

Our Ref: CM-8104

29 June 2020

[REDACTED]  
[REDACTED]  
The Australian Industry Group  
Suite 1, "Nautilus" 265 Wharf Road  
NEWCASTLE NSW 2300

Dear [REDACTED]

#### **RIS SUBMISSION—EXTENSION OF RCBO PROHIBITION**

Thank you for providing a submission on behalf of the Australian Industry Group

Energy Safe Victoria (ESV) received five submissions in response to the RIS which included similar comments on several issues. As such, ESV has prepared a general response to these comments a copy of which is **attached**

I also provide the following response to some of the other comments in your submission.

#### **Decision RIS**

There will not be a decision RIS prepared. This is not a requirement of the Victorian **Subordinate Legislation Act 1994**. As such, ESV expects the Director of Energy Safety to make a decision based on the regulatory impact statement and the submissions received in response to it. ESV expects the Director to make a decision before the current prohibition notice expires on 30 June 2020.

#### **Five yearly testing of RCBOs and third party testing**

ESV supports the proposal to align testing requirements for RCBOs in general, however, in order for this to occur the EL4 committee would need to update AS/NZS 61009 to include ESV's testing requirements so that test labs can add this to their testing scope and issue accredited test reports to suppliers. If this was implemented ESV could use this verification during the five yearly certification process for conformation of compliance prior to listing products on its website.

**Recommendation**

After considering the submissions received, ESV has not changed its position on the need for the RCBO prohibition to be extended for a further 10 years. As such, ESV has recommended that the Director of Energy Safety proceed with the extension of the prohibition.

Copies of the submissions received, ESV's responses to them and its statement of reasons are also available on ESV's website (Click on About>Legislation and regulations>Regulatory Impact Statement).

Yours sincerely

[Redacted signature]

[Redacted name]

**RISK, REGULATORY PLANNING & POLICY**