responsible for managing and maintaining the National Database.

**Defining Standard** – means AS/NZS 4417 (Marking of electrical products to indicate compliance with regulations). This standard will define the relevant standard for the type level 2 and 3 electrical equipment.

**Electrical Equipment, Equipment** – includes any apparatus, appliance, cable, conductor, fitting, insulator, material, meter or wire used for controlling, generating, supplying, transforming or transmitting electricity within the scope of the EESS.

**Electrical Regulatory Authorities Council (ERAC)** – the peak body of electrical safety regulators in Australia and New Zealand. ERAC acts to ensure that electrical safety regulatory systems are contemporary and harmonised wherever possible.

**Inspector** – a person appointed by a Regulatory Authority to conduct inspections under electrical safety legislation.

**Family of Electrical Equipment, Product Family** – items of a type of in-scope electrical equipment that have the same electrical characteristics and material composition but may differ in dimensions, colour or other aspect and are able to be covered by a single test report.

NOTE 1: rationale of “same electrical characteristics and material composition” includes meeting the following guide:

- a) Uses electricity to perform essentially the same distinct function using the same technology/concept as other equipment in the family.
- b) may have different components (alternate components or more or less components to perform essentially the same function as other equipment in the family) due to having more or less features/functionality, but has essentially the same layout/positioning of components/circuit diagram/construction (note material composition is not considered a component in this explanation)
- c) materials used have same critical electrical protection properties (i.e. equipment with a metal enclosure would not be in same family as equipment with a plastic enclosure, significant plastic parts of different compounds would result in the equipment not being same family even if the equipment performs essentially the same distinct function)
- d) may have different electrical rating for current or power consumption due to more or less features/functionality of equipment in the family, but would include same supply voltage range and frequency ratings (i.e. single phase vs multi phase, ac vs dc)
- e) would fit within the same definition of equipment and have same risk level classification as per AS/NZS 4417.2

Examples of a family may include, but are not limited to:-

- a) Cooking range – a combined cooktop, grill, oven in one unit' then family would include same distinct function of only equipment that has all such combined parts and would not include separate oven only or cooktop only equipment
- b) Power tools would be a family of drills with different power ratings and features such as forward, reverse, hammer functions etc, but the family of drills would not include an angle grinder or a orbital sander
- c) Socket outlets would include fixed wired single, double or multi outlets, including any integral manual operated or auto switching or un-switched versions using the same socket outlet contacts but would not include different socket contact material/method/dimensions or portable outlet or switch only equipment versions.

- d) Televisions that have alternate brand or trade names or alternate model numbers for marketing purposes (but otherwise are the same product), and may have different size screens but use essentially the same electronic circuitry within the television
- e) Room heaters may include models that have circular heating element/fan/hi heat/low heat/thermostat; or circular heating element/fan/hi heat/low heat/no thermostat or circular heating element/fan/hi heat/thermostat; or circular heating element/fan/hi heat/low heat/thermostat/rotating base. However this family would not include a room heater that had a flat element instead of a circular element, or was a radiant heater instead of a fan heater
- f) Water heaters may include alternate water storage vessel sizes (of same vessel material/construction/insulation type etc) and/or alternate element wattage ratings (of same type of element design) within the same family, but would not include a storage water heater and an instantaneous water heater, or a vented water heater and an unvented water heater, within the same family.
- g) A decorative lighting outfit may include different lengths / shapes of lighting chain and a controller (or controllers offering various display functions) or no controller, but would not include lighting outfits that use different types of light sources (i.e. incandescent vs LED) or lighting outfits of different supply voltage rating (i.e. lv vs elv) or types (i.e. rope light vs string light)

NOTE 2: rationale of a single test report includes:

- a) A Certificate of Conformity would be issued listing the relevant standard as listed on the single test report
- b) A test report is a 'single test report' if it has a single relevant AS or AS/NZS standard (or where a number of standards may apply, the same set of standards) that applies to the family of equipment listed on the test report and the equipment has the same equipment model numbering coding system
- c) A test report is not a 'single test report' if it assigns a number of dissimilar standards to a number of dissimilar functioning equipment into the one document.

NOTE 3: each type of in-scope electrical equipment must have its own model number (as would be required by the relevant safety standard and as is marked on the equipment nameplate/rating label). These model numbers would be listed as a 'profile' on the certification section of the national database. There is not a unique 'family' model number for registration purposes; for level 3 equipment the family is determined by linking the model numbers as listed in the certification profile together, in the registration section of the national database; for level 2 equipment each individual model number will need to be entered and linked as a family when registering the equipment. A family is used only for determining the fee associated with registering level 3 and level 2 equipment.

**IEC standard** – means an International Electrotechnical Commission standard.

**IECEE CB Scheme (CBTLs)** – Testing laboratories accepted under the CB Scheme of the IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components (IECEE).

**International Accreditation Forum (IAF)** – the world association of Conformity Assessment Accreditation Bodies in the fields of management systems, products (including services and processes), personnel and other similar programmes of conformity assessment that, amongst other things, coordinates a product certification Multilateral Recognition Arrangement (MLA) whereby signatory members agree to cooperate in accepting product certification undertaken by certification Bodies they accredit.

NOTE: the IAF MLAs operate through a series of regional cooperation arrangements with the Pacific Cooperation (PAC) covering Australia and New Zealand.

**International Accreditation New Zealand (IANZ)** – the arm of the Testing Laboratory Registration Council of New Zealand, an autonomous Crown entity established by the New Zealand Government as the national authority for the accreditation of testing and calibration laboratories, inspection bodies and radiology services.

NOTE: IANZ is a member of ILAC and APLAC and is a signatory to the ILAC/APLAC laboratory accreditation MRA.

**International Laboratory Accreditation Cooperation (ILAC)** – an international cooperation of laboratory and inspection accreditation agencies that, amongst other things, coordinates a laboratory accreditation Mutual Recognition Arrangement (MRA) whereby signatory members agree to mutually accept the results of testing undertaken by laboratories they accredit.

NOTE: the ILAC MRAs operates through a series of regional cooperation arrangements with the Asia Pacific Laboratory Accreditation Cooperation (APLAC) covering Australian and New Zealand.

**Joint Accreditation System of Australia and New Zealand (JAS-ANZ)** – an organisation set up under a treaty by the Australia and New Zealand Government that have appointed it as the accreditation body for Australia and New Zealand responsible for providing accreditation of conformity assessment bodies in the fields of certification and inspection.

NOTE: JAS-ANZ is a member of the IAF and PAC and is a signatory to the IAF and PAC product certification MLA. JAS-ANZ is also a signatory to the APLAC MRA for Inspection.

**Jurisdiction** – is a particular place or territory where there is a government agency with the power to make, declare, or apply the law as limited to place or territory, to persons, or to particular subjects.

**Low voltage** – a voltage exceeding 50V AC RMS or 120V ripple-free DC (extra-low voltage) but less than 1000V AC RMS or 1500V ripple-free DC (high voltage) as defined in AS/NZS 3000.

**Model number** – a unique number that identifies that particular type of in-scope electrical equipment and that would distinguish it from any other equipment of the same or similar type in relation to changes that affect electrical safety.

NOTE 1: this marking is in alignment with what would be required by marking clauses of the relevant safety standard and as is marked on the equipment nameplate/rating label.

NOTE 2: For equipment that has a certificate, these unique model numbers would be listed as a 'profile' on the certification section of the national database

**National Association of Testing Australia (NATA)** – a not-for profit company recognised by the Australian Government as the national authority for the accreditation of laboratories conducting tests and measurement in all technical fields and as a peak authority in Australia for the accreditation of inspection bodies.

NOTE: NATA is a member of ILAC and APLAC and is a signatory to the ILAC/APLAC laboratory accreditation MRA. NATA is also a signatory to the APLAC MRA for Inspection.

**National Database** – contains the following information:

- a) The registration details of Responsible Suppliers;
- b) The registration details of levels 2 and 3 electrical equipment; and
- c) Certificate information

**Recognised External Certification Scheme** – a scheme declared to be a recognised external certification scheme by a Regulatory Authority who is participating in the EESS, in accordance with electrical safety legislation. Once a scheme has been declared by one

Regulatory Authority, it is recognised by all participating Regulatory Authorities, and is able to operate as a Certifier across Australia and New Zealand.

**Recognition Agreement** – an agreement that is based on the acceptance by one party of results, presented by another party, from the implementation of one or more designated functional elements of a certification system.

NOTES:

- a) Typical examples of recognition arrangements are testing arrangements, inspection arrangements and certification arrangements.
- b) Recognition arrangements may be established at, for example, national, regional or international level. (ISO/IEC 17000)

### **Relevant Standard –**

#### **For level 1 in-scope electrical equipment**

- a) The relevant standard for a type of level 1 in-scope electrical equipment is:
  - (i) If there is a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type—that standard together with AS/NZS3820 (Essential safety requirements for electrical equipment); or
  - (ii) If there is not a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type and there is an IEC standard that applies specifically to the type—the IEC standard together with AS/NZS3820; or
  - (iii) If neither paragraph (i) nor (ii) applies—AS/NZS3820.

NOTE: AS/NZS 3820 indicates that for any particular product the relevant product standard would apply unless there is a failing of the relevant standard or the relevant standard was inappropriately applied. Additionally the relevant standard (or standards) is that which has the equipment in question within their scope along with any other standards for additional risks identified applicable to the equipment that may not be covered by the general relevant standard. Where no one standard or standards cover the equipment within its scope, or cover the risks identified or likely, standards and additional reports beyond the relevant standard may be required.

#### **For level 2 or 3 in-scope electrical equipment**

- a) A standard is a relevant standard for a type of level 2 or 3 in-scope electrical equipment if it is a standard:
  - (i) Shown in the AS/NZS 4417 as the relevant standard for the type, and the standard can be readily applied to the type; or
  - (ii) Accepted by a Regulatory Authority as a standard that can be readily applied to the type.

NOTE:

Point (ii) above, applies to alternative standards or solutions where an international or other national standard, or other document containing requirements for the safety of electrical equipment that provides the same or higher levels of electrical safety than an Australian/New Zealand standard.

**Registration** – procedure where a body indicates relevant characteristics of a product, process or service, or particulars of a body or person, in an appropriate, publicly available list. (ISO/IEC 17000)

**Registration – Electrical Equipment** – a process whereby electrical equipment offered for sale in Australia or New Zealand is registered by a Responsible Supplier, or by an Authorised Representative on behalf of a Responsible Supplier, on the National Database.

**Registration – Responsible Supplier** – a process whereby a party (manufacturer or importer), who wishes to offer electrical equipment for sale in Australia or New Zealand registers as a Responsible Supplier on the National Database.

**Registration Number – Electrical Equipment** – a unique number generated by the National Database for each item of registered electrical equipment or family of electrical equipment.

NOTE: this is not the certificate of conformity identifier/number.

**Registration Number – Responsible Supplier** – a number unique to each Responsible Supplier and which is required to enable electrical equipment to be made available for sale in Australia and New Zealand. This number is issued by the National Database following Responsible Supplier Registration.

**Regulation** – a document providing binding legislative rules that is adopted by an authority. (ISO/IEC 17000)

**Regulatory Authority, Regulator** – an Australian or New Zealand government department or agency responsible for administration of electrical equipment safety legislation and regulations.

**Regulatory Compliance Mark (RCM)** – a certification trademark (CTM) complying with AS/NZS 4417.1 that is used to indicate that an item of in-scope electrical equipment meets relevant standards and is electrically safe.

**Responsible Supplier** – a person who manufactures in-scope electrical equipment in, or imports the in-scope electrical equipment into, Australia or New Zealand.

**Responsible Supplier's Declaration** – a declaration made by a supplier of electrical equipment when registering as a Responsible Supplier. Under this declaration, a Responsible Supplier declares that each item of in-scope electrical equipment when sold by the responsible supplier will meet the relevant standard for the type as in force

- a) if the Responsible Supplier is a manufacturer of the equipment, the relevant standard at the time the equipment was manufactured by the Responsible Supplier and be electrically safe; or
- b) if the Responsible Supplier is an importer of the equipment, the relevant standard at the time the equipment was imported by the Responsible Supplier and be, electrically safe.

**Responsible Supplier's Level 2 In-Scope Electrical Equipment Declaration** – a declaration made by a Responsible Supplier when registering a type of level 2 in-scope electrical equipment on the National Database. Under this declaration, the Responsible Supplier declares that each item of the type of level 2 equipment will meet the relevant standard for the type as at the time the type was registered on the National Database and be electrically safe. The Responsible Supplier also declares that a compliance folder for the type of equipment is kept as part of this declaration.

**Responsible Supplier's Level 3 In-Scope Electrical Equipment Declaration** – a declaration made by a Responsible Supplier when registering a type of level 3 in-scope electrical equipment on the National Database. Under this declaration, the Responsible

Supplier declares that each item of the type of level 3 equipment will meet the relevant standard for the type as at the time the type was registered on the National Database and be electrically safe. The Responsible Supplier also declares that a Certificate of Conformity is kept for the type of equipment as part of this declaration.

**Risk Classification (of electrical equipment)** – a ranking of electrical equipment by type into level 1 (low risk), level 2 (medium risk) and level 3 (high risk) depending on the level of risk to people and assets posed by electrical equipment, as described in the defining standard.

