

CHAPTER 30. No. 16.

ELECTRICITY (INSPECTION).

AN ORDINANCE TO PROVIDE FOR THE INSPECTION OF ELECTRICAL INSTALLATIONS, PLANT, APPARATUS AND WORKS AND FOR OTHER PURPOSES IN CONNECTION THEREWITH.

Ordinances
No. 44-1945.
„ 32-1950.

[1st January, 1946.]

Commence-
ment.

1. This Ordinance may be cited as the Electricity (Inspection) Ordinance.

Short title.

2. In this Ordinance unless the context otherwise requires—

Interpre-
tation.

“ apparatus ” means electrical apparatus and includes all apparatus, machines, consuming devices and fittings in which conductors are used or of which they form a part;

“ authorised person ” means a person appointed by the licensee, the management or the owner of an installation, or by a contractor, for the time being, to a licensee or owner to carry out certain duties incidental to the generation, transformation, distribution, and use of energy, provided that such person is competent for the purpose for which he is employed, the burden of proof of competency being on the employer;

“ Chief Inspector ”, “ Deputy Chief Inspector ” and “ Inspector ” mean, respectively, the Chief Electric Inspector, Deputy Chief Electric Inspector, and an Electric Inspector appointed under section 3;

“ conductor ” means an electrical conductor arranged to be electrically connected to a system;

“ consumer ” means a person who is supplied with energy or whose premises are for the time being connected for the purposes of a supply of energy with any system of public supply;

“ danger ” means danger to health or to human life or limb from shock, burn, or other injury resulting from the generation, transformation, distribution or use of energy and includes danger to property from fire resulting as aforesaid;

“ electric supply line ” means a wire or conductor or other means for conveying, transmitting or distributing energy, together with any casing, coating, covering, tube, pipe or insulator enclosing, surrounding or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting or distributing energy;

“ energy ” means electrical energy when generated, transmitted, supplied or used for any purpose except the transmission of a message;

“ generator ” means a dynamo of any type for the generation of energy;

“ installation ” means the whole of any particular plant, apparatus or works designed for the supply or use, or both, as the case may be, of electrical energy, under one ownership and, where management is prescribed, in charge of the same management, including prime movers, if any, with all necessary plant and buildings in connection therewith, electric supply lines and consuming apparatus, if any;

“ licence ” means a licence issued under the Trinidad and Tobago Electricity Commission Ordinance, permitting the licensee to operate or work an installation;

“ licensee ” means a person permitted by licence to work or operate an installation and includes an authorised agent;

“ management ” means the authorised person for the time being placed in charge of an installation by the licensee or owner or by a contractor;

" motor " means a motor of any type for the transformation of electrical energy into mechanical energy;

" pressure " means the difference of electrical potential between any two conductors or between a conductor and the earth, as read by a standard volt-meter;

" prime mover " means a machine supplying power to a generator for the purpose of generating energy;

" private safety " means the obviation of danger to individuals or to private property;

" public safety " means the obviation of danger to the general public, to public property and to roads, streets, railways, canals, docks, wharves, piers, bridges, waterworks and their appurtenances and telegraphic, telephonic and other electrical signalling lines;

" system " means an electrical system in which all the conductors and apparatus are electrically connected;

" transformation " includes the transformation of pressure up or down and the conversion of alternating to direct current or *vice versa* by static, rotary or electro-chemical means.

3. (1) The Governor in Council may, by notification in the *Royal Gazette*, appoint so many Electric Inspectors and at such remuneration as he may think expedient to inspect installations, and electrical plant, apparatus and works and to perform such other duties as may be prescribed, and may in like manner and at such remuneration as he may think expedient appoint persons to officiate as Chief Inspector and Deputy Chief Inspector to supervise the methods and details of such inspection and of such duties as aforesaid and to perform such other duties as may be prescribed.

Appointment of Electric Inspectors.

(2) The carrying out of the said inspections and the performance of the said duties shall be under the administrative control of the Chief Inspector.

(3) The Chief Inspector and the Deputy Chief Inspector shall have and may exercise all powers vested by this Ordinance or by any rules made hereunder in an Inspector.

4. On the completion of a new installation, the owner thereof shall give notice in writing to the Chief Inspector,

Inspection of installation on completion.

who shall cause inspection and tests to be made within the prescribed period and, if the installation satisfies the requirements of this Ordinance and the rules made hereunder, certify or cause to be certified accordingly in the prescribed form. No installation shall be operated until such certificate has been obtained.

Periodical inspections of installations.

5. In addition to periodical inspections during construction and final inspections on completion, all installations while in operation shall be inspected at such intervals as may be prescribed. The licensee and management and persons in charge of all installations shall afford full facilities for inspection within reasonable working hours.

Installations completed or begun before commencement of Ordinance.

6. Except as may be otherwise provided by any exemption under section 16, all installations which shall have been operated or whereof the construction shall have been completed or begun before the commencement of this Ordinance shall be subject to this Ordinance and the rules made hereunder.

Precautions against atmospheric electricity.

