

# Incident reporting and site preservation guidelines

A guide for electricity suppliers and gas companies

April 2024

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# Summary

Electricity suppliers and gas companies have duties under Victoria's energy safety laws to report serious electrical incidents and gas incidents to Energy Safe Victoria. From 16 May 2024, electricity suppliers and gas companies must also preserve the site of those incidents until an Energy Safe authorised officer directs otherwise.

These guidelines are to assist electricity suppliers and gas companies to understand and comply with their incident reporting and site preservation duties.

We acknowledge that these are new arrangements for all involved and there will be an initial period of learning and adjustment. Therefore, these guidelines also include our policy on the types of incidents an Energy Safe authorised officer will most likely attend before issuing a direction during this initial period, and the timeframes for attendance. The policy is at **Attachment A**.

## Incidents that must be reported

Serious electrical incidents and gas incidents that must be reported to Energy Safe are those which have caused, or had the potential to cause:

- the death of or injury to a person
- significant property damage
- a serious risk to public safety (in the case of serious electrical incidents)
- an explosion (in the case of gas incidents).

## Duty to report incidents

An electricity supplier must report:

- any serious electrical incident which occurs in relation to its supply network, and
- any serious electrical incident of which it is aware, and which occurs in relation to an electrical installation to which it supplies electricity.

The definition of an electricity supplier under the *Electricity Safety Act 1998* is broad. It includes a major electricity company (being an electricity distribution company or electricity transmission company) but can also include others.

A gas company must report:

- any gas incident which occurs in relation to a facility of that gas company, and
- any gas incident of which it is aware, and which occurs in relation to a gas installation to which it supplies or sells gas.

The definition of a gas company under the *Gas Safety Act 1997* is broad. It includes a gas transmission company, gas distribution company or gas retailer but can also include others.

## Reporting incidents

Serious electrical incidents and gas incidents must be reported to Energy Safe as soon as practicable after becoming aware of the incident or at such other time as specified in regulations or guidelines.

- Electricity suppliers can report a serious electrical incident by calling 1800 000 922 (24 hours).

- Electricity suppliers who are major electricity companies should also refer to the *Electricity Safety (Management) Regulations 2019* and the [MEC incident and safety performance reporting guidelines](#). Those guidelines provide more detail about their reporting requirements.
- Gas companies can report a gas incident by calling 1800 671 337 (24 hours).
  - Gas companies should also refer to the *Gas Safety (Safety Case) Regulations 2018* and any safety management systems specified in their accepted gas safety cases.

When an electricity supplier or gas company reports an incident, we will advise whether an Energy Safe authorised officer needs to attend before the site is disturbed. We will also provide information about preserving the site where applicable.

The electricity supplier or gas company may also be required to provide assistance to the Energy Safe authorised officer during their attendance at the site. It is an offence under Victoria's energy safety laws to obstruct or hinder an Energy Safe authorised officer performing their functions.

## Duty to preserve incident sites

Electricity suppliers and gas companies must not fail, without reasonable excuse, to preserve the site of an incident they are required to report until an Energy Safe authorised officer directs otherwise.

An Energy Safe authorised officer may issue a direction allowing the incident site to be disturbed without attending the site if they are satisfied it is appropriate in the circumstances. A key consideration will be the seriousness of the incident along with other considerations such as whether disturbance would hinder any investigation or cause significant disruption to essential services.

We are most likely to require the site to be preserved until an Energy Safe authorised officer attends and inspects the site when the incident:

- caused the death of or serious injury to a person
- caused significant property damage
- caused significant disruption to the community
- involved an electric line with a nominal voltage of more than 66 000 volts
- involved an imminent risk of electrocution
- involved a fire originating from a major electricity company's supply network
- involved a transmission pipeline
- involved a fire or explosion originating from a gas company's facility.

## Reasons an incident site may be disturbed

Regardless of the above, the site of an incident may be disturbed before an Energy Safe authorised officer directs otherwise to:

- protect the health or safety of any person
- aid an injured person who was involved in the incident
- take necessary action to make the site safe or prevent further incident
- restore supply of electricity or gas.