**Sell** – includes

- a) Sell by wholesale, retail or auction; and
- b) Supply in trade or commerce or under an arrangement; and
- c) Hire; and
- d) Agree, attempt or offer to sell; and
- e) Keep or expose for sale; and
- f) Cause or permit to be sold.

**Suitably Qualified Person** – means an individual who has:

- a) A degree qualification in electrical engineering and at least 2 years experience in the use of electrical equipment safety standards for regulatory purposes; or
- b) An advanced diploma or equivalent qualification in an electrical discipline and at least 3 years experience in the use of electrical equipment safety standards for regulatory purposes; or
- c) A trade qualification in an electrical discipline and at least 4 years experience in the use of electrical equipment safety standards for regulatory purposes.

**Standard** – a document, established by consensus and approved by a recognized body that provides for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context.

NOTE: Standards should be based on the consolidated results of science, technology and experience, and aimed at the promotion of optimum community benefits. (ISO/IEC Guide 2)

**Test Report** – a document that presents test results and other information relevant to a test. (ISO IEC 17000)

**Testing** – the determination of one or more characteristics of an object of conformity assessment, according to a procedure. (ISO/IEC 17000)

**Testing Facility** – a facility, such as a laboratory, that performs tests. (from ISO/IEC 17000)

NOTES:

- a) ISO/IEC 17000 defines tests as “technical operations that consist of the determination of one or more characteristics of a given product, process or service according to a specified procedure”.
- b) The term "testing laboratory" can be used in the sense of a legal entity, a technical entity or both.

## **4. Administration of the System**

### **4.1 Management of the System**

- 1) The EESS is co-ordinated via the ERAC Secretariat and the ERAC Equipment Working Group, established by ERAC and owned by each of the Electrical Regulatory Authority of the Australian States and Territories and New Zealand. (See also Clause 11.2.)

### **4.2 Agreement with the JAS-ANZ**

- 1) ERAC and the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) have an agreement regarding JAS-ANZ involvement in the EESS that includes a requirement that Australian and New Zealand based Recognised External Certification Schemes that participate in the EESS, be accredited by JAS-ANZ using these Equipment Safety Rules. This Agreement provides that ERAC may nominate regulatory technical experts to participate in JAS-ANZ assessments of CBs that may opt to be accredited under the Equipment Safety Rules. (See also Clauses 10.2a. and 10.4.)
- 2) JAS-ANZ may also be contracted by ERAC to audit or arrange an acceptable audit of CBs, designated under an international treaty or mutual recognition treaty by a Regulatory Authority, against the requirements of these Equipment Safety Rules. ERAC may nominate regulatory technical experts to participate in these assessment audits.

### **4.3 Review of Equipment Safety Rules**

- 1) From time to time, the Equipment Safety Rules may be reviewed by ERAC with respect to the objectives, outcomes, rules, processes and performance measures of the system and the various components and bodies.

### **4.4 Interpretations/Rulings**

- 1) The ERAC Equipment Working Group will have the main responsibility for making interpretations or rulings with respect to these Equipment Safety Rules.

### **4.5 Regulatory Framework**

- 1) The requirement for Responsible Suppliers and Certifiers to follow the Equipment Safety Rules is established in relevant State, Territory and New Zealand legislation for the safety of in-scope electrical equipment.
- 2) For most jurisdictions, fixed electrical equipment safety is also covered by legislation covering electrical installations referencing AS/NZS 3000 (See also Clause 8.1). In addition, in Australia and New Zealand common law litigation often relies on compliance with standards as benchmarks for liability claims generally including those involving electrical equipment.

## 5. Risk Classification

- 1) All in-scope electrical equipment is classified as a certain risk level: level 1 (low risk), level 2 (medium risk) or level 3 (high risk) based on risk assessment.  
NOTE: Initially when these EESS Equipment Safety Rules are introduced, all electrical equipment previously listed by Australian Regulatory Authorities as:
  - a) “prescribed” or “declared” electrical items, will be classified as level 3 electrical equipment; and
  - b) “non prescribed” or “non declared” electrical items, will be classified as level 1 electrical equipment.
  - c) It is intended that these initial levels will be reviewed over time resulting in all 3 classification levels being populated.
  
- 2) Initiation of a risk classification process will be recommended by the ERAC Equipment Working Group as provided for in Clause 11.4. Requests for electrical equipment risk level classifications will be forwarded to Standards Australia/Standards New Zealand Committee QR-012, for stakeholder review and, if agreed by ERAC Equipment Working Group, inclusion in AS/NZS 4417.2, and subsequently on the EESS Website. In determining the levels of risk of types of in-scope electrical equipment a ‘risk engine process’ will be applied (with the ERAC Equipment Working Group also using a Risk Calculator) that uses principles of risk management, assessment based on expert knowledge, use of known data, verification of levels obtained by correlation and other forms of data.
  
- 3) The process for the reclassification of electrical equipment is:
  - a) A submission requesting a review of the risk level of a particular electrical equipment type, supported by appropriate data, is made/received by ERAC;
  - b) The issue is referred to the ERAC Equipment Working Group;
  - c) The ERAC Equipment Working Group discuss the submission and consider if it has merit and investigate if there is any other data available that may assist in forming an opinion on the appropriate risk level of the equipment;
  - d) Following agreement from the ERAC Equipment Working Group, the submission, and available data, is sent to QR-012 members for their individual and independent review and assessment;
  - e) The members of QR-12 (excluding the ERAC members of QR-012) input their independent review and assessment of the appropriate risk level for the equipment into the EESS website portal for risk assessment process by QR-012 members
  - f) The ERAC Equipment Working Group members input their view of the “P” and “T” factors for the equipment type into the risk calculator (using the data available and their experience with the equipment type) and obtain a risk level for the equipment;
  - g) Information from both the ERAC Equipment Working Group and the independent assessment by QR-012 members, as submitted via the EESS Website, are compiled by the risk engine process and a report is generated;
  - h) At the next QR-012 meeting, the submission is discussed and the report is presented to QR-012 members (the report lists each QR-12 members risk level value for the equipment and the risk calculator risk level value for the equipment) and the correlation between all these values;
  - i) If there is acceptable correlation between the individual QR-012 member assessments of the risk level and also the risk calculator determined risk level then QR-012 members (including ERAC members of QR-012) vote to accept the determined risk level. If agreement is reached then the risk level for that equipment is progressed into AS/NZS 4417.2 and onto the EESS website

- j) If there is no acceptable correlation or consensus between all QR-012 independent assessments of risk level value and the risk calculator risk level value, QR-012 members (including the ERAC members of QR-012) discuss the possible reasons for the differences in the risk levels determined by individuals and also the risk calculator;
- k) This is followed by another round of voting on the appropriate risk level for the equipment;
- l) This process continues until agreement is reached.

## **6. Database and Website**

### **6.1 National Database**

- 1) The National Database will contain material relating to:
  - a) Certificates
  - b) Registration of Responsible Suppliers, and
  - c) Registration of level 2 and level 3 electrical equipment (including electrical equipment 'families').
- 2) The National Database will be established in electrical safety legislation of Australian States and Territories, and New Zealand. It will be managed and maintained by a Database Administrator that may be either the ERAC Secretariat or another body appointed by ERAC via an agreement of the electrical safety regulators of Australia and New Zealand.
- 3) The national Database is located on the ERAC website.
- 4) There shall be different levels of access to the database as follows:
  - a) Regulatory Authorities for information required for market surveillance and when responding to complaints about unsafe electrical equipment.
  - b) Certifiers for inputting data to create certificates of conformity.
  - c) Certificate of Conformity Holders for checking their certificates online.
  - d) Responsible Suppliers for registering as Responsible Suppliers and Responsible Suppliers and their Authorised Representatives for registering level 2 and level 3 electrical equipment.
  - e) Wholesalers and Retailers to enquire about registrations of in-scope electrical equipment.
  - f) Consumers to check product certification before or after purchase of electrical equipment.

### **6.2 The EESS Website**

- 1) The EESS website will contain information about the Electrical Equipment Safety System and these Equipment Safety Rules.

NOTE: The EESS Website is located on the ERAC Website, <http://www.erac.gov.au>

## **7. Roles of Responsible Suppliers, Certificate Holders and Registrations**

### **7.1 Responsible Supplier**

- 1) Responsible Suppliers have the prime responsibility for ensuring that they, and electrical equipment they offer for sale in Australia and New Zealand, complies with electrical safety legislation. This includes the requirements for:
  - a) Registration, as detailed in Clauses 7.4, 7.6 and 7.7; and
  - b) Marking, as detailed in Clause 12.
- 2) The Responsible Supplier of an item of electrical equipment must ensure that the compliance records for the item are available for inspection by an Australian or New Zealand Regulatory Authority within 10 working days.

#### **NOTE 1:**

- a) The Responsible Supplier may be an importer or manufacturer or a manufacturer's primary agent. Foreign businesses without an Australian or New Zealand business registration are not able to supply directly to the Australian and New Zealand markets unless they partner with an Australian or New Zealand entity to distribute their products in those countries or become a recognised foreign company in Australia or New Zealand.
- b) The use of the term "Responsible Supplier" as defined does not mean that other sellers in the Australian and New Zealand supply chain do not have responsibilities for the electrical equipment they sell or supply.
- c) If a Responsible Supplier is not the holder of Certificates of Conformity and Compliance Folders it relies on for Equipment Declarations, it is assumed that the Responsible Supplier has a contractual relationship with the holders of the documents that will enable Product Declarations to be kept up-to-date.

NOTE 2: These Equipment Safety Rules relate to pre-market assessment and requirements to allow equipment to be placed on the market for sale or hire. Registration or compliance with relevant standards in itself is not a defence against actions that may be taken by Regulatory Authorities should the equipment be found to cause a safety hazard in use regardless of the hazard being -

- a) a design error or manufacturer fault, or
- b) due to inadequate instructions, or
- c) not adequately covered by any relevant standard.

### **7.2 Role of the Authorised Officer**

- 1) A Responsible Supplier may nominate a member of its staff to be its Authorised Officer, to be their representative on all matters related to compliance with the electrical safety legislation and these Equipment Safety Rules. The Authorised Officer is the representative in all matters relating to registration of both the Responsible Supplier and electrical equipment. The Authorised Officer will be responsible for, and on behalf of, the Responsible Supplier to:
  - a) Make the Responsible Supplier's Declaration;
  - b) Maintain appropriate records, or make such records available for inspection, for:
    - (i) Level 2 electrical equipment, the Compliance Folder; and
    - (ii) Level 3 electrical equipment, the Certificate of Conformity (CoC); and
  - c) Notify changes to registration details.

### **7.3 Issuing of Certificates**

- 1) Certifiers, on behalf of their Certificate Holder clients, register information on the National Database to register/create Certificates for electrical equipment.

- 2) Certificates must be registered/created via the National Database using one of the following methods:
  - a) By directly entering Certificate details in real time in the National Database, in which case they will obtain unique Certificate Identifiers. Certifiers using this method are known as Affiliated Certifiers. or
  - b) By uploading Certificate details, including their own Certificate Identifiers, to the National Database. These uploads must be undertaken within three working days of the issue of the Certifiers' own Certificate. Certifiers using this method are known as Non-Affiliated Certifiers.  
NOTE: Non-Affiliated Certifiers must coordinate the numbering of the Certificates of Conformity they issue with the ERAC Secretariat to ensure that there is no duplication of Certificate Numbers.
- 3) Where there are any changes to electrical equipment or relevant standard that means a Certificate is no longer valid, a new Certificate is necessary (See also Clause 10).
- 4) When issuing Certificates, the Certifier will declare that:
  - a) Appropriate testing has been performed, and the electrical equipment meets the relevant standard;
  - b) Testing has been performed by a recognised testing facility as covered in Clause 10.3; and
  - c) Supporting documentation is held, and available for inspection.  
NOTE: There is an obligation for the Certificate Holder to advise the Certifier if the electrical equipment has changed in such a way that the Certificate is no longer valid.

#### **7.4 Registration as a Responsible Supplier on the National Database**

- 1) All Responsible Suppliers supplying in-scope electrical equipment must be registered on the National Database. Once registered, Responsible Suppliers will receive a unique Responsible Supplier Registration Number.
- 2) Registration as a Responsible Supplier is to be entered electronically on the National Database, and the following information is to be provided:
  - a) Company name and Trading name and registered business address of the applicant.
  - b) Business identification number – Australian ABN, number or NZ IRD number.
  - c) The name, position and contact details of the Responsible Supplier's Authorised Officer.
  - d) For all low risk (level 1) electrical equipment to be offered for sale in Australia and or New Zealand, the identifiable brands and product category of, and trademarks applicable to, all such electrical equipment types for which they are a responsible supplier.  
NOTE: the National Database will have a drop down box of general generic product names/categories into which most equipment would fit. For example some categories would be: IT equipment, audio-visual equipment, home entertainment, fixed lighting, etc
  - e) For medium and high risk (level 2 and 3) electrical equipment to be offered for sale in Australia and/or New Zealand, information as required by section 7.5 and 7.6
  - f) A Responsible Supplier's Declaration, declaring that all items of in-scope electrical equipment are electrically safe, and meet relevant standards.
- 3) When making the Responsible Supplier's Declaration, the Responsible Supplier acknowledges its requirements under the EESS and declares the following:
  - a) All information provided is correct and will be kept up to date.

