

Electricity Safety Act 1998
ORDER IN COUNCIL
Electric Lines on Public Land Exemption

The Governor in Council, under section 47 of the **Electricity Safety Act 1998** (“the Electricity Safety Act”) and on the recommendation of the Office of the Chief Electrical Inspector, makes the following Order:

1. Definitions

In this Order:

Extension corporation has the same meaning as in the **Melbourne City Link Act 1995**;

Link corporation has the same meaning as in the **Melbourne City Link Act 1995**;

Carrier licence has the same meaning as in the **Telecommunications Act 1997** of the Commonwealth;

Network unit has the same meaning as in the **Telecommunications Act 1997** of the Commonwealth;

Nominated carrier declaration has the same meaning as in the **Telecommunications Act 1997** of the Commonwealth.

2. Persons exempted

The following persons are exempted from compliance with section 46 of the Electricity Safety Act in respect of the specified activities on the land specified:

- (a) a person who is responsible for the management of public land, for the purposes of the person’s functions or powers under any Act, other than persons already excepted from the requirements of section 46 of the Electricity Safety Act by that section;
- (b) a person who is the owner or occupier of privately owned land used for public purposes, for the purpose of enabling the land to be used for public purposes;
- (c) a person who has entered a lease or licence of land or an agreement relating to land under the **Land Act 1958** or the **Crown Land (Reserves) Act 1978** for the purpose of carrying out activities on the land authorised under the lease, licence or agreement;
- (d) a person who is the holder of a nominated carrier declaration or a carrier licence, for the purpose of carrying out activities relating to a network unit referred to in the declaration or authorised under the licence;
- (e) the Link corporation or the Extension corporation, for the purpose of their functions or powers under any Act;
- (f) a person who, for private purposes, installs an electric line over or under public land in order to convey electricity to other land or property owned or leased by, or under the control of, that person;

- (g) a person who installs, or causes to be installed, an electric line on public land on behalf of persons exempted under paragraphs (a) to (f).

3. Terms and conditions of exemption

A person to whom this Order applies must:

- (a) give to the Office of the Chief Electrical Inspector (“the Office”) details of the name, position, business address and telephone number of the person who has management or control of the electric line on public land and must advise the Office of any change in that person’s contact details within 14 days; and
- (b) have while this Order is in operation:
 - (i) the consent of the owner of any property that may be affected by the activities to which this Order relates; and
 - (ii) unless inconsistent with any obligation of the distribution company under a licence under the **Electricity Industry Act 2000**, the consent of the distribution company to whose supply network the electric line is or is to be connected; and
- (c) in relation to an underground electric line, maintain a record of the electric line on public land in accordance with Regulation 404 of the Electricity Safety (Installations) Regulations 1999; and
- (d) give to the Office, within 14 days of completing the installation of the electric line on public land:
 - (i) in relation to an overhead electric line, sufficient information to enable the electric line to be located; or
 - (ii) in relation to an underground electric line, a description of how the person has complied with section 76(1)(b) of the Electricity Safety Act; and
- (e) upon the removal of the electric line on public land:
 - (i) in relation to an overhead electric line, give to the Office, within 14 days of the removal, sufficient information to enable the Office to identify the electric line removed; or
 - (ii) in relation to an underground electric line:
 - (A) give to the person or body informed under section 76(1)(b) of the Electricity Safety Act sufficient information to enable the person or body to identify the electric line removed; or
 - (B) give to the Office a description of how the person has complied with paragraph A; and
- (f) comply with any direction under section 141 of the Electricity Safety Act; and
- (g) give to the Office any further information that the Office requests in writing in relation to compliance with this Order; and
- (h) comply with a request under this Order within the time specified by the Office in the request.

4. Commencement of Order

This Order comes into operation on the day on which it is published in the Victoria Government Gazette.

Dated 22 January 2002