

From: [REDACTED]
To: [Consultation](#)
Subject: RE: REMINDER - SUBMISSIONS - RCBO RIS
Date: Friday, 22 May 2020 4:21:22 PM

Dear [REDACTED],

Hager submitted its answers to your questionnaire for the RIS on 6 December. In that document we also referenced prior communications.

Our concerns with an extension to the prohibition remain. Reiterating and supplementing the key points in Hager's earlier communications we draw your attention to the following :-

1. The Camberwell incident is the only known case which involves an incorrectly installed RCBO. Other cases presented by ESV did not have an RCBO installed. Therefore, the cases presented are disproportionate to the problem. To rely on other incidents which do not involve faulty installation of an RCBO unit conflates the safety benefits of RCBOs with the risk of a faulty installation and is consequently misleading in the cost benefit analysis of the regulatory intervention. The appropriate investigation to justify the regulatory intervention would have been directed at what evidence existed as to the frequency of faulty installation. This investigation was not done.
2. The Coroner's office has recently reconfirmed that they had not finished their investigation.
3. In relation to the Camberwell incident Worksafe Victoria prosecuted the electrical contractor who was convicted with a penalty of \$300,000.00 reflecting that the key failure in relation to the incident was that of installation. The prosecution did not relate to the installation of the RCBO unit which was the subject of a separate and earlier failure in installation by a contractor and certification by a certifier. No regulatory or enforcement action was taken in respect of the unlawful certification and installation of the RCBO unit. In this context it can be seen that the regulatory focus on the product rather than the installation was misconceived.
4. The Victorian regulator is trying to overrule the work of the Australian standards bodies and ignore the expert responses from both the Australian Standards body and international standards bodies. That ignores the facts and in effect extends the scope of the state regulator's intervention to the whole of Australasia.
5. An alternative solution could be to mandate the use of switch neutral RCBOs where all live conductors in the circuit are disconnected. Most manufacturers responded to the initial prohibition with the introduction of a switch neutral product as this option is a cheaper alternative than to adapt an existing product to ESV's requirement. Switch neutral products are already covered in AS/NZS 61009, and also addresses the safety issue perceived by ESV. Thus no additional requirements need to be met and an unwarranted disturbance of the Australasian market is avoided.

Sincerely

[REDACTED]
Managing Director

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From: Consultation [mailto:Consultation@energysafe.vic.gov.au]

Sent: Wednesday, 20 May 2020 2:36 PM

Subject: [External] REMINDER - SUBMISSIONS - RCBO RIS

Dear Stakeholders

A reminder that submissions regarding the RCBO RIS are due by **5:00 pm Friday 22 May 2020**.

Please note that no further extensions are able to be granted.

Kind regards

 | **General Manager, Risk, Regulatory Planning & Policy**