- b) There is a current Certificate of Conformity for each plug, flexible supply cord or appliance connector (as defined in AS/NZS 4417) sold for use with other in-scope electrical items.

NOTE: Explanation of requirements on Responsible Suppliers supplying equipment that may incorporate level 2 or 3 equipment as a part of the supplied equipment:

- 1) Where a separate power supply (level 3 electrical equipment) is supplied with an item of electrical equipment, or to energise equipment being supplied that operates at safety extra low voltage (SELV), the power supply would need a current Certificate of Conformity and be registered by the equipment supplier (as the Responsible Supplier of level 3 equipment), and
- 2) Where plugs, flexible cords and connectors (all level 3 electrical equipment) are supplied with a level 1 or level 2 item of electrical equipment, the Responsible Supplier of the level 1 or 2 equipment would need to confirm there is a current Certificate of Conformity for the relevant level 3 equipment but need not be registered as a Responsible Supplier for that level 3 electrical equipment; and
- 3) Where level 3 equipment is supplied with other level 3 equipment as a component part (such as a portable luminaire with a fluorescent lamp ballast inside) the supplied level 3 equipment must be registered by the Responsible Supplier but the component part level 3 equipment of the supplied equipment need not be registered by that Responsible Supplier, but that responsible supplier must confirm there is a current Certificate of Conformity for the component part level 3 equipment, or
- 4) Where level 2 equipment is supplied with other level 2 or 3 equipment as a component part the Responsible Supplier of the level 2 equipment must ensure there is a current Certificate of Conformity for any level 3 component part. The level 2 or 3 component part does not require separate registration by the Responsible Supplier of the level 2 equipment unless the level 2 or 3 component part is supplied separately.
- 5) Where level 1 equipment is supplied with other level 2 or 3 equipment as a component part (such as a fixed luminaire with fluorescent lamp ballast inside) the Responsible Supplier of the level 1 equipment must ensure there is a current Certificate of Conformity for any level 3 component part. The level 2 or 3 component part does not require separate registration by the Responsible Supplier of the level 1 equipment unless the level 2 or 3 component part is supplied separately.

## **7.5 Fees for, and for Renewal of, Responsible Supplier Registration**

- 1) When registering, Responsible Suppliers must pay an annual fee. Upon registration, the details of the registration including a unique Responsible Supplier's Registration Number, will be emailed to the Responsible Supplier.
- 2) Renewal of Responsible Supplier registration will be required every year by payment of the required fee and validation of all of the relevant information contained on the National Database. In addition if there is any change to the information supplied at the time of the previous annual registration, within 30 days of any such change, the Responsible Supplier must update that information contained on the National Database.
- 3) Responsible Suppliers must ensure that their registration details contained in the National Database are current. Where there is a change of company name or transfer to another company, the Responsible Supplier must register the change as soon as practicable, and within 30 days of the change occurring. There is no fee for updating Responsible Supplier registration details.

## **7.6 Registration of Level 2 Electrical Equipment on the National Database**

- 1) All in-scope level 2 electrical equipment, or families of electrical equipment, must be registered on the National Database by the Responsible Supplier and, on registration, will receive unique Electrical Equipment Registration Numbers. A Responsible Supplier of electrical equipment may choose to delegate this responsibility to its Authorised Representative. Registration is undertaken by the Responsible Supplier's Authorised

Officer or its Authorised Representative and must be entered electronically on the National Database. As part of this registration process, the following information is to be provided:

- a) The Responsible Supplier's Registration Number. This registration must be current, and the registration of the level 2 electrical equipment will only remain current while the Responsible Suppliers registration remains current.
- b) A Responsible Supplier's Level 2 In-Scope Electrical Equipment Declaration for the level 2 equipment.
- c) The relevant standards applicable to, identifiable brands and model number of, and trademarks applicable to, the type of electrical equipment being registered.
- d) The location of the Compliance Folder (if it has not been uploaded onto the National Database).

### **7.7 Registration of Level 3 Electrical Equipment on the National Database**

1) All in-scope level 3 electrical equipment, or families of electrical equipment, must be registered on the National Database and, on registration, will receive unique Electrical Equipment Registration Numbers. A Responsible Supplier of electrical equipment may choose to delegate this responsibility to its Authorised Representative. Registration is undertaken by the Responsible Supplier's Authorised Officer or its Authorised Representative and must be entered electronically on the National Database. As part of this registration process the following information is to be provided:

- a) The Responsible Supplier's Registration Number. This registration must be current and the registration of the level 2 electrical equipment will only remain current while the Responsible Suppliers registration remains current
- b) The Certificate of Conformity Identifier. The term of the registration of level 3 electrical equipment can not be longer than the term of the Certificate of Conformity.
- c) The relevant standards applicable to, identifiable brands and model number of and trademarks applicable to the type of electrical equipment being registered.
- d) A Responsible Supplier's Level 3 In-Scope Electrical Equipment Declaration for the type of level 3 equipment.

**NOTE:**

- 1) Cord sets, plugs, cords that are sold with level 3 equipment do not have to be separately registered by the level 3 equipment responsible supplier. However, a valid Certificate of Conformity is still required for the level 3 parts of the cord set, eg, plug and cord.

### **7.8 Fees for, and Renewal of, Equipment Registration**

1) Registration for a type of level 2 or 3 in-scope electrical equipment is available for the term of one, two or five years (depending on which option is selected by the Responsible Supplier – however the term of registration for a type of level 3 equipment can not exceed the term of its Certificate of Conformity).

- 2) A registration fee is required for each type of level 2 or 3 equipment that is registered. When registering level 2 and level 3 electrical equipment, Responsible Suppliers or their Authorised Representatives must pay the required equipment registration fee.
- 3) When the term of registration expires, the Responsible Supplier must renew the registration of the equipment if the equipment is still being offered for sale by the Responsible Supplier. At this time the Responsible Supplier must validate all of the relevant information contained on the National Database.
- 4) As indicated in Clause 11.3, where it is agreed to change existing electrical equipment classifications, the notification will appear in AS/NZS 4417.2 and on the EESS Website.
- 5) In these cases, the Responsible Supplier will ordinarily have a maximum of 12 months to register the equipment at that level.
- 6) In these cases, the Responsible Supplier will have the time set during the process outlined in clause 5, with a maximum of 12 months if the equipment risk level has been increased, to register the equipment at that revised level. The time limit may be less than 12 months if the information available and circumstances during the process outlined in clause 5 result in the need for faster action.
- 7) If there is any change to the information supplied at the time of the previous registration, within 30 days of any change, the Responsible Supplier must enter that information on the National Database.
- 8) If there is a change of Company name or transfer of supply to another company, the new Responsible Supplier must transfer all applicable level 2 and level 3 electrical equipment on the National Database as soon as practicable and, in any case, not more than 30 days after the transfer of legal responsibility.

### **7.9 Change of Status, Cancellation or Suspension of Registration**

- 1) Registration as a Responsible Supplier and registration of level 2 and level 3 electrical equipment registrations may be cancelled:
  - a) At the written request of the Responsible Supplier, signed by the Authorised Officer; or
  - b) As a penalty for infringement of the EESS an/or electrical equipment safety legislation of any jurisdiction.

### **7.10 Requirements of Documentation**

- 1) These Equipment Safety Rules require a number of items of documentation to be held. Compliance relies on all documents being 'in force' or current and to be expressed in the English language. If one certificate or declaration expires, other documents relying on that document will, as of the date of expiry of the first document, be deemed invalid for the purposes of the Equipment Safety Rules. It is the responsibility of the Responsible Supplier to seek extensions, renew or re-apply for documents as appropriate and in a timely manner.

EXAMPLE: If a Responsible Supplier's Registration lapses, the Responsible Supplier's Declaration will be considered no longer able to be used to show compliance to the requirements of the EESS or for the sale of any level 1, 2 or 3 electrical equipment, and the registration of any level 2 or level 3 electrical equipment of

that Responsible Supplier also becomes invalid. Consequently that level 1, 2 or 3 electrical equipment would not be compliant to the requirements of the EESS and could no longer be sold.

NOTE: A test report that does not have an expiry date listed on the test report (or having an expiry date greater than 5 years) may be considered by regulators as no longer being 'in force' 5 years after the issue date of the report. This would be the case when the information within the test report is not sufficient to be able to prove the equipment claimed to be covered by that test report can be verified as being covered by the report (for example component marking details, photographs, circuit diagrams etc are not part of the report or show differences from the product now being supplied). Additionally the report is likely to no longer be to the relevant standard after 5 years.

### **7.11 Information on the National Database**

- 1) Information required for registration on the National Database is given in Clauses 7.3, 7.4, 7.6, 7.7 and 10.2. Generally information is to be entered into the database electronically and declarations will be made by ticking "check boxes". The information required depends on the level of in-scope electrical equipment for which registration is being sought.
- 2) Security of information on the database will be maintained with public access to details of new products on the market being hidden until the product release date nominated by the Responsible Supplier during the registration process. This will avoid any loss of competitive advantage as a result of registration.

## **8. Application of Standards**

### **8.1 General**

- 1) All in-scope electrical equipment offered for sale must comply with relevant electrical safety standards. These standards are generally Joint Australian/New Zealand Standards that are largely based on International Electrotechnical Commission (IEC) Standards. As an absolute minimum, compliance with the design principles in the commonly applied generic electrical equipment standard AS/NZS 3820 shall be required.
- 2) Where an item of electrical equipment has parts, features or functions covered by more than one standard, then in addition to the electrical equipment complying to its relevant standard, the parts, features or functions must comply with appropriate applicable relevant standards for the part, feature or function.
- 3) Where there is more than one standard that may be applied to an item of electrical equipment (i.e. the equipment could be considered to be within the scope of several different standards) the most appropriate standard should be chosen and applied. It is not permissible to then apply less onerous requirements from sections of any alternate applicable standard when applying the chosen applicable standard.

### **8.2 Relevant Standards Applicable to Level 1 Electrical Equipment**

- 1) The relevant standard for a type of level 1 in-scope electrical equipment is:
  - a) If there is a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type—that standard together with AS/NZS3820 (Essential safety requirements for electrical equipment); or
  - b) If there is not a Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type and there is an IEC standard that applies specifically to the type—the IEC standard (with testing to cover a supply voltage range including 240Vac) together with AS/NZS3820; or
  - c) If neither paragraph (a) nor (b) applies—AS/NZS3820.
- 2) The final responsibility of the relevant standard chosen rests with the Responsible Supplier. If the relevant standard chosen is found to be inappropriate or inadequate, (e.g. after review by ERAC Equipment Working Group or after examination by an Inspector) the Responsible Supplier is not able to claim their product is electrically safe and suitable for continued sale on the basis of the relevant standard chosen alone. De-registration of the Responsible Supplier or the equipment may occur until an appropriate relevant standard is verified and applied.
- 3) A certificate of suitability is not required for Level 1 electrical equipment; however a responsible supplier or manufacturer of the equipment may wish to voluntarily obtain a certificate of suitability. If so, the following applies to determine the relevant standard applicable to Level 1 electrical equipment for purposes of issuing a certificate of suitability:

- a) the Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type (i.e. the scope of the standard clearly includes the equipment in that standard) as well as any other requirements within these rules and any requirements of the certifier; or
- b) if there is no Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type then assessment for the relevant standard to apply shall follow the alternate solution standard report process outlined in section 8.3.2 for Level 2 and Level 3 equipment.

NOTE 1: that does not preclude the use of a relevant IEC standard together with appropriate other requirements if there is no Australian or joint Australian and New Zealand Standard, however the assessment must go through the alternate solution standard report process.

NOTE 2: Should experience in the marketplace and use of the equipment show the information to be deficient for safe outcomes of particular situations in Australia, the relevant standard identified by the alternate solution standard report may be declared invalid. In such cases the ERAC Equipment Working Group will not be responsible for the decisions of the responsible supplier to use the alternate solution standard (and therefore actions the responsible supplier may be required to take to remove the risk) regardless of the prior acceptance of the alternate standard as a standard that can be readily applied to the type. This is because the equipment safety was based on the justification put by the responsible supplier which will have been proven to have been invalid.

NOTE 3: the requirements of 3a) and 3b) only relate to determining the relevant standard for issuing of a voluntary certificate of suitability, they are not a mandatory requirement of compliance for Level 1 equipment.

- 4) Certificates of Suitability for level 1 equipment are not issued to AS/NZS 3820, they are issued to the Standards Australia or joint Standards Australia and Standards New Zealand standard that applies specifically to the type or to the standard recognised by the regulator via the alternate solution standard report process.

### **8.3 Relevant Standards Applicable to Level 2 and Level 3 Electrical Equipment**

#### **8.3.1 Relevant Standard**

- 1) A standard is a relevant standard for a type of level 2 or 3 in-scope electrical equipment if it is a standard:
  - (a) Shown in the AS/NZS 4417 as the relevant standard for the type, and the standard can be readily applied to the type; or
  - (b) Chosen by the responsible supplier and accepted by a Regulatory Authority as a standard that can be readily applied to the type.

NOTE:

Point (b), above, applies to alternative standards or solutions where an international, or other national standard, or other document containing requirements for the safety of electrical equipment, that provides the same or higher levels of electrical safety as an Australian/New Zealand safety standard.