Disturbance of an incident site for the above purposes should be done only to the extent reasonably necessary to meet those purposes. Electricity suppliers and gas companies should:

- take photographs and videos of the site before it is disturbed
- retain evidence at the site to the extent possible, and
- ensure any evidence that is removed from site is stored and available for inspection by Energy Safe if necessary.

Electricity suppliers and gas companies should otherwise keep records about actions taken and the reasons.

## Why it matters

Reporting incidents promptly and preserving the incident sites helps us to:

- respond quickly, where needed
- understand the circumstances in which serious energy incidents occur so we can support businesses and the community to prevent future incidents, and
- address non-compliance with Victoria's energy safety laws, where applicable.

Failure to comply with the requirements to report incidents and to preserve the site is also an offence under Victoria's energy safety laws.

Failure to report an incident can lead to maximum penalties of:

- 300 penalty units in the case of a natural person (\$57,639 as at January 2024), or
- 1500 penalty units in the case of a body corporate (\$288,465 as at January 2024).

Failure to preserve the site of an incident can lead to maximum penalties of:

- 240 penalty units in the case of a natural person (\$46,154 from 16 May 2024), or
- 1200 penalty units in the case of a body corporate (\$230,772 from 16 May 2024).<sup>1</sup>

## Disclaimer

These guidelines give general information about the incident reporting and site preservation duties of electricity suppliers and gas companies under the Electricity Safety Act, the Gas Safety Act and relevant regulations made under those Acts. However, it is not a substitute for obtaining legal advice. Omission of any matter from these guidelines does not relieve electricity suppliers and gas companies of their legal duties.

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<sup>1</sup> One penalty unit is currently \$192.31, from 1 July 2023 to 30 June 2024.

# 1 Background

This chapter provides an overview of the Victorian energy safety legislative framework for reporting incidents and preserving incident sites, and outlines the defined terms used in these guidelines.

## 1.1 Legislative framework

Electricity suppliers and gas companies have duties under the Electricity Safety Act and the Gas Safety Act to report certain incidents to Energy Safe.

The *Energy Legislation Amendment (Energy Safety) Act 2023* amends those Acts, with effect from 16 May 2024, to introduce additional requirements for those entities to preserve the site of an incident they are required to report to Energy Safe until an Energy Safe authorised officer directs otherwise.

Note: bolded terms in this section are defined terms in the Acts as outlined in section 1.2.

### Electricity suppliers

Under section 142(1) and 142(2) of the Electricity Safety Act, an **electricity supplier** must report to Energy Safe in accordance with the regulations any **serious electrical incident**:

- which occurs in relation to its **supply network**
- of which it is aware, and which occurs in relation to an **electrical installation** to which it supplies electricity.

From 16 May 2024, under section 142A(1) of the Electricity Safety Act, an **electricity supplier** that is required to report a **serious electrical incident** under section 142 must not fail, without reasonable excuse, to ensure that the site of the incident is not disturbed until an Energy Safe authorised officer directs otherwise. However, under section 142A(2), the site of a **serious electrical incident** may be disturbed for the purpose of:

- protecting the health or safety of any person
- aiding an injured person who was involved in the incident
- taking action necessary to make the site safe or to prevent a further **serious electrical incident**, or
- restoring supply of electricity.

### Regulations

Under regulation 28 of the Electricity Safety (Management) Regulations, an **electricity supplier** that is a **major electricity company** must:

- notify Energy Safe of specified **serious electrical incidents** as soon as practicable as specified in reporting guidelines published by Energy Safe as issued or amended from time to time, and
- provide Energy Safe with a report of the incident in accordance with the reporting guidelines.

The reporting guidelines are the [MEC incident and safety performance reporting guidelines](#).

Under regulation 29 of the Electricity Safety (Management) Regulations, an **electricity supplier** that is a **major electricity company** must also report other serious electrical incidents in accordance with the reporting guidelines.

### Gas companies

Under section 36(1) and 36(2) of the Gas Safety Act, a **gas company** must report to Energy Safe in accordance with the regulations any **gas incident**:

- which occurs in relation to a **facility** of that **gas company**
- of which it is aware, and which occurs in relation to a **gas installation** to which it supplies or sells gas.

