

ELECTRICAL SAFETY

Guidance on Electrical Installations not certified by an Approved Certifier of Construction

**for Verifiers in their role as
Enforcers of Powers vested
in the
Building (Scotland) Act 2003**



**A Guidance Document issued on
behalf of the Scottish Association Of
Building Standards Managers
[SABSM]
in association with the Scottish
Building Standards Agency [SBSA]**

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ELECTRICAL SAFETY GUIDANCE

ON: ELECTRICAL INSTALLATIONS NOT CERTIFIED BY AN APPROVED CERTIFIER OF CONSTRUCTION

FOR: LOCAL AUTHORITIES OPERATING AS VERIFIERS AND IN THEIR ROLE AS ENFORCERS OF POWERS VESTED IN THE BUILDING (SCOTLAND) ACT 2003

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AIMS

1. **The aim of this Guidance Note is to** frame criteria for adoption nationally for the sake of clarity, consistency and credibility. It is essential that verifiers exercise the empowerment under the Act of making reasonable enquiry when they check a completion certificate. Under the new system, this empowerment is straightforward when there is an accompanying certificate from an Approved Certifier of Construction in respect of electrical installations. The clarity, consistency and credibility aims, however, present different challenges when an Approved Certifier of Construction is not used for such work. Different issues arise for domestic and non-domestic buildings and for different levels of risk. It is for verifiers themselves to establish their approach to this matter but the following guidance should be borne in mind.
2. In framing this Guidance Note it is recognised that the SBSA and the Scheme Providers for the Scheme for Certification of Construction (Electrical Installations to BS 7671) are committed to improving the accountability of competency in the carrying out of electrical installations. The Scottish Association of Building Standards Managers fully supports such aims.
3. Local Authorities, as both verifiers and enforcers, must have processes in place to address and deal with any and all types of installations carried out by both approved certifiers and non-certified installers. Such processes may include a site inspection regime to carry out “reasonable enquiry” in respect of any work not covered by a certificate issued by an Approved Certifier of Construction.
4. In assessing the options available to verifiers in confirming compliance of electrical installations, the “reasonable enquiry” powers vested in the Building (Scotland) Act 2003 requires that checks be carried out in respect of the validity of a Completion Certificate.
 - Section 18 (2) the verifier must accept the certificate **if, but only if, after reasonable enquiry**, it is satisfied as to the matters certified in the certificate.
5. In carrying out this “reasonable enquiry” test, verifiers must have regard to the option available to applicants to use “certifiers of construction”.
 - Section 19 (1) on submitting a completion certificate to a verifier under this Act, the person submitting the completion certificate **may submit to the verifier a certificate issued by an Approved Certifier of Construction** certifying in relation to the building in question that such construction as is specified in the certificate complies with building regulations.

OBJECTIVES

- To ensure that the checking of completion certificates provides a level of safety that meets or exceeds that provided under the old system.
 - To ensure that the process of gaining “sign off and occupation” is not protracted by such checking.
1. For building warrants submitted prior to 1st May 2005 local authorities must “as far as can be ascertained” check the robustness of applications for a completion certificate. Where work involves installation or alteration to electrical systems, they must also receive **a certificate of compliance of electrical installation (form 9)** which should be signed by the person carrying out or supervising the installation.
 2. Under the present system, the verifier must make “reasonable enquiry” to check the validity of the completion certificate.
 - Where an Approved Certifier of Construction is used for an electrical installation, this will take the form of checking the scope of the Certificate of Construction issued in support of the Completion Certificate, including checking the status of the Approved Certifier and Approved Body.
 - Where a Certifier of Construction is not used for an electrical installation, the verifier must make reasonable enquiry before accepting or rejecting the Completion Certificate. **This guidance addresses this issue.**
 3. Under the present system, the completion certificate is confirmation that the work was carried out, and/or conversion made, in accordance with the building warrant and conforms with the drawings, specifications and other information endorsed in connection with the warrant.
 4. It also confirms that, in the case of building work, the building as constructed complies with the building regulations; that in the case of the provision of services, fittings or equipment in or in connection with a building that the services, fittings or equipment provided comply with building regulations; and in the case of conversion of a building that the building as converted complies with building regulations.
 5. Guidance clarifies for verifiers:-
 - In respect of reasonable enquiry, what additional checking, if any, may be appropriate for work not covered by a Certificate of Construction, and
 - What information may be necessary to support such checking or enquiry.
 6. Consideration must be given to:
 - what “additional information” over and above the submission of a certificate of completion would be appropriate to assist in demonstrating compliance of electrical work,
 - when would it be sufficient for checking of works to be made by building standards surveyors,
 - when it may be necessary for “further checking” by persons with an additional level of competency or qualification in such installations.
 7. The verifier should make whatever “reasonable enquiries” it deems appropriate whenever it is deciding to accept or reject a completion certificate. In seeking a way forward, there are strong principles within the Building (Scotland) Act 2003 which simply cannot be compromised:
 - protection of the public interest is paramount. In ensuring this protection, the responsibility placed upon of the “relevant person” may be perceived as being more onerous where a Certifier of Construction is not used,
 - the regulations, procedures and guidance issued in support of the Act have moved from prescription to functional aims. This should be reflected in the relationships between verifiers, certifiers and the “relevant person” and prescriptive guidance should be avoided where not necessary to support the aims of the system.