- 2) When a responsible supplier is determining a relevant standard under (b), above consideration shall be given to using:
  - a) A standard that clearly incorporates the type of electrical equipment within its scope, or

- b) If no such standard exists, then a standard or combination of standards which would cover the identified electrical or other risks associated with the equipment, and
  - c) Requirements from standards that cover particular Australian conditions (such as supply voltage, frequency, etc) and from Australian standards giving indications of accepted levels of safety applied to similar products.
- 3) This would be done taking into account that any standard chosen may not prove all electrical or other risk has been addressed, if for example the standard chosen is not correctly applied, or is deficient in coverage of risks particular to that equipment. In addition to requirements in a standard, sound engineering design safety principles should be applied. Additional information and assessment above that identified in any standard may be required.
  - 4) Relevant standards are accepted on the basis of information made available at the time and the current knowledge of safety outcomes when that standard is applied. Should experience in the marketplace and use of the equipment prove the information to be deficient for safe outcomes of particular situations in Australia, the relevant standard may be declared invalid.
  - 5) Once a relevant standard is chosen, consideration must be made to any other information available regarding the electrical risk of the product in question (for example, but not limited to, information available on the EESS website).

### **8.3.2 Alternate Solution Standard Report**

- 1) For level 2 or 3 electrical equipment if the Responsible Supplier has chosen a standard that is not in AS/NZS 4417 as a standard that can be readily applied to the type of equipment then the Responsible Supplier would need to compile an alternate solution standard report justifying the standard chosen. The Responsible Supplier must make a submission to the ERAC Equipment Working Group for consideration of acceptance of their chosen standard. This Responsible Supplier report is to include an independent analysis\* of the justification for use of the alternate solution standard. In addition, the author of the independent analysis\* must declare they have verified they have all the evidence they require to make a recommendation; that they take responsibility for the recommendation to accept the alternate solution standard; and that they have appropriate professional indemnity and public liability insurances in relation to their report should their recommendation to accept the alternate solution be shown to be deficient in producing safe outcomes. The Responsible Supplier will also need to be able to show the financial capacity or other means to ensure a full recall could be conducted in the event of the alternate solution standard being found to be deficient after the equipment has been put into in the marketplace.
- 2) The Responsible supplier and the independent analysis author shall also declare their acceptance to the information they provide being made publically available.

NOTE 1: For the purpose of these Equipment Safety Rules, the term \*independent means being able to verify independence from those who devised or developed the alternate solution standard report or who may use the alternate solution standard report. In this instance independent has the meaning to ensure:

- a) the independent analysis is not influenced by matters of opinion, conduct, thought or action of others;
- b) the independent analysis is not influenced by possible effect on any interests the author of the independent analysis may have, in coming to a conclusion regarding the suitable justification for use of, and the appropriateness of, the alternate standard solution;

- c) the decisions of the author of the independent analysis is unencumbered by any financial, managerial, jurisdictional or other controls that might be exerted by any other contributing party.

NOTE 2: This would include ensuring the author of the independent analysis does not have interests or connections that apply to past, present and foreseeable future involvements. Such situations may include but not limited to:

- a) having been involved, or may in the future be involved, in the sourcing, design, manufacture, consultancy, compilation of alternate solution standard report, testing, certification, quality control, maintenance, modification of the equipment in the report by way of any direct or indirect employment, consultancy service or commercial arrangement or the like;
  - b) having been involved in the last two years, or foreseeable likely to be involved in the next two years, with other equipment of the Responsible Supplier in the sourcing, design, manufacture, consultancy, compilation of alternate solution standard report, testing, certification, quality control, maintenance, modification or assessments for insurance or legal purposes (but excluding having conducted, or likely to conduct, other independent analysis of other alternate solution standard reports of the Responsible Supplier);
  - c) having worked with, or consulted to, the Responsible Supplier organisation or related companies in the past two years; or having reasonable future prospect of such work within the next two years;
  - d) having any immediate family member, other employees, partners, directors, shareholders being involved in sourcing, design, manufacture, consultancy, compilation of alternate solution standard report, testing, certification, quality control, maintenance, modification of equipment of the Responsible supplier in the past two years, or having reasonable future prospect of such work in the next two years (but excluding having conducted, or likely to conduct, other independent analysis of other alternate solution standard reports of the Responsible Supplier);
  - e) owning shares or any immediate family member or other employees, partners, directors, owning shares in the Responsible Supplier company or parent organisation;
  - f) the author of the independent analysis having, or having an immediate family member or other employees, partners, directors, shareholders having any other commercial or voluntary arrangement or directorship with the Responsible Supplier organisation or related companies or with companies involved in the design, manufacture, consultancy, compilation of alternate solution standard reports, testing, certification, quality control, maintenance, modification or assessments for insurance or legal purposes of equipment of the Responsible Supplier.
- 3) The independent analysis shall have suitable detailed and documented considerations on the validity of the alternate solution, as well as information/declarations to show the independence, to enable ERAC Equipment Working Group to be satisfied the requirements of an appropriate alternate solution standard and independent analysis have been met

### **8.3.3 Justification of Relevant Standard**

- 1) For level 2 electrical equipment the Responsible Supplier will need to record the justification for the use of the chosen standard and other assessments in the Compliance Folder or, if applying for a Certificate of Suitability, supply that justification to the certifier when they make submission to obtain a Certificate of Suitability.

EXAMPLE: The justification may be stated as: "The standard chosen is the standard listed in AS/NZS 4417.2 as the standard appropriate for the type", or it may be "The standard chosen is the standard as determined by the alternate solution standard report process", or it may be "The standard chosen is as listed on the EESS website as a standard accepted by a Regulatory Authority for the type".

- 2) For level 3 electrical equipment the Responsible Supplier will need to supply the justification for use of the chosen standard and other assessments to the certifier when they make submission to obtain a Certificate of Conformity.

EXAMPLE: The justification may be stated as: "The standard chosen is the standard listed in AS/NZS 4417.2 as the standard appropriate for the type", or it may be "The standard chosen is the standard as determined by the alternate solution standard report process", or it may be "The standard chosen is as listed on the EESS website as a standard accepted by a Regulatory Authority for the type".

- 3) For alternate solution standards, the ERAC Equipment Working Group do not ratify these chosen standards, merely based on the information supplied, either accept or not accept the standard or standards as a standard that can be readily applied to the type. The Responsible Supplier must accept they will be required to take any appropriate actions should, during check testing, auditing or investigations conducted by an inspector, the chosen standard is found to not be suitable or to be invalid.
- 4) Information on all the standards accepted by a Regulatory Authority as a standard that can be readily applied to the type will be included on the EESS Website.

NOTE: Should experience in the marketplace and use of the equipment show the information to be deficient for safe outcomes of particular situations in Australia, the relevant standard may be declared invalid. In such cases the ERAC Equipment Working Group will not be responsible for the decisions of the responsible supplier to use the alternate solution standard (and therefore actions the responsible supplier may be required to take to remove the risk) regardless of the prior acceptance of the alternate standard as a standard that can be readily applied to the type. This is because the equipment safety was based on the justification put by the responsible supplier which will have been proven to have been invalid.

#### **8.4 Amendments to, and new editions of, Standards**

- 1) Where an amendment is made to a relevant standard or a new edition of a relevant standard is issued, as indicated in Clauses 10.2 and 10.3, Responsible Suppliers that have registered level 2 equipment and 3 equipment will be advised if the changes involved require an updated Test Report, or certificate if one has been issued.

## 9. Evidence of Compliance

### 9.1 General

Responsible Suppliers also have requirements to hold or be able to access evidence that equipment complies with relevant standards. The evidence of compliance required is graduated according to the level of risk of the equipment. These requirements are contained below:

- 1) **Level 1 electrical equipment.** All Responsible Suppliers of Level 1 electrical equipment must hold documentary evidence, or be able to access it within 10 working days. This type of evidence must be in English and prove that the equipment meets the relevant standard as in force:
  - a) If the Responsible Supplier manufactured the equipment – at the time the equipment was manufactured by the Responsible Supplier;
  - b) If the Responsible Supplier imported the equipment – at the time the equipment was imported by the Responsible Supplier.

This documentary evidence must be retained by the Responsible Supplier for five years from the date the equipment type is last imported or manufactured by the Responsible Supplier.

NOTE: Examples of documentary evidence include manufacturer's test reports, or other test reports proving that the equipment meets relevant standards.

- 2) **Level 2 electrical equipment.** All Responsible Suppliers must keep a Compliance Folder for each type of level 2 equipment, or family of a type of level 2 equipment. The Compliance Folder must record evidence in English (including test reports completed by an approved testing entity or a suitably qualified person) confirming that the equipment meets relevant standards.

The Responsible Supplier must hold the Compliance Folder, or be able to access it within 10 days. The Compliance Folder must be retained by the Responsible Supplier for five years after the term of registration for which the equipment ends. Alternatively, Responsible Suppliers can choose to upload their Compliance Folder onto the National Database when they register the equipment on the National Database.

NOTE 1: Testing results contained in a Compliance Folder do not have to have been undertaken by an approved testing entity, however if not conducted by an approved testing entity then a Responsible Supplier must ensure that adequate testing and assessment of compliance and reports has been undertaken by a suitably qualified person as defined in legislation, and that any test results generally comply with the provision of Appendix B

NOTE 2: If using an *approved testing entity* then the following applies:

- 1) A body accredited by NATA to perform the relevant test or examination; or
- 2) A body accredited by an other body, operating under a reciprocal agreement with NATA, to perform the relevant test or examination (i.e. this refers to ILAC MRA signatory bodies); or
- 3) A body approved by a Regulatory Authority to perform the relevant test or examination (as recommended by the ERAC Equipment Working Group).
- 4) IECCE CB Scheme Testing Laboratories (CBTLs) accepted under the CB Scheme of the IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components (IECEE). CB Test Reports are required to be accompanied by CB Test Certificates.

EXAMPLE: If using a *suitably qualified person* then the following applies:

- 1) An individual who has:
  - a) A degree qualification in electrical engineering and at least two years experience in the use of electrical equipment safety standards for regulatory purposes; or
  - b) An advanced diploma or equivalent qualification in an electrical discipline and at least three years experience in the use of electrical equipment safety standards for regulatory purposes; or
  - c) A trade qualification in an electrical discipline and at least four years experience in the use of electrical equipment safety standards for regulatory purposes.

A Compliance Folder is to include the following:

- a) **Description** of the electrical equipment including:
  - (i) Make and model number;
  - (ii) Design documentation such as descriptions, circuit diagrams, drawings;
  - (iii) Illustrations and specifications including copies of rating labels or final mark-ups of artwork of labels and colour photographs showing internal and external construction; and
  - (iv) Instructions regarding the operation, installation, use and safety, etc, of the electrical equipment.
  
- b) **Conformity assessment results** including:
  - (i) Description of methods used and results and evaluations of tests, inspection and any audits including reports covering any deviations, concessions, departures and variations (Test results generally in accordance with Appendix B);
  - (ii) List of relevant standards;
  - (iii) Critical component listing; and
  - (iv) Identification, relevant qualifications, technical competence and accreditation details of any parties undertaking the conformity assessment.

Any change in this supporting documentation which affects the validity of the declaration of conformity must be documented.

Evidence of compliance may not be recognized by the regulator if:

- a) There is a shortcoming in the product Standard;
- b) There is an inappropriate application of the product Standard;
- c) There is a failure to comply with good engineering practice; or
- d) The regulator believes the suitably qualified person is not competent to complete the assessment.

NOTE: Where evidence of compliance is not recognised in a, b, c and d above, there may be implications for Responsible Suppliers not only for the compliance folder of the equipment in question but also for any other compliance folder they have that relied on the same method/information/person for claiming compliance.

- 3) **Level 3 electrical equipment.** A Responsible Supplier is required to hold or have access to, a Certificate of Conformity, for each item of level 3 electrical equipment or family of a type of level 3 electrical equipment that it offers for sale. (See also Clauses 7.3 and 7.7.)

### 9.1.1 Validation of compliance criteria

- 1) As the Responsible Supplier is making a declaration that the equipment is electrically safe, and they have obligations to ensure the electrical equipment they sell is electrically safe, they must make all reasonable efforts to ensure the evidence for any level of risk category is sufficiently accurate and complete for such a declaration to be made. If the

responsible supplier has no electrical knowledge they may need to engage independent expertise to ensure they meet all their obligations.

- 2) The evidence held by the Responsible Supplier for any level of risk category may not allow the sale of equipment if a Regulatory Authority has issued notices under legislation to prevent the sale of certain electrical equipment or type of electrical equipment. This could occur for example:
  - a) If audits or investigations highlight the evidence used was incomplete or insufficient; or
  - b) The relevant standard as in force at the time has been amended due to the standard not adequately covering all the risks of the particular equipment and the electrical equipment in question would fail the amended standard due to the safety issue the standard did not originally cover.
- 3) Additionally any Certificate or Compliance Folder may not be considered valid if the evidence used to issue the Certificate or reports in the Conformity Folder is found to be incomplete or insufficient, or the approved testing entity was found to not have conducted sufficient testing or have expertise claimed to conduct the testing or suitably qualified person was in fact found to not have the claimed qualifications or experience/expertise or did not apply the qualification/expertise correctly.
- 4) If any Certificate, approved testing entity or suitably qualified person was found to not meet the criteria of the Regulatory Authority, the detail will be published on the EESS website.