From 16 May 2024, under section 36A(1) of the Gas Safety Act, a **gas company** that is required to report a **gas incident** under section 36 must not fail, without reasonable excuse, to ensure that the site of the **gas incident** is not disturbed until an Energy Safe authorised officer directs otherwise. However, under section 36A(2), the site of an incident may be disturbed for the purpose of:

- protecting the health or safety of any person
- aiding an injured person who was involved in the **gas incident**
- taking action necessary to make the site safe or to prevent a further **gas incident**, or
- restoring supply of gas.

## Regulations

Under regulation 44 of the Gas Safety (Safety Case) Regulations, a **gas company** must report specified **gas incidents** as soon as practicable after it occurs. A **gas company** must report other **gas incidents** in the form of a statistical summary on a quarterly basis.

Under regulations 18 and 35 of the Gas Safety (Safety Case) Regulations, the safety management system for a gas retail facility and other gas facilities must specify the means by which the gas company will meet its duties under section 36(1) and 36(2) of the Gas Safety Act.

## 1.2 Defined terms

Words and phrases used in these guidelines have the same meaning as given in the Electricity Safety Act, the Gas Safety Act or relevant regulations made under those acts unless otherwise specified.

**Table 1: Defined words and phrases used in these guidelines**

Term	Defined in	Definition
<b>becoming aware</b>	Section 2.2 of these guidelines	See: <a href="#">Meaning of 'becoming aware'</a> .
<b>electrical installation</b>	Electricity Safety Act, s3	Means electrical equipment that is fixed or to be fixed in, on, under or over any land but does not include a part of a supply network— (a) of a railway; or (b) owned or operated by a major electricity company.
<b>electricity supplier</b>	Electricity Safety Act, s3	A person who supplies electricity to another person.
<b>Energy Safe authorised officer</b>	These guidelines	A person appointed as an enforcement officer under the Electricity Safety Act or as an inspector under the Gas Safety Act. Also see definitions of enforcement officer and inspector.
<b>enforcement officer</b>	Electricity Safety Act, s3	A person appointed as an enforcement officer under Part 11. Note: this refers to an Energy Safe officer, employee, agent or contractor who is appointed by the Chairperson of Energy Safe under section 121 of the Electricity Safety Act.
<b>facility</b>	Gas Safety Act, s3	Means—

		<ul style="list-style-type: none"> <li>(a) a pipeline; or</li> <li>(b) a facility or service for the control of the conveyance of gas; or</li> <li>(c) a facility for the measurement of gas where the facility is connected to a transmission pipeline; or</li> <li>(d) a service for the sale by retail of gas (other than liquified petroleum gas used or intended to be used for automotive purposes); or</li> <li>(e) a service which controls the quality of liquified petroleum gas provided for supply or sale (other than liquified petroleum gas used or intended to be used for automotive purposes); or</li> <li>(f) a tempered liquified petroleum gas plant.</li> </ul>
<b>gas company</b>	Gas Safety Act, s3	<p>Means—</p> <ul style="list-style-type: none"> <li>(a) a gas transmission company within the meaning of the Gas Industry Act 2001; or</li> <li>(ab) AEMO; or</li> <li>(b) a gas distribution company within the meaning of the Gas Industry Act 2001; or</li> <li>(c) a gas retailer within the meaning of the Gas Industry Act 2001; or</li> <li>(d) a person who is an owner or operator of a facility or service for the control of the conveyance of gas, being a person declared under section 5 to be a gas company for the purposes of this Act; or</li> <li>(e) a person who is an owner or operator of a facility for the measurement of gas connected to a transmission pipeline; or</li> <li>(f) a person who is an owner or operator of a pipeline, being a person declared under section 5 to be a gas company for the purposes of this Act; or</li> <li>(g) a person who is an owner or operator of a service for the sale by retail of gas (other than liquefied petroleum gas used or intended to be used for automotive purposes), being a person declared under section 5 to be a gas company for the purposes of this Act; or</li> <li>(h) a person who is an owner or operator of a service for the supply of liquefied petroleum gas (other than liquefied petroleum gas used or intended to be used for automotive purposes), being a person declared under section 5 to be a gas company for the purposes of this Act.</li> </ul>
<b>gas incident</b>	Gas Safety Act, s3	<p>Any incident or event relating to the conveyance, supply or use of gas which causes or has the potential to cause—</p> <ul style="list-style-type: none"> <li>(a) the death of or injury to a person; or</li> </ul>



