

ELECTRIC FENCE SYSTEM CERTIFICATE OF COMPLIANCE

1. In terms of new legislation effective as of 1 October 2012 all new, as well as existing electric fence installations will be subject to an "Electric Fence System Certificate of Compliance". The legislation also makes provision for the compulsory registration of an accredited Installer.
2. Regulation 12 of the Electrical Machinery Regulations (issued in terms of the Occupational Health and Safety Act No. 85 of 1993) imposes an obligation on the user or lessor of an electric fence system to obtain an Electric Fence System Certificate of Compliance.
3. An Electric Fence System Certificate is not required where an electric fence system is in existence prior to 1 October 2012.
4. As with an Electrical Compliance Certificate, an Electric Fence System Certificate will be required where an addition or alteration is effected to the system, or if there is a change of ownership of the premises on which the system exists, if the change of ownership takes place after 1 October 2012.
5. As with an Electrical Compliance Certificate, an Electric Fence System Certificate is transferrable provided no addition or alteration to the system has taken place prior to 1 October 2012.
6. The Electric Fence System Certificate is separate to the Electrical Compliance Certificate and therefore is now an added requirement for property sale transactions.
7. It will therefore be necessary to include an appropriate clause in sale agreements concluded after 1 October 2012 if there is an electric fence system on the property. The clause should provide for the obtaining of such a certificate or transfer of the existing certificate to the purchaser.



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8. The certificate can only be issued by a “Certified Electrical Fence System Installer”.
9. Registration as a “registered installer” must be done with the Department of Labour.
10. As it now stands the Department of Labour has provided temporary registration criteria. Once registered as an accredited Installer, the temporary registration of the installer remain valid until November 2013.
11. Final interpretation of certain provision still remains uncertain and we will have to wait and see how this new legislation will develop.



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