## **9.2 Responsible Supplier's Declaration – All Electrical Equipment**

- 1) As specified in Clause 7.4, when a supplier registers as a Responsible Supplier in the Responsible Supplier's Declaration, a formal declaration is made that all electrical equipment it sells is electrically safe and meets relevant standards.

## **9.3 Responsible Supplier's Level 2 In-Scope Electrical Equipment Declaration**

- 1) As specified in Clause 7.6, when a Responsible Supplier registers level 2 electrical equipment, a formal declaration is made stating the equipment meets the relevant standards and is electrically safe. This Declaration for level 2 electrical equipment requires the Responsible Supplier to hold or have access to a Compliance Folder.

NOTE: Although not a mandatory requirement of these Equipment Safety Rules, Responsible Suppliers of Level 1 electrical equipment and Level 3 electrical equipment may choose to establish and maintain a Compliance Folder.

## **9.4 Responsible Supplier's Level 3 In-Scope Electrical Equipment Declaration**

- 1) As specified in Clause 7.7, when a Responsible Supplier registers level 3 electrical equipment, a formal declaration is made that the equipment meets relevant standards and is electrically safe. This Declaration for level 3 electrical equipment requires the Responsible Supplier to hold or have access to a valid Certificate of Conformity.

## 10. Accreditation and Conformity Assessment (Certification and Testing) – Level 3 Electrical Equipment

### 10.1 General

- 1) Under these Equipment Safety Rules, Certificates of Conformity are to be issued by Certifiers recognised in Clause 10.2, in accordance with relevant legislation. The certification evidence is to include test reports issued by testing facilities recognised in accordance with Clause 10.3. Certification will be at the Systems 1 level as defined in ISO/IEC Guide 67, relying on testing to relevant standards undertaken by a Testing Facility. Certificates of Conformity will normally have a term of five years, but may be of shorter duration for particular types of electrical equipment as determined by the ERAC Equipment Working Group and published on the EESS website. The certificate of conformity may also have a shorter term than five years if it is cancelled or becomes invalid due to, for example, changes in the equipment or changes in the relevant standard that affect electrical safety.

### 10.2 Certifiers

- 1) Under these Equipment Safety Rules, the following bodies are recognised as Certifiers:
  - a) **Recognised External Certification Schemes** that are:
    - (i) Accredited by JAS-ANZ in accordance with the provisions of Clause 10.4;
    - (ii) Recognised by all Regulatory Authorities operating under these Equipment Safety Rules; and
    - (iii) Endorsement to issue Certificates recognised throughout Australia and New Zealand based on this accreditation and recognition.

NOTE: “recognised by all Regulatory Authorities” does not imply the External Certification Scheme needs to apply to each Regulatory Authority. Application to one Regulatory Authority would be sufficient as that Regulatory Authority will assess the suitability of the application for recognition and confer with all other Regulatory Authorities on any final decision of suitability. Once that has occurred, and the agreed decision is to recognise the External Certification Scheme, then all Regulatory Authorities will recognise the Scheme.
  - b) **Regulatory Authorities (RAs)** Australian and New Zealand government departments or agencies responsible for the administration of electrical equipment safety legislation and regulations, and who provide certification services. Such Regulatory Authorities will agree to appropriate standards of performance by declaring compliance with the criteria detailed in Clause 10.4. This declaration will be supported by existing government accountability measures such as financial and administrative standards, internal auditing procedures, and the oversight of respective Houses of Parliament.
- 2) A list of Certifiers endorsed for operation within the EESS will be contained on the EESS Website. Affiliated Certifiers will be listed on the national certification database.
- 3) Overseas based Certification Bodies (other than those referred to in 10.2 (b), above) that are not directly recognised as Certifiers, can request special arrangements that provide certification of electrical equipment. This would occur:
  - a) Under the electrical safety regulatory regime of their countries that require acceptance of their certification in accordance with Trade and Mutual Recognition Agreements entered into by the Australian and New Zealand Governments; and/or
  - b) When they are signatory to the IAF Product Certification Multilateral Recognition Arrangement and have the appropriate scope of accreditation.

- 4) In these cases, the certification and testing documentation involved will be verified as equivalent to that required by a Regulatory Authority operating under these Equipment Safety Rules. In these cases the Regulatory Authority will register such Certificates of Conformity as their own for the purpose of registration in accordance with Clause 7.7.
- 5) When issuing Certificates, certifiers must either:
  - a) Use the National Database in real time; or
  - b) Provide information relating to Certificates to ERAC, in the form and method required by ERAC, so that it can be included in the National Database, as required in Appendix C.
- 6) Certifiers must:
  - a) Be independent of the Responsible Supplier and any party involved in the manufacture, importation or sale of the electrical equipment;
  - b) Only issue Certificates that are legible and written in English;
  - c) Work with Responsible Suppliers and Certificate Holders, as applicable, to ensure that all certification requirements are met and all appropriate documentation is provided. This includes issuing Certificates via the National Database including listing of Certificates where required by Certificate Holders and Responsible Suppliers where applicable;
  - d) Operate in accordance with the provisions given in Appendix A;
  - e) Cooperate with Regulatory Authorities and ERAC on electrical equipment safety matters,
  - f) Notify the ERAC Secretariat immediately if there is any change to their accreditation or recognition status, particularly any restriction, suspension or cancellation of accreditation due to disciplinary action resulting from a breach of relevant legislation; and
  - g) Notify the ERAC Secretariat of any critical change of staff or procedures or any actions that may materially affect the business viability of the certifiers business;
  - h) Only accept test reports for the issue of Certificates from testing facilities recognised in accordance with Clause 10.3 and where the test reports are in accordance with requirements of Appendix B.
  - i) Ensure information in accordance with Appendix B is obtained prior to issuing of Certificate

NOTE: Details of Certifiers that have been accepted by ERAC and JAS-ANZ under the EESS Certification Scheme are contained on the EESS Website.

### **10.3 Testing Facilities**

- 1) Under these Equipment Safety Rules, the following bodies may be recognised as Testing Facilities for the issue of Test Reports to be accepted by Certifiers for issuing of Certificates of Conformity for level 3 electrical equipment:
  - a) Testing facilities in Australia and New Zealand accredited in accordance with Clause 10.5.
  - b) Testing facilities in other countries accredited by accreditation bodies that are signatories to the Mutual Recognition Arrangements (MRAs) of the International Laboratory Accreditation Cooperation (ILAC) and in accordance with the requirements specified in Clause 10.5.

- c) IECEE CB Scheme Testing Laboratories (CBTLs) accepted under the CB Scheme of the IEC System of Conformity Assessment Schemes for Electrotechnical Equipment and Components (IECEE). CB Test Reports are required to be accompanied by CB Test Certificates for all situations.
- d) Laboratories in other countries recognised for applicable tests under any Government to Government Free Trade or Mutual Recognition Agreements.
- e) Test facilities accepted by Regulatory Authorities for situations where there are Australian/New Zealand differences to the applicable IEC Standards and facilities that have appropriate accreditation to the equivalent IEC standard but may not have accreditation for the particular Australian or New Zealand Standard or Australian or New Zealand variations to that standard. Test reports and test certificates can be accepted for such differences, provided that the tests are part testing only (not testing to a complete Australian/New Zealand Standard or referenced Australian/New Zealand Standard) and are not 'materially different' from the tests for which the laboratory is accredited or accepted, subject to proof of competence, test equipment, calibration etc. and the requirements for test reports as contained in Appendix B are met, this acceptance may also apply in rare circumstances that there is no accredited test facility available for the relevant standard listed in AS/NZS 4417.

NOTE: Details of test facilities that have been accepted by ERAC for these limited circumstances under this part of the EESS Certification Scheme are contained on the EESS Website

- 2) Testing Facilities must only be accepted when used to show testing of electrical equipment for acceptance under the EESS, if the Test Facility has met the following criteria:
  - a) The issued Test Reports are written in English;
  - b) Except as provided for in e) above, only conduct tests for compliance with standards for which they are accredited;
  - c) Conduct tests correctly and accurately according to appropriate standard(s),
  - d) Conduct testing on representative samples of manufacture;
  - e) If required, work with Certifiers, Certificate Holders and Responsible Suppliers, as applicable, to ensure that all testing requirements are met and all appropriate documentation is provided;
  - f) Issue test reports that contain the details required in Appendix B;
  - g) If required, cooperate with Regulatory Authorities and ERAC on electrical equipment safety matters;
  - h) If using results from another testing facility, only use accredited facilities and supply information on the facility, including accreditation details; and
  - i) If an interpretation sheet was used, supply a copy of the interpretation sheet and clearly identify in the test report the clause(s) where the interpretation sheet was applied.

#### **10.4 Accreditation of Certification Bodies**

- 1) To be Certifiers under the EESS, Australian and New Zealand based Certification Bodies must be accredited by JAS-ANZ as product certification bodies in accordance with the requirements of:

- a) ISO/IEC Guide 65, *General requirements for bodies operating product certification systems*;
- b) International Accreditation Forum (IAF) GD 5;
- c) The relevant procedures of JAS-ANZ and the IAF MLA signatory;
- d) Relevant State and Territory legislation; and
- e) These Equipment Safety Rules including the specific requirements given in Appendix A.

#### **10.5 Accreditation of Testing Facilities**

- 1) Except as provided for in Clause 10.3, recognised Testing Facilities must be accredited by either the Australian National Association of Testing Authorities (NATA), International Accreditation New Zealand (IANZ) or an ILAC MRA signatory and shall be accredited in accordance with the requirements of:
  - a) ISO/IEC Guide 17025, *General requirements for the competence of testing and calibration laboratories*, and
  - b) The relevant accreditation body rules.
- 2) The testing facility shall be accredited to the standards and other normative documents covered by the EESS that the test facility issues reports against.

## **11. Role of the Electrical Regulatory Authorities Council (ERAC)**

### **11.1 General**

- 1) As outlined in Clause 4, ERAC is the organisation established to ensure a close liaison between the technical and safety electrical regulatory authorities of the eight Australian States and Territories and New Zealand. ERAC through the ERAC Secretariat, with the ERAC Equipment Working Group, provides the functions of Scheme Administrator and Database Manager.

### **11.2 ERAC Secretariat**

- 1) The ERAC Secretariat, in conjunction with the ERAC Equipment Working Group, is responsible for providing administrative functions to ensure appropriate administration of the Equipment Safety Rules and has the role of "System Administrator" within these rules.
- 2) The Scheme Administrator is responsible for:
  - a) Day to day administrative functions of the EESS;
  - b) Providing administrative support to ERAC Equipment Working Group;
  - c) Facilitating industry consultation sessions held by ERAC Equipment Working Group;
  - d) Facilitating reviews of levels of electrical equipment that are carried out using the agreed methodologies including any agreed Risk Calculator methodology;
  - e) Administering an agreement with Standards Australia and Standards New Zealand regarding proposed changes to AS/NZS4417.2 regarding the inclusion of ERAC recommended changes to risk classifications;
  - f) Maintaining the National Database, including transfers, suspensions and cancellations of responsible supplier registrations;
  - g) Providing administrative support to the running of the National Database, including collection of fees for transfers, extensions and renewals of responsible supplier registrations;
  - h) Facilitating funding for, and coordination of annual reporting of, ERAC agreed post market surveillance and check testing program;
  - i) Compiling and maintaining statistics on incidents involving electrical equipment for the information of ERAC in determining priority areas for compliance surveillance by Regulatory Authorities and reporting outcomes back to ERAC;
  - j) Coordinating of ERAC Equipment Working Group decisions and publishing appropriate information on the ERAC Information Website;
  - k) Advising Responsible Suppliers of level 3 equipment of ERAC Equipment Working Group determinations of any change to a relevant standard that require the re-issue of a Certificate of Conformity and re-registration of such equipment;
  - l) Advising Responsible Suppliers and, where appropriate, Certifiers of withdrawn or cancelled registration applications;
  - m) Liaising with Regulatory Authorities and Certifiers on legislative matters and disciplinary action affecting the EESS;
  - n) Facilitating and documenting review and maintenance of these Equipment Safety Rules;

- o) Maintenance of the ERAC Information Website;
- p) Facilitating ERAC input into relevant national and international standards development; and
- q) Assisting the JAS-ANZ accreditation process by co-ordinating the ERAC Equipment Working Group nomination of appropriate technical experts to join teams assessing CBs.

### **11.3 ERAC Equipment Working Group**

1) The ERAC Equipment Working Group provides technical advice to ERAC, liaises with and provides a formal mechanism for gaining industry and other stakeholder input. In particular the ERAC Equipment Working Group, with the support of the ERAC Secretariat, will be responsible for recommending the appropriate classification of electrical equipment into low (level 1), medium (level 2) and high risk (level 3) categories to QR-12.

2) The ERAC Equipment Working Group is also responsible for specifying when a shorter term for Certificates of Conformity is required, as provided for in Clause 10.1.

**NOTE:**

The ERAC Equipment Working Group may also develop interim ERAC technical specifications and interpretations of standards or other document containing requirements for the safety of electrical equipment depending on the future suitable interaction with Standards Australia and Standards New Zealand.

3) Membership of the ERAC Equipment Working Group consists of representatives of Regulatory Authorities responsible for electrical safety of electrical equipment in Australia and New Zealand.