		(b) significant damage to property; or (c) an explosion.
<b>gas installation</b>	Gas Safety Act, s3	Means, in respect of the use or intended use of gas, a combination of: (a) any pipe or system of pipes for or incidental to the conveyance of gas and components or fittings associated with the pipes or pipes which are downstream of the gas supply point; and (b) any one or more of the following— i. any liquified petroleum gas storage vessels with an aggregate capacity not exceeding 500 litres; ii. any appliance and associated components or fittings which are downstream of the gas supply point; iii. any meter which is downstream of the gas supply point; iv. any means of ventilation or system for the removal of combustion products which is downstream of the gas supply point.
<b>had the potential to cause</b>	Section 2.1 of these guidelines	See: <a href="#">Meaning of 'had the potential to cause'</a> .
<b>imminent risk of electrocution</b>	Section 3.4 of these guidelines	See: <a href="#">Meaning of 'imminent risk of electrocution'</a>
<b>injury</b>	Section 2.1 of these guidelines	See: <a href="#">Meaning of 'injury to a person'</a> . Also see definition of serious injury.
<b>inspector</b>	Gas Safety Act, s3	A person appointed as an inspector under Part 5.  Note: this refers to an Energy Safe officer, employee, agent or contractor who is appointed by the Chairperson of Energy Safe under section 86 of the Gas Safety Act.
<b>major electricity company</b>	Electricity Safety Act, s3	Means— (a) a distribution company; or (b) a transmission company— but does not include a distribution company or a transmission company, or a class of distribution company or transmission company, declared under section 3A not to be a major electricity company.
<b>person</b>	Electricity Safety Act, s3 Gas Safety Act, s3	Includes an unincorporated body or association and a partnership.
<b>reasonable excuse</b>	Section 3.1 of these guidelines	See: <a href="#">Meaning of 'reasonable excuse'</a> .
<b>serious electrical incident</b>	Electricity Safety Act, s3	An incident involving electricity which causes or has the potential to cause— (a) the death of or injury to a person; or

		(b) significant damage to property; or (c) a serious risk to public safety;
<b>serious injury</b>	Section 3.4 of these guidelines	See: <a href="#">Meaning of 'serious injury to a person'</a> . Also see definition of injury.
<b>serious risk to public safety</b>	Section 2.1 of these guidelines	See: <a href="#">Meaning of 'serious risk to public safety'</a>
<b>significant disruption to the community</b>	Section 3.4 of these guidelines	See: <a href="#">Meaning of 'significant disruption to the community'</a> .
<b>significant property damage</b>	Section 2.1 of these guidelines	See: <a href="#">Meaning of 'significant property damage'</a> .
<b>supply network</b>	Electricity Safety Act, s3	A network consisting of electric lines, substations, circuits and any other thing required for the purposes of the transmission, distribution or supply of electricity.

# 2 Reporting incidents

This chapter provides information about incidents that must be reported, how to report an incident and the information that needs to be provided when an incident is reported.

## 2.1 Incidents that must be reported

Serious electrical incidents and gas incidents that must be reported by electricity suppliers and gas companies includes incidents involving electricity or relating to the conveyance, supply or use of gas which have caused, or had the potential to cause:

- the death of or injury to a person
- significant damage to property
- a serious risk to public safety (in the case of serious electrical incidents)
- an explosion (in the case of gas incidents).

### Meaning of ‘injury to a person’

Injury to a person that requires treatment by a registered medical practitioner (i.e., a doctor), a paramedic or registered nurse. This includes instances where treatment is not readily available (e.g., because the incident site is in a rural or remote location or because the relevant treatment is not available). It does not include injuries that can be treated with basic first aid without needing further follow up and assessment by a medical professional.

Also see: [Meaning of ‘serious injury to a person’](#).