7. Any department of the Government or any other consumer taking or using energy from an installation shall, if the Chief Inspector so requires, provide such means for obviating risk of damage to such installation by atmospheric electricity as may be directed by the Chief Inspector.

Restriction of connection with earth.
Ord.32-1950,
s. 2.

8. (1) No person shall in the generation, transmission, supply or use of energy permit any part of his electric supply lines to be connected with earth except as may be required by rules made under this Ordinance or by any other law or may be expressly permitted by the Chief Inspector.

(2) In the event of any breach of the provisions of the last preceding subsection the Chief Inspector may by written order require the licensee or owner to break such connection and may prohibit the use of any electric supply line or works or of any installation until the order is complied with, and every such order shall be complied with by the person concerned.

(3) If the licensee or owner fails to comply with the aforesaid written order of the Chief Inspector or continues to use the electric supply line or works or any installation prohibited to be used while such order remains uncomplied with, he shall be guilty of an offence against this Ordinance and liable to a fine of one hundred and twenty dollars and, if the contravention continues, to a further fine of ten dollars for every day in respect of which it so continues after the first day.

9. (1) In the event of an Inspector finding in any installation or apparatus any defect which in his opinion is likely to cause danger, he may, by notice in writing posted at the place where the installation or apparatus to which it relates is installed or working or served upon the licensee or owner thereof, suspend the operation and use of such installation or apparatus until such defect is made good or removed, and in such case the said installation or apparatus shall not be operated or used so long as the said notice of suspension remains unrevoked.

Procedure
in case of
dangerous
defect in
installation
or apparatus.
Ord. 32-1950,
s. 3.

(2) If any person operates or uses an installation or apparatus while any such notice of suspension remains unrevoked he shall be guilty of an offence against this Ordinance and liable to a fine of one hundred and twenty dollars, and if the contravention continues to a further fine of ten dollars for every day in respect of which it so continues after the first day.

(3) Every licensee and every management and person in charge of an installation becoming aware of a defect therein which is likely to cause danger and every consumer becoming aware of a defect in any apparatus which is likely to cause danger shall forthwith make a report thereof to an Inspector and in default of so doing shall be guilty of an offence against this Ordinance and liable to a fine of forty-eight dollars.

(4) If in the opinion of the Chief Inspector any defect in an installation in respect whereof a licence is in force is of such a nature that it cannot be made good or removed, he shall forward a report of his findings to the Governor in Council who may cancel the licence.

Entry on
premises.
Ord.32-1950,
s. 4.

10. (1) The Inspectors are empowered to enter upon any premises, in or upon which an installation or apparatus may be, at any time between the hours of 6 a.m. and 6 p.m. and also at any other time when any installation or apparatus in or upon such premises may be at work.

(2) Any person who obstructs any Inspector in the execution of his duty under the last preceding subsection shall be guilty of an offence against this Ordinance and liable to a fine of forty-eight dollars, and on a second or subsequent conviction to a fine of ninety-six dollars or imprisonment for three months or to both such fine and imprisonment.

Serious
accidents to
be reported.
Investiga-
tion and
inquiry.
Ord.32-1950,
s. 5.

11. (1) Where any accident causing or resulting in loss of life or grievous hurt to any person or serious injury to property has occurred in connection with any installation or electrical plant or apparatus, the owner or licensee thereof and the management thereof shall with the least possible delay report in writing to an Inspector the facts of the matter so far as they are known to them respectively, and the Inspector shall thereupon visit the place where the accident occurred and make a preliminary investigation of the circumstances and record in writing his finding upon such investigation, and if there has been any loss of life or there is reason to believe that any person has been fatally injured shall send a copy of his findings to the nearest Magistrate.

(2) In the event of loss of life or grievous hurt to any person due to any accident in connection with any installation or electric plant or apparatus no alterations or additions shall without the consent of an Inspector be made to any part of such installation, plant or apparatus which may have contributed to cause such accident nor shall any alterations be made without such consent to the site of the accident until an Inspector has completed his investigation:

Provided that nothing herein contained shall operate to interfere with rescue work or work necessary for the general safety of life or property.

(3) If any person fails to make any such report as is required by subsection (1), or effects any alterations or additions to any part of an installation, plant or apparatus in contravention of subsection (2) of this section, he shall be

guilty of an offence against this Ordinance and liable to a fine of one hundred and twenty dollars.

(4) If upon a preliminary investigation it appears to the officer making such investigation that there is reason to believe that the accident was due to any failure to comply with the provisions of this Ordinance or of the rules made hereunder or to neglect of any lawful order given by an Inspector, or if the officer making such investigation as aforesaid is satisfied that the accident might have been prevented if proper precautions had been taken and observed in the working of any installation or electrical plant or apparatus, such persons of electrical or other special skill and experience as shall be nominated by the Governor in Council shall hold an inquiry into the nature and cause of the accident and shall forward to the Governor in Council a copy of the evidence taken at such inquiry together with their findings thereon and such further report as may seem to them necessary, and if they are of opinion that criminal proceedings ought to be instituted against any person in connection with the accident they shall forward to the Attorney General a copy of the said evidence, finding and report.