4) The ERAC Equipment Working Group will meet at least twice each year and more frequently as required.

5) ERAC Equipment Working Group will also conduct separate industry consultation sessions which will include representatives from Recognised External Certification Schemes, relevant industry manufacturer and supplier associations, JAS-ANZ, NATA and IANZ and other relevant bodies as determined by ERAC Equipment Working Group. Any proposed changes to equipment classification levels and the Equipment Safety Rules will be discussed at these industry consultation sessions.

6) The ERAC Equipment Working Group member Regulator Authorities are responsible for applying the legislative requirements that bring these Equipment Safety Rules into force and any legislative compliance activity for breach of the Equipment Safety Rules or associate legislation.

7) The ERAC Equipment Working Group reports to ERAC and is responsible for providing advice, making decisions and determinations on technical matters such as:

- a) Making recommendations to ERAC on the operation of the Equipment Safety Rules, and any changes that may be required to further promote their objectives;
- b) Monitoring the Agreement with JAS-ANZ regarding the accreditation of Certification Bodies and reporting any concerns to ERAC for discussion with JAS-ANZ;
- c) Nominating Regulatory technical assessors for any Certifier accreditation process;

- d) Endorsing the listing of Certifiers, i.e. JAS-ANZ accredited and Regulatory Authority authorised Certification Bodies, on the National Database including recommendations to ERAC for action to suspend or cancel any Certifier Regulatory Authority authorisation for breach of legislation or Equipment Safety Rules;
  - e) Carrying out risk assessment on categories of electrical equipment and making recommendations about classifying them into the appropriate risk levels as detailed in Clause 5;
  - f) Determining when changes are made to standards applicable to level 3 electrical equipment, if there is a need to have a new Certificate of Conformity and re-registration and the timing of any such re-registration;
  - g) Identifying the scope of not 'materially different' testing that may be carried out by a laboratory that is accredited to test to the base standard but is not accredited to test to Australian/New Zealand differences or acceptance of a test facility where there is no accredited test facility available for the relevant standard listed in AS/NZS 4417;
  - h) Deciding on, and agreeing to list and authorise relevant standards as provided for in clause 8.3;
  - i) Accepting or rejecting alternate solution proposals for level 2 or 3 equipment as mentioned in clause 8.3;
  - j) Identifying and defining new categories of electrical equipment and the applicable standards;
  - k) Providing interpretations on any matter which may arise from the use of these Equipment Safety Rules;
  - l) Conducting or commissioning and analysing results of check testing and recommending appropriate actions from such results;
  - m) Auditing of Compliance Folders;
  - n) Reviewing reports presented by a member Regulatory Authority regarding suitability of any alternate solution documented in a Compliance Folder as found in the Regulator auditing of such Compliance Folders;
  - o) Reviewing reports and recommending appropriate action on issues presented by member Regulatory Authorities regarding appropriateness or otherwise of 'approved test facilities' or 'suitably qualified person' from information found in audits of compliance folders or audits of certifiers; and
  - p) Providing input into the development of relevant national and international standards.
- 8) In addition, the ERAC Equipment Working Group will assist ERAC by seeking involvement in any inter-governmental negotiations on government-to-government agreements having the potential to validate overseas regulatory conformity assessment regimes, with a view to assuring equivalent or superior outcomes for safety in terms of:
- a) Adequacy of Standards;
  - b) Requirements for Certificates of Conformity;
  - c) Quality of certifications and accreditations; and
  - d) Governance arrangements and transparency of processes.

- 9) Where decisions of the ERAC Equipment Working Group relating to changes to electrical equipment classifications, changes to these Equipment Safety Rules and Interpretations/Rulings are agreed by ERAC, they will be published on the EESS Website.

#### **11.4 Establishing and Maintaining the Risk Classification of Electrical Equipment**

- 1) The ERAC Equipment Working Group will review the risk classification of electrical equipment using the agreed documented process and the ERAC Risk Calculator (described in Clause 5), basing their reviews on information they have available and incident reports and other data collated by the ERAC Secretariat.
- 2) When reviewing existing risk classifications and allocating a risk level to new items of electrical equipment, the ERAC Equipment Working Group may seek comment from relevant stakeholders.

#### **11.5 Role of Regulatory Authorities**

- 1) The Regulatory Authorities that are the members of ERAC, shall have responsibilities within the EESS for:
  - a) Developing and enforcing legislation on matters within the EESS and these Equipment Safety Rules as appropriate;
  - b) Oversight of the EESS and these Equipment Safety Rules and its application to the electrical equipment sold within their jurisdictions;
  - c) Undertaking investigations and post-market surveillance of electrical equipment; and
  - d) Advising ERAC of enforcement/disciplinary action taken against Responsible Suppliers, Certifiers, Test Facilities or suitably experienced persons (such as suspension/cancellation of registration/recognition etc) and other post-market enforcement measures including any prohibitions, recalls and bans, etc.

## 12. Marking of electrical equipment with the Regulatory Compliance Mark

- 1) All in-scope level 1, 2 and 3 electrical equipment offered for sale in Australia and New Zealand supplied by Responsible Suppliers is to be marked with the Regulatory Compliance Mark (RCM) as illustrated below:



- 2) Requirements for the RCM and in relation to electrical safety are given in AS/NZS 4417 and these rules.  
NOTE: Requirements for the use of the RCM under ACMA arrangements can be found at [www.acma.gov.au](http://www.acma.gov.au).
- 3) The addition of any other marks of conformity will not be prohibited provided they do not lead to confusion.

### **13. Penalties**

- 1) As covered in applicable State and Territory legislation, suppliers of in-scope electrical equipment who fail to register either:
  - a) as a Responsible Supplier, or
  - b) to register level 2 and/or level 3 electrical equipmentshall be liable to the imposition of significant penalties.
  
- 2) Responsible Suppliers and their Authorised Officers, Certificate Holders, and Certifiers who fail to discharge their obligations under the EESS, shall face significant penalties including fines, possible de-registration and de-listing and potential mandatory recall of the equipment. As well as exposing their Responsible Suppliers to significant penalties for failing to comply with the EESS, Authorised Representatives shall themselves face significant penalties and possible bans from acting in that role in the future.

## APPENDIX A

### *Normative Appendix*

#### **Specific Requirements for the Operation and Accreditation of Recognised External Certification Scheme (Certifier)**

Certifiers issuing Certificates of Conformity will comply with the following:

- 1) Comply with the requirements of Clause 10.2.
- 2) Gain and maintain accreditation as a product Certifier in accordance with Clause 10.4.
- 3) Issue Type Test Certificates of Conformity, based on System 1 product certification as described in ISO/IEC Guide 67, in accordance with ISO/IEC Guide 65, these Equipment Safety Rules and the relevant standard.
- 4) Where modifications of existing Certifications of Conformity are issued, the Certifier will ensure that the complete article complies.
- 5) Be able to demonstrate that they understand, have experience relevant to, and are technically competent to apply the relevant conformity assessment requirements and procedures. The demonstration of technical competence will be based on:
  - a) Technological knowledge of the relevant products, processes and services,
  - b) An understanding of these Equipment Safety Rules and the applicable standards,
  - c) An adequate understanding of the relevant conformity assessment activities, and
  - d) The physical capability to perform the relevant conformity assessment activities.
- e) Be able to show they can maintain appropriate independence from other parts of activities involved in the certification process (i.e. testing; consultancy; recommendations of, or modifications to, the equipment).
- 6) In establishing compliance in paragraph c, the JAS-ANZ team assessing Certifier may include a regulatory technical expert nominated by, or approved by, ERAC via Regulatory Authorities.
- 7) Issue Certificates of Conformity and modifications/updates of existing Certificates, having a certification period of not longer than five years or less for equipment as determined by ERAC Equipment Working Group and published on EESS website, containing the following information:
  - a) The name and contact details of the entity to whom the Certificate of Conformity is issued to.
  - b) The date of issue of the Certificate of Conformity.
  - c) The term of validity of the Certificate of Conformity.
  - d) A description of the item of electrical equipment or family of electrical equipment covered including the model number(s) and brand name or trade name and electrical rating (Volts, Amps, Frequency, Wattage or VA).
  - e) The risk class applicable. (See Clauses 5 and 11.4.)
  - f) The relevant standard. (See Clause 8.)

- g) Details of the Testing Facility that issued the Test Report(s) and the relevant standard covered by the Test Report(s). (See Clause 10.3.).
  - h) Any conditions placed on the issuing of the Certificate of Conformity
  - i) Each individual model number (as it will be displayed on the nameplate of the electrical equipment) of the electrical equipment covered by the certificate
- 8) Issue Certificates with only equipment listed on the Certificate that fit within the definition and interpretation of 'family of electrical equipment' within these scheme rules.
  - 9) Only issue Certificates after verifying all information as required in Appendix B has been met.
  - 10) Certifiers shall not use alternate solution standards for issuing of certificates unless they have verified the \*\*independent analysis in accordance with the description of independent in clause 8.3 (i.e. the author of the independent analysis has no linkages to the certifier).
  - 11) Certifiers shall make available for viewing, the information described in paragraph f and any or all other information requested that was used in any decision to issue a Certificate to JAS-ANZ, the ERAC Secretariat and to an Inspector for assessment and market surveillance purposes. Such information is to be made available within 3 working days of a request.
  - 12) Maintain records of Certificates issued, and retain them for a period of not less than 10 years from the expiration dates of such Certificates, containing:
    - a) The certification particulars listed in paragraph f (and the information used to determine the decision to issue the Certificate);
    - b) Details of any modified or renewed Certificate;
    - c) Details of any change in the name of the Certificate holder, in the model number, brand name or trade name; and
    - d) The name and address of the Certificate holder and any Responsible Suppliers, other than the Certificate holder who has been authorised by the original Certificate holder to use the Certificate for registration and approval under the EESS.
  - 13) Certifiers shall inform ERAC of any cancellation, withdrawal, suspension or additional conditions placed on any certificate they have issued.
  - 14) Certifiers shall inform ERAC of any material change to their certification status, actions taken by any relevant accreditation body, or changes within their organisation that may affect their certification process.

NOTE: \*\* In this section evidence of appropriate independence is not necessarily that required for 'independent' as defined for the alternate standard solution report. In this section independence may be shown for example by:

If there is some form of ownership, financial or other linkage between the certifier and test house but the certifier has accreditation to ISO/IEC Guide 65 and the test house has certification to IEC/ISO guide 17025 and;

- a) has appropriate processes to ensure decision making by one entity is not influenced by the other;
- b) there is no utilisation of staff of test house section by certification section and vice versa in relation to the equipment being certified;

- c) the certifier or test house does not employ any person or engage any company in any capacity if the person/company is involved with any sourcing, design, manufacture, consultancy, compilation or making of applications for certification, quality control, maintenance, modification or assessments for insurance or legal purposes (for the responsible supplier) of equipment being certified by the certifier in the last two years, or likely to be foresee ably involved in the next two years (excluding direct permanent employment of a person who has ceased employment or contract with the organisation involved in any of the above processes);

If there is no ownership, financial or other linkage between certifier and test house the certifier does not employ any person or engage any company in any capacity if the person/company is involved with any sourcing, design, manufacture, consultancy, compilation or making of applications for certification, testing, quality control, maintenance, modification or assessments for insurance or legal purposes (for the responsible supplier) of equipment being certified by the certifier in the last two years, or likely to be foresee ably involved in the next two years (excluding direct permanent employment of a person who has ceased employment or contract with the organisation involved in any of the above processes).

## APPENDIX B

### *Normative Appendix*

#### **Specific Requirements for Test Reports and additional information for issuing Certificates and compiling of compliance folders**

Test Reports accepted by Certifiers for the issue of Certificates, as specified in Clause 10.2, shall comply with the following criteria. Information and test results contained in Compliance Folders, as specified in Clause 9.4, shall generally comply with the following criteria, taking into account AS/NZS (IEC) 17050.

##### **B.1 Test Report**

- 1) The Test Report will cover testing to the relevant standard as listed in AS/NZS 4417.2, or alternative solution standards and/or the EESS Website and will be of a form that includes all clauses and sub clauses and results for each.
- 2) Test Reports must include detailed colour photographs. The photographs generally should include:
  - a) Complete view of the product (external side, top and bottom);
  - b) Name plate of product;
  - c) Other warning labels on product or indicator marks;
  - d) Close-up of controls and switches;
  - e) Close-up of plug (including markings) or a copy of a relevant Certificate of Conformity;
  - f) Cord markings or a copy of a relevant Certificate of Conformity;
  - g) Cord entry into product;
  - h) Internal overall layout including wiring and component locations;
  - i) Close-up of incoming supply cord/cord anchorage/supply terminal block/earth connection; and
  - j) Marking on critical components (switches, capacitors, transformers etc).
- 3) The Test Report must include full technical details and testing results including, but not limited to:
  - a) Description of the unit(s) under test;
  - b) Nameplate marking details of the unit(s) under test;
  - c) Normal operation temperature test conditions and results;
  - d) Abnormal test conditions and results;
  - e) Leakage current and electric strength test results;
  - f) Test results for any specific test particularly relevant to the product under test (as listed in the particular equipment standard);
  - g) Detailed listing of all components (and alternates) that were included in the assessment for the report – including details of component markings and Australian certification numbers where appropriate; and
  - h) Resistance to heat and fire results (complete list of results of all components tested or claimed as being exempted from testing due to existing certification, temperature applied, results of flaming and any consequential test required) and details of tests specific to the product as listed in the relevant standard.