### Meaning of ‘significant property damage’

Damage to any place or part of a place that renders that place or part of that place unusable for any purpose for which it was used or designed to be used before the incident. For example:

- A residential home is rendered uninhabitable due to a fire started from an electrical installation.
- A manufacturing plant is unable to continue operations due to an explosion from a gas installation.
- A bushfire caused by a supply network destroys houses or crops and fences used for farming purposes.

### Meaning of ‘serious risk to public safety’

Due to the nature of the incident, there is a high risk of injury or death to people not directly involved in the operation of the supply network, facility or installation. For example:

- An explosion started from an electrical asset causes debris to extend into a public space.
- A live powerline falls to a height of 4.3 metres or less from the ground in a public area causing a high risk of electrocution or bushfire.
- A reverse polarity.
- A transmission tower collapses.

### Meaning of ‘had the potential to cause’

Incidents that must be reported includes those that had or showed the capacity to develop into an incident that caused the death of or injury to a person, significant property damage, a serious risk to public safety (in the case of serious electrical incidents) or an explosion (in the case of gas incidents).

This includes 'near misses' that posed an imminent threat to the safety of people or property even if no-one died or was injured or there was no significant damage to property. For example:

- Any contact made by a person, machinery, equipment or plant with any part of a supply network such as overhead powerline that posed an imminent threat of electrocution.
- A significant leak from a gas storage facility, pipe or tank that posed an imminent threat of explosion.
- A fire involving a supply network asset that did not lead to a ground fire.

## 2.2 Timeframe for reporting

Electricity suppliers and gas companies must, unless a different timeframe is specified in regulations or guidelines, report incidents to Energy Safe as soon as practicable after becoming aware of the incident. This means reporting the incident without unreasonable delay, such as after making any necessary contact with emergency services.

### Meaning of 'becoming aware'

In general, we consider that an entity becomes aware of an incident at the time that any of its workers (employees or contractors) become aware of the incident. We expect entities to have appropriate internal communication systems to ensure that incidents are promptly brought to the attention of designated office holders responsible for reporting incidents to Energy Safe.

## 2.3 How to report incidents

- Electricity suppliers can report a serious electrical incident by calling 1800 000 922 (24 hours).
- Gas companies can report a gas incident by calling 1800 671 337 (24 hours).

Reporting incidents via our 24-hour phone service allows us to quickly provide information about preserving the site of the incident and to arrange an Energy Safe authorised officer to attend where necessary to observe the site in a state as close as possible to how it was at the time of the incident. Where a report is made to Energy Safe by an alternate means, we will make contact as soon as practicable.

### Major electricity companies

Electricity suppliers who are major electricity companies should also refer to the Electricity Safety (Management) Regulations and the [MEC incident and safety performance reporting guidelines](#). Major electricity companies must report serious electrical incidents and other incidents in accordance with those regulations and guidelines.

### Gas companies

Gas companies should also refer to the Gas Safety (Safety Case) Regulations and any safety management systems specified in their accepted gas safety cases. Gas companies must report gas incidents in accordance with those regulations and the safety management systems specified in their accepted safety cases.

## 2.4 Information to be provided when reporting

When reporting an incident, Energy Safe will typically ask for the following information:

- business name and registered address
- details of the person reporting the incident (name, position, phone and email)
- the time, date and location of the incident
- the type of incident that occurred (e.g., electricity or gas)

- the impact of the incident (e.g., death, injury, property damage, widespread or localised)
- what caused, or is suspected to have caused, the incident
- whether there are ongoing risks to the safety of people or property
- whether any emergency services have been contacted or are at the incident site
- whether there is any media at the incident site
- actions being taken by the business to manage the incident site, including to preserve the site
- details of the person who should be contacted for further information about the incident (name, position, phone and email).

It is important to provide the information to the extent that it is available, and to answer all questions honestly even if it puts the business at risk of legal action.

## **2.5 What happens when an incident is reported**

When an electricity supplier or gas company reports an incident, Energy Safe will advise whether an Energy Safe authorised officer needs to attend before the site is allowed to be disturbed and provide information about preserving the site.

The electricity supplier or gas company may also be required to provide assistance to the Energy Safe authorised officer during their attendance at the site. It is an offence under Victoria's energy safety laws to obstruct or hinder an Energy Safe authorised officer performing their functions.

# 3 Site preservation

This chapter outlines the requirements relating