(5) The foregoing provisions of this section shall not apply in respect of any factory or other premises or place to which the Factories Ordinance, applies.

12. (1) In the event of any difference of opinion between a licensee and an Inspector or between the management or owner of any installation or apparatus and an Inspector regarding any structural question or question of fitting or adjustment in relation to any installation or apparatus, the matter shall be referred to and decided by the Chief Inspector.

Questions for decision of Chief Inspector, subject to appeal to Governor in Council.

(2) From any decision of the Chief Inspector an appeal shall lie to the Governor in Council: Provided that no such appeal shall, except by special permission of the Governor in Council, be admitted after the expiration of forty-two days from the date when the decision appealed against was given. In dealing with any such appeal the Governor in Council shall, after inquiry shall have been made into the subject matter thereof in the manner provided

in the next succeeding subsection and after such further investigation if any, as he thinks fit to make, may set aside or vary the decision of the Chief Inspector or may uphold the same, and the decision of the Governor in Council shall be final and shall be carried into effect.

(3) The subject matter of any such appeal shall be referred by the Governor in Council to a Board consisting of such persons of electrical or other special skill and experience as the Governor in Council shall nominate for the purposes of inquiry who, at the conclusion of such inquiry, shall forward the evidence, if any, recorded by them together with their opinion and recommendations as to the decision proper to be given in the matter of the appeal, and any of such persons who may dissent from the opinion or recommendations given may forward to the Governor in Council a statement in writing of the reasons for his dissent.

(4) Every person who shall sit as a member of the Board of Inquiry referred to in the last preceding subsection shall be entitled to receive from public funds such remuneration as the Governor in Council may from time to time fix by notification in the *Royal Gazette*.

Powers of
Board of
Inquiry.

13. For the purpose of holding inquiries under this Ordinance a Board of Inquiry shall have power to administer oaths and affirmations and shall be vested with the powers of a Magistrate for compelling the attendance of witnesses, maintaining order and otherwise duly conducting the said inquiries. Persons summoned to attend at any such inquiry shall be legally bound so to attend.

Prosecution
of offences.
Ord. 32-1950,
s. 8.

14. All offences against, and all penalties imposed by, this Ordinance or any rules made hereunder shall be prosecuted and recovered in the manner provided by the Summary Courts Ordinance.

Rules.

15. The Governor in Council may from time to time make rules prescribing—

Ord. 32-1950,
s. 7.

(a) the duties under this Ordinance of any officers appointed under section 3;

(b) the intervals, times and manner in which any installations or apparatus shall be inspected, the

notice (if any) to be given in relation to inspections and the preparations to be made by the licensees and the management for such inspections;

(c) the design, construction, protection and maintenance of installations and apparatus, the conditions under which any installation or apparatus shall be worked or operated and the prohibition of the use of dangerous apparatus;

(d) the means which may be employed (to the exclusion of other means) for the generation, transmission, transformation, distribution and application of energy;

(e) the manner in which energy shall be measured and in which it is permitted to be, or is prohibited from being, supplied or used;

(f) the standards to be adopted for measurement of dimensions of installations and apparatus;

(g) the regulation and variation of the nature, pressure and periodicity of the energy supplied;

(h) the class or design, or classes or designs, of wires, fittings and apparatus to be used by consumers and the manner in which they shall be fixed, arranged, protected and controlled and providing for the erection, inspection, testing and maintenance thereof;

(i) the fees to be paid for the inspection of installations and apparatus, the form and contents of and the conditions to be implied in licences, the form and duration of certificates and the suspension, extension and revocation of licences and certificates;

(j) the measures to be taken and the fittings to be supplied and used in connection with installations in order to secure public safety and private safety;

(k) the manner of effecting alterations to installations in operation;

(l) the precautions to be taken on the relief of persons in control of apparatus and the manner of notifying to Inspectors the names and qualifications of persons placed in charge of installations and in control of the operation of apparatus;

(m) the manner of calculating the power of generators and motors;

(n) the manner of holding inquiries under this Ordinance;

(o) the forms of notices and the manner of service thereof;

(p) the means to be adopted, whether by prohibition or otherwise, to prevent or abate any nuisance likely to arise or arising from the working of any installation or apparatus;

(q) the records to be kept in respect of installations, licences, inspections and any other matters to which this Ordinance relates and the form thereof and the persons by whom the same are to be kept;

(r) the time, place and manner for the payment of moneys payable under this Ordinance or the rules made hereunder and the mode of collection and disposal thereof;

(s) offences against any of such rules and penalties therefor not exceeding one hundred and twenty dollars: Provided that in the case of a continuing offence, a further penalty not exceeding ten dollars for each day during which such offence continues may be prescribed;

(t) any other matters as to which it may appear to the Governor in Council expedient to make rules for the better carrying out of the provisions of this Ordinance.

Exemptions
from pro-
visions of
Ordinance.

16. The Governor in Council may by notification in the *Royal Gazette* exempt from all or any of the provisions of this Ordinance—

(a) any installation, or part thereof, constructed before the commencement of this Ordinance;

(b) any other particular class of installation or apparatus;

and may by similar notification cancel any exemption so notified.