- 4) Where there is more than one model listed on the test report, there should be supporting documentation (if it is not already included in the test report) to explain the details of the differences between the models listed on the test report and which tests were applied to which models (i.e. base model listed and model variations explaining the differences from that base model listed);
- 5) Test reports shall not be valid where their age is beyond any expiry date listed on the test report and/or exceeds the issued date by more than five years. Notwithstanding, these may be accepted where the report has been updated by a test facility or suitably qualified person to verify no components have changed in the equipment and no changes have occurred to the standard that affect the compliance of the equipment to the current relevant standards.
- 6) The test report shall have the required accreditation identification as stipulated by the ILAC/APLAC laboratory accreditation body, or as required under the IECEE CB Scheme.
- 7) In situations where no such accreditation identification exists then the report shall include detail to verify the suitability of the test laboratory to conduct the tests (as per the allowance of Clause 10.3 (e) or when for use in compliance folders assessed by a suitably qualified person). Such information should include, but is not necessarily limited to, details below as relevant to the Equipment Under Test (EUT):
  - a) Calibration details of all test equipment;
  - b) Environmental conditions of the test facility for storage of the equipment prior to tests and during each test;
  - c) Information to show the training, experience and verified competency of the test personnel
  - d) Information to show the adequate safe and appropriate storage of the EUT;
  - e) Methods the test facility uses to ensure it maintains up to date detail of standards, test materials and test techniques;
  - f) Evidence to show the test facility test staff are independent of management pressures or influences that could adversely affect test results;
  - g) Evidence to show the test facility is independent of manufacturer or submitter or any consultancy used; and
  - h) Uncertainty of measurement values and method of calculations for all measurements taken

## **B.2 Additional Information Required for Issuing of Certificates**

The following additional material will be provided, where appropriate, with respect to Test Reports and information accepted by Certifiers for the issue of Certificates and in Compliance Folders:

- 1) When a Test Report to other than the current relevant Australian / New Zealand Standard is supplied, an additional test report or information should be supplied to show how the product complies with the current Australian / New Zealand Standard (if there is a current Australian or New Zealand standard applicable). If the report is the current international standard that the current Australian / New Zealand Standard is based on, the Australian / New Zealand variations must be as per those listed in the current version of the applicable Australian / New Zealand Standards.

- 2) If the Test Report does not include complete detailed colour photographs, these must be supplied. The photographs generally would include:
  - a) Complete view of the product (external side, top and bottom);
  - b) Name plate of product;
  - c) Other warning labels on product or indicator marks;
  - d) Close up of controls and switches;
  - e) Close up of connecting plug (including markings);
  - f) Cord markings;
  - g) Cord entry into product;
  - h) Internal overall layout including wiring and component locations ;
  - i) Close up of incoming supply cord/cord anchorage/terminal block/earth connection; and
  - j) Marking on critical components (switches, capacitors, transformers etc).
- 3) If the Test Report(s) do not include complete detailed description of the electrical equipment there should be supporting documentation to indicate manufacturer and model numbers of all equipment to be covered by the certificate
- 4) Information shall be supplied to explain the variations between the different models to be listed on the certificate and which tests cover which models and, if no tests are conducted on particular models, why tests are not required for that particular model, including description of methods used and results and evaluations of tests, inspection and any audits including reports covering any deviations, concessions, departures and variations
- 5) Design documentation such as descriptions, circuit diagrams, drawings, critical component listing / bill of materials
- 6) Copies of Certificates of Conformity for any level 3 components (such as plug, cord, appliance connector etc) or detail to be able to identify the required certification for the component.
- 7) Unless covered by the test report, illustrations and specifications including copies of rating labels or final mark-ups of artwork of labels
- 8) Instructions regarding the operation, installation, use and safety, etc, of the electrical equipment
- 9) Where there are non compliances or clauses not assessed in the Test Report(s) supplied, there should be accompanying information to show how the product will comply with those requirements. This information should be supplied with a covering letter detailing the reasons why the information shows the product is suitably qualified and why the information should be accepted and must be signed by a suitably authorised person.

NOTE: this provision may not be suitable where testing non compliance /non assessment has been identified, if there is not sufficient evidence as to why retesting was not conducted. Such evidence would need to be comprehensive, detailed and specific to the equipment. This provision of justifying compliance without retest should not be applied to tests that are critical tests for ensuring safety of the equipment.
- 10) If the Test Report has different marking details listed to those that will be on the product that will be manufactured and supplied, details of the final markings must be supplied. An explanation of the differences should also be supplied.

- 11) If the Test Report lists a different model number and/or trade name to that which will be on the product that will be manufactured and supplied, then details of the model numbers and declaration by the applicant/manufacture stating the link between the models is required.

### **B.3 Information Required for Compiling Compliance Folders**

- 1) All information in the compliance folder shall be in English
- 2) In addition to test report and information generally in accordance with that required for a certificate as listed above and in accordance with information in Clause 9.1, a compliance folder would be expected to include:
  - a) A covering document listing the description of the electrical equipment including make and model number of each model covered by the compliance folder;
  - b) List of relevant standards applied
    - (i) Description of methods used and results and evaluations of tests, inspection and any audits including reports covering any deviations, concessions, departures and variations (Test results and information generally in accordance with requirements listed in this appendix as for a certificate above);
    - (ii) Detailed description of the electrical equipment including manufacturer, model numbers of all equipment covered by the compliance folder, explanation of the variations between the different models and which tests cover which models and/or why test are not required for a particular model, including description of methods used and results and evaluations of tests, inspection and any audits including reports covering any deviations, concessions, departures and variations
    - (iii) Critical component listing
  - c) Design documentation such as descriptions, circuit diagrams, drawings;
  - d) Illustrations and specifications including copies of rating labels or final mark-ups of artwork of labels and colour photographs showing internal and external construction; and
  - e) Instructions regarding the operation, installation, use and safety, etc, of the electrical equipment.
    - (i) Identification, relevant qualifications, technical competence and accreditation details of any parties undertaking the conformity assessment.
- 3) If the test report is prepared by a suitably qualified person, then either evidence of testing/assessments having been conducted in an appropriately accredited facility shall be included in the report or the following shall be provided:
  - a) Calibration details of all test equipment;
  - b) Environmental conditions of the test facility for storage of the equipment prior to tests and during each test;
  - c) Information to show the training, experience and verified competency of the suitably qualified person/test personnel
  - d) Information to show the adequate safe and appropriate storage of the EUT;
  - e) Methods the suitably qualified person/test facility uses to ensure it maintains up to date detail of standards, test materials and test techniques;
  - f) Evidence to show the suitably qualified person/test facility test staff are independent of management pressures or influences that could adversely affect test results;
  - g) Evidence to show the suitably qualified person/test facility is independent of manufacturer or submitter or any consultancy used; and

h) Uncertainty of measurement values and method of calculations for all measurements taken

## APPENDIX C

### *Normative Appendix* **Information Relating to Certificates to be Included in National Database**

- 1) This Appendix is for Certifiers who do not use the National Database in real time. They must upload the below data to the National Database within 3 business days of issuing the certificate.
- 2) Certifiers must include the following information in the National Database for each certificate they issue, or for each modification, renewal or transfer of a certificate of conformity:
  - a) The number of the certificate or of the certificate to which the modification, renewal or transfer relates;
  - b) The name of the applicant for the certificate, modification, renewal or transfer;
  - c) The applicant's address;
  - d) The product class being the type of in-scope electrical equipment to which the certificate, modification, renewal or transfer relates;
  - e) A description of the type;
  - f) The relevant standard for the type;
  - g) The model number for the type;
  - h) The date of the certificate or of the certificate to which the modification, renewal or transfer relates;
  - i) The expiry date of the certificate or of the certificate to which the modification, renewal or transfer relates;
  - j) The conditions, if any, of the certification;
  - k) The name and address of the manufacturer of the type;
  - l) The input of the type being the voltage, current, power and frequency;
  - m) The output of the type (if applicable) being the voltage, current, power and frequency;
  - n) The trade name of the type;
  - o) The business name (if any) of the person who issued the certificate or approved the modification, renewal or transfer;
  - p) The name of the person who issued the certificate or approved the modification, renewal or transfer.

## APPENDIX D

### *Normative Appendix*

## **Responsible Supplier Declaration Electrical Equipment Safety System (EESS)**

### Declaration of Conformance (EESS)

I declare that:

- The Responsible Suppliers ABN/IRD number is:<ABN/IRDN>.
- <First Name> <Last Name> is an authorised officer who has been authorised to make this declaration on behalf of the Responsible Supplier.
- All products supplied are electrically safe and meets relevant standards when the product is imported or manufactured.
- All Equipments supplied comply with the EESS and relevant electrical safety laws.
- Cords, plugs and connectors supplied with all equipment have a current Certificate of Conformity for Australia and New Zealand.  
NOTE: Cords May have <HAR> in lieu of COC

<First Name> <Last Name>\_\_\_\_\_ <Position>\_\_\_\_\_ <Phone>\_\_\_\_\_

When registering Level 2 and Level 3 equipment on the database Responsible Suppliers must make an equipment declaration (Link to H4)

I Agree

## APPENDIX E

### *Normative Appendix*

## Electrical Equipment Declaration Level 2

### Declaration of Conformance (Level 2)

I Declare that:

- The location of the Compliance Folder for this product is: <Location of Compliance Folder>
- If the compliance folder belongs to another person, the Responsible Supplier has permission to use this compliance folder for this registration from the owner of the folder.
- The compliance folder will be made available to an electrical safety inspector within 10 days upon request.
- The Responsible Supplier will ensure the compliance folder remains current for the life of this registration.
- All products supplied are electrically safe and meets relevant standards when the product is registered.
- This product will remain unchanged in terms of its electrical safety characteristics and material composition.
- I am authorised to make this declaration on behalf of the Responsible Supplier.

Name:\_\_\_\_\_ Position:\_\_\_\_\_ Contact Number:\_\_\_\_\_

I Agree

**APPENDIX F**

***Normative Appendix***

**Electrical Equipment Declaration  
Level 3**

**Declaration of Conformity (Level 3)**

I Declare that:

- The Certificate of Conformity Number for this product is: <cert #>
- The Responsible Supplier has permission to use this certificate for this registration from the certificate holder.
- The Responsible Supplier will ensure the certificate remains current for the life of this registration.
- All products supplied are electrically safe and meets relevant standards when the product is registered.
- This product will remain unchanged in terms of its electrical safety characteristics and material composition.
- Where this product is sold under a different trade or brand name than that nominated on the Certificate of Conformity that it is the same product cited on the certificate.
- I am authorised to make this declaration on behalf of the Responsible Supplier.