8. Issues revolve around the assessment of the level of risk an installation may present and, as a result, what level of checking would be appropriate. Given the variation in site specific issues which may influence this assessment the verifier must be free to determine the level of checking required in consultation with the "relevant person" in any given case. However, it is important that a minimum baseline standard for all assessments be defined.
9. Ensuring that installed services comply with Building Regulations is more complex than confirming that a specific service complies with the relevant standard, e.g. BS 7671 for Electrical Installations. Other related functional building standards such as structural integrity, fire protection and sound transmission also require confirmation of compliance.
10. The verifier must accept a completion certificate if, after making reasonable enquiries, they are satisfied that the work complies with the building warrant and the building regulations. Where a relevant BS 7671 certificate or report is submitted in support of a completion certificate the verifier may consider the following as part of their reasonable enquiries –
 - the correct certificate/report has been provided
 - the schedules of inspections and test results have been provided where necessary
 - the certificate/report/schedule has been made out and signed by a competent person
 - any further checks or tests as the verifier deems necessary.

(See appendix A for guidance on BS 7671 certificates and report.)

11. The competence of the installer is paramount.

BS 7671 Certificates and reports, as described in 10 above, completed by either an Approved Certifier of Construction or a registered contractor provide additional reassurance on the safety of the installation. In all other cases additional checks and tests may be necessary.

It is with all the above in mind that the use of Approved Certifiers in all instances is recommended, however where Approved Certifiers have not been used the following options are proposed:

OPTIONS WHERE INSTALLATIONS ARE NOT CERTIFIED BY AN APPROVED CERTIFIER OF CONSTRUCTION

Electrical installations:

1. The verifier may seek the submission of a relevant certificate from a competent installer [as described below] that the installations are designed, constructed, inspected and tested in accordance with the requirements of BS 7671: 2001 as amended (electrical installation certificate or minor works certificate)

"Competent installer" is deemed to be an installer having current membership of an accredited registration scheme operated by a recognised professional body. This could include a UKAS accredited registration scheme operated by NICEIC or SELECT or an equivalent body.
2. Alternatively, where the guidance in clause 4.5.1 of the Technical Handbook supporting functional standard 4.5 is not followed the verifier may determine that "reasonable enquiry" will require that an independent inspection and test is carried out under their direction by either –
 - (a) a consultant who has the training and expertise equivalent to that required of members of an Approved Scheme in terms of Section 7(2) of the Building (Scotland) Act for the Certification of Electrical Installations, or
 - (b) an employee of the verifier who has the relevant qualifications and experience of electrical installations related to the requirements of building regulations.
3. In any case, the verifier may seek from the relevant person an independent inspection and test in accordance with Section 41 (2) (c) of the Building (Scotland) Act 2003.
4. In circumstances where the verifier is satisfied that the electrical installation is certified under the submission of the completion certificate no further reasonable enquiry is necessary. It is anticipated that this option will be unusual but may be used at the discretion of the verifier.

Notes:

- a) *It is the responsibility of the verifier to decide whether proposed building work meet the mandatory building standards, which are set out as functional requirements in schedule 5 of the Building (Scotland) Regulations 2004.*
- b) *In instances where none of the above can be confirmed the verifier may reject the certificate of completion in accordance with Section 18 of the Building (Scotland) Act 2003 and Regulation 44 of the Building (Procedure) (Scotland) Regulations 2004. This would be quite rare and should only occur if all of the options described above have been exhausted.*
- c) *Contact details for further information:*
UKAS - The United Kingdom Accreditation Service. Access the UKAS site at www.ukas.com
SELECT – www.select.org.uk. Telephone 0131 445 5577 or email to admin@select.org.uk
NICEIC – www.niceic.com. Telephone 0131 317 8444 or email to enquiries@niceic.com

Appendix A

Electrical Installations to BS 7671:2001 as amended – Certificates and Report

The guidance in clause 4.5.1 to building standard 4.5 states that an electrical installation should be **designed, constructed, installed and tested** such that it is in accordance with the recommendations of BS 7671:2001 as amended.

BS 7671 Requirements for Electrical Installations applies to the design, selection, erection, inspection and testing of electrical installations. They are intended to be applied to electrical installations generally, but in certain cases, may need to be supplemented by the requirements or recommendations of other British Standards or specific requirements of the person ordering the work.