Name:\_\_\_\_\_ Position:\_\_\_\_\_ Contact Number:\_\_\_\_\_

I Agree

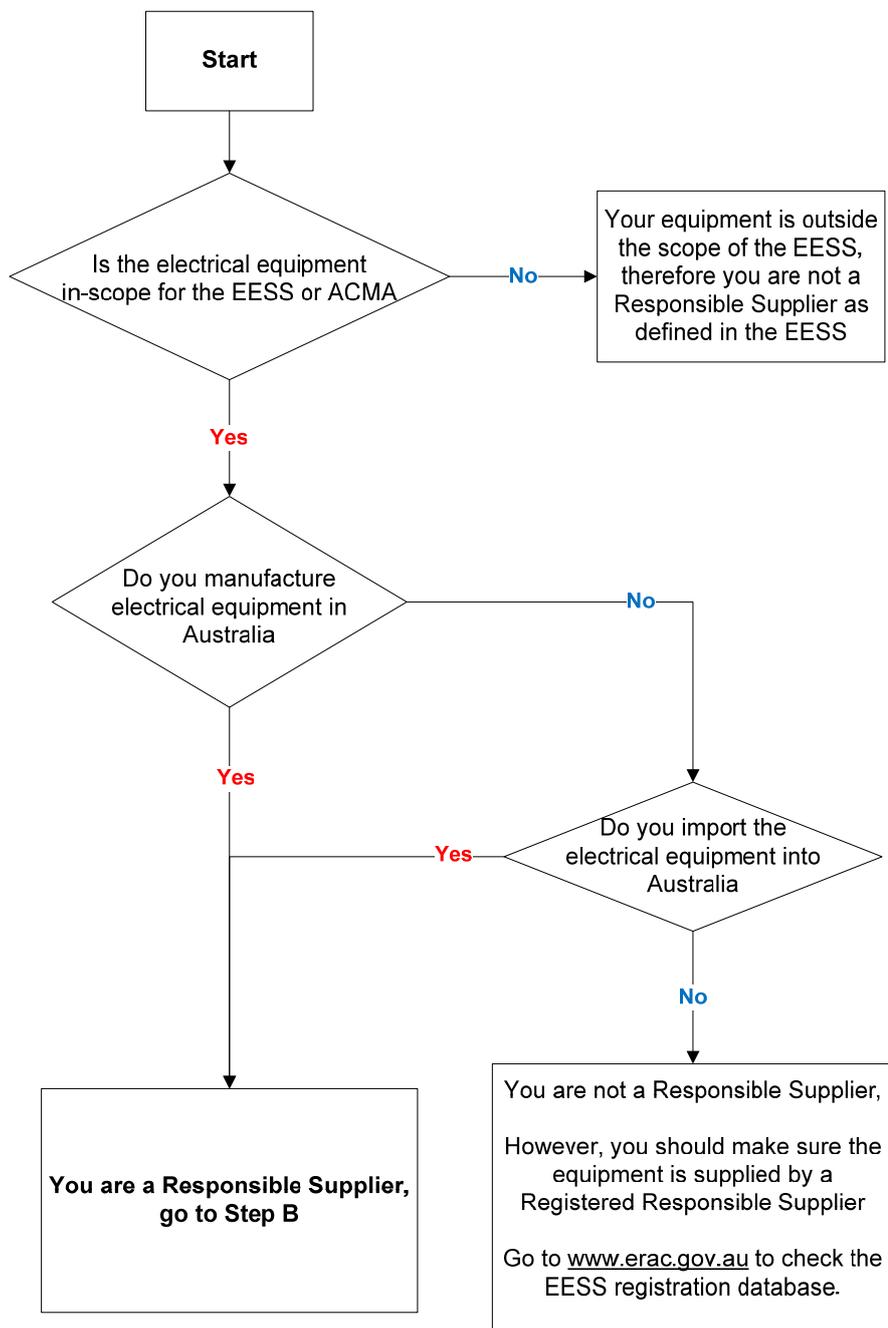
# APPENDIX G

## Informative Appendix

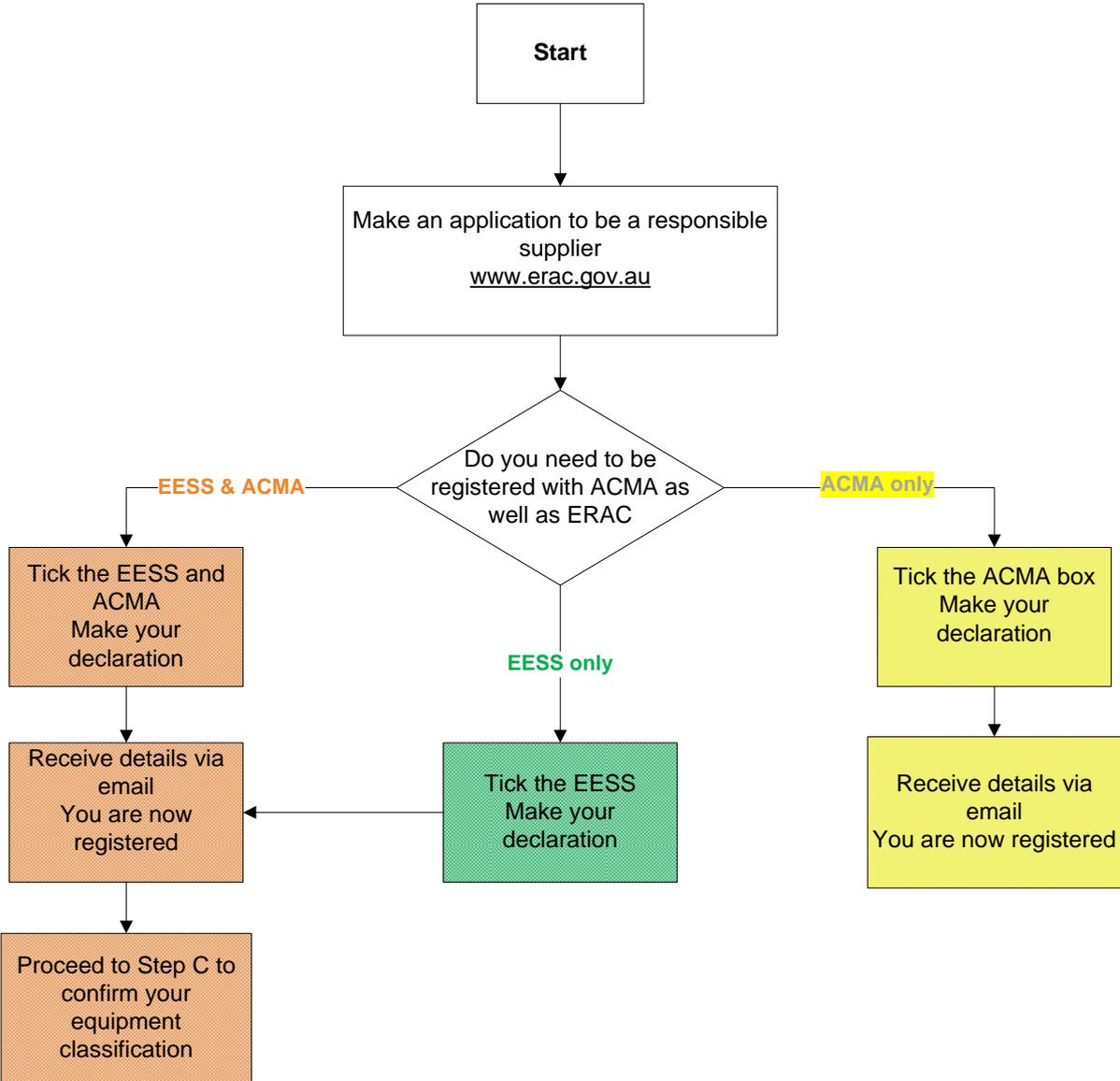
### Process Overview Electrical Equipment Safety System Interactions

Requirements for Selling Electrical Equipment Under the Electrical Equipment Safety System

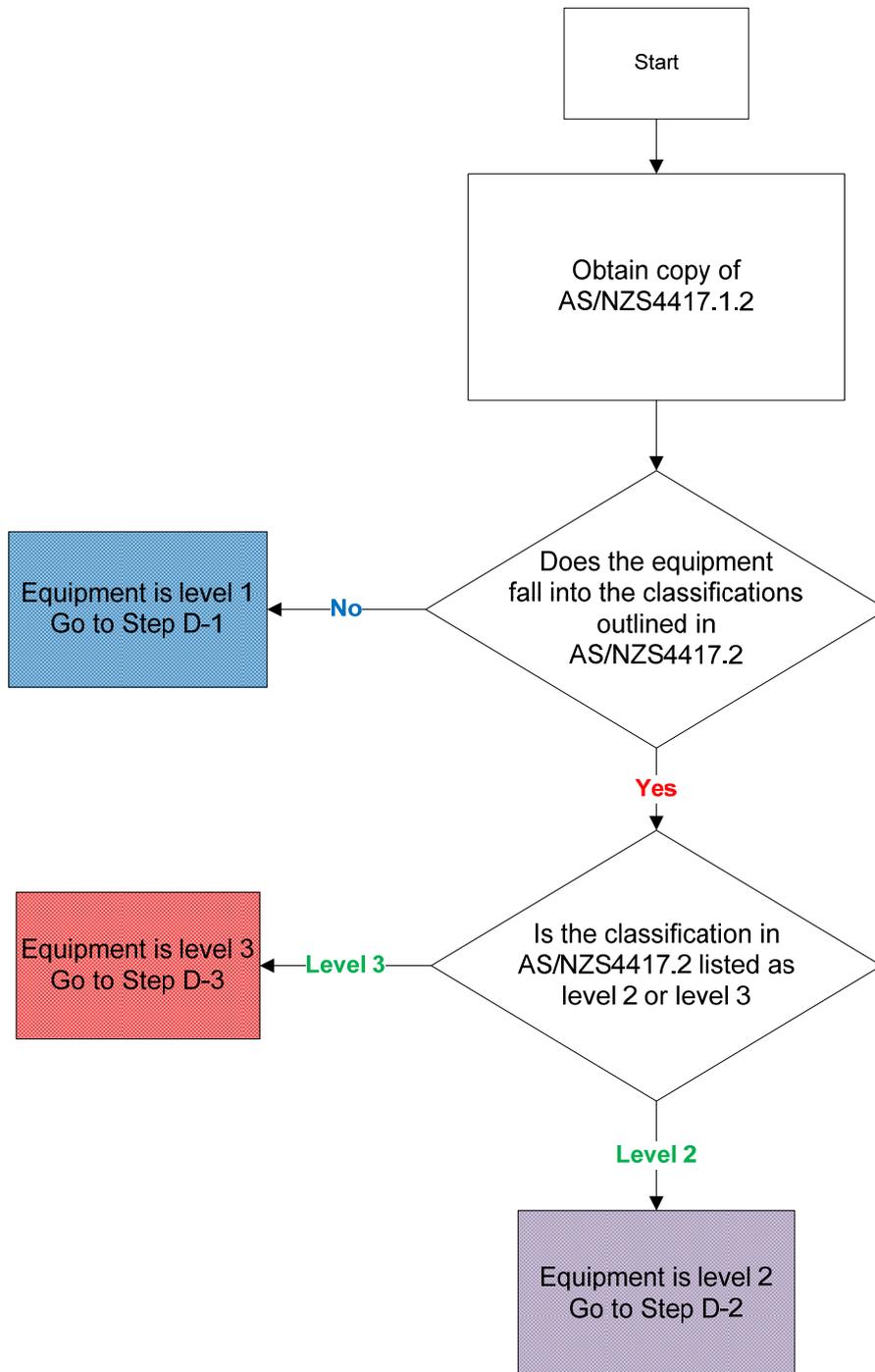
Step A – Am I a “Responsible Supplier”?



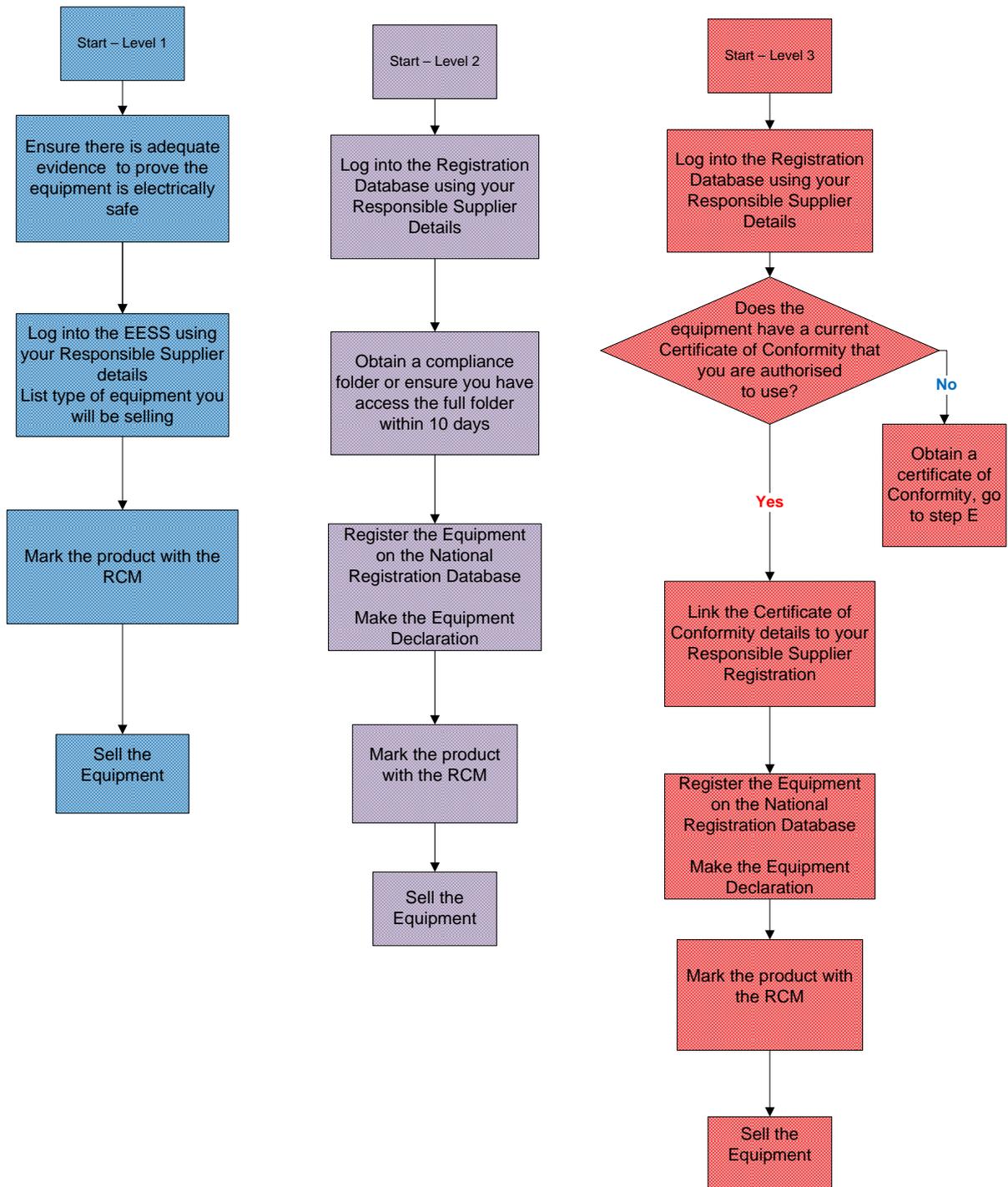
# Step B – Responsible Supplier Registration



## Step C – What is the Equipment Classification



## Step D – Electrical Equipment Registration



## Step E – Electrical Equipment Certification