On completion of the electrical work, appropriate inspection and tests shall be made to check workmanship and materials and the relevant prescribed certificate completed and signed

1. Electrical Installation Certificate

This certificate is used only for the initial certification of a new installation or for an alteration or addition to an existing installation where new circuits have been introduced.

The certificate **must** be accompanied by –

- Schedule of Inspections, and
- Schedule(s) of Test Results

They must be made out and signed or otherwise authenticated by a **Competent Person or Persons** in respect to design, construction, inspection and testing. **The certificate is only valid if accompanied by the Schedule of Inspections and Schedule(s) of Test Results.**

2. Minor Electrical Installation Works Certificate

This certificate is used for an alteration or addition to an existing installation where a new circuit has not been introduced.

The Minor Electrical Certificate includes test results.

It must be made out and signed or otherwise authenticated by a **Competent Person** in respect to design, construction, inspection and testing.

3. Periodic Inspection Report

This report is used for the reporting on the condition of an existing installation.

The report **must** be accompanied by –

- Schedule of Inspections, and
- Schedule(s) of Test Results

They must be made out and signed or otherwise authenticated by a **Competent Person** in respect of the condition of a fixed electrical installation. **The report is only valid if accompanied by the Schedule of Inspections and Schedule(s) of Test Results.**

DOMESTIC BUILDINGS	WORK TO EXISTING BUILDINGS			
	type [1]	flat	house (up to 2 storeys)	house (3 storeys & above)
Repairs and replacement				
Re-wiring [2]	24	required	not required	required
Electrical fixtures, eg luminaries	24	not required	not required	not required
New work				
Electrical work affected by demolition or alteration of the roof, external walls or elements of structure	1	required	required	required
Electrical work adversely affecting a separating wall, eg recessed sockets	1	required	required	required
New power socket outlets	1	required	not required	required
Mains operated fire alarm system	1	required	not required	required
Electrical work to automatic opening ventilators (including auto-detection)	1	required	not required	required
Electrically operated locks	1	required	not required	required
Wiring to artificial lighting	1	required	not required	required
Wiring to emergency lighting	1	required	not required	required
Electrical work associated with sprinkler system	1	required	not required	required
Electrical work associated with new boiler (large)	1	required	not required	required
Electrical work associated with new boiler (small)	6	not required	not required	not required
Electrical work associated with new shower	11, 12	not required	not required	not required
Electrical work associated with new extract fan	13	not required	not required	not required
Extra low voltage installations	22	not required	not required	not required

Note 1 Building work type as referenced in schedule 3.

Note 2 A building warrant is not required for rewiring where it is a repair or replacement works to a level equal to the installation (or part thereof) being repaired or replaced.

NON-DOMESTIC BUILDINGS	WORK TO EXISTING BUILDINGS			
	non-residential buildings with a storey, or creating a storey, not more than 7.5 m			other non-domestic buildings
	type [1]	no public access	public access	
Repairs and replacement				
Re-wiring [3]	24	not required	required	required
New work				
Electrical work affected by demolition or alteration of the roof, external walls or elements of structure	2	required	required	required
Electrical work adversely affecting a separating wall, eg recessed sockets	2	required	required	required
Electrical work adversely affecting a loadbearing wall	2	required	required	required
New power socket outlets	2	not required	required	required
Automatic fire detection system	2	not required	required	required
Electrical work to automatic opening ventilators	2	not required	required	required
Electrical work to automatic fire dampers	2	not required	required	required
Electrically operated locks	2	not required	required	required
Wiring to artificial lighting	2	not required	required	required
Wiring to emergency lighting	2	not required	required	required
Outdoor luminous tube signs [4]	2	not required	not required	not required
Electrical work associated with new boiler (large)	2	not required	required	required
Electrical work associated with new boiler (small)	6	not required	not required	not required
Electrical work associated with new shower	11,12	not required	not required	not required
Electrical work associated with new extract fan	13	not required	not required	not required
Extra low voltage installations	22	not required	not required	not required

Note 1 Building work type as referenced in schedule 3.

Note 2 Non-residential buildings to which the public does not have access may include:

- Existing offices
- Existing storage buildings
- Existing industrial buildings e.g. factories and workshops
- Existing assembly and entertainment buildings not open to the public e.g. some educational buildings and private members clubs.

Non-residential buildings to which the public has access may include:

- Existing assembly and entertainment buildings open to the public e.g. community schools, pubs and clubs.

Note 3 A building warrant is not required for rewiring where it is a repair or replacement works to a level equal to the installation (or part thereof) being repaired or replaced.

Note 4 subject to the Town and Country Planning (Control of Advertisement)(Scotland) Regulations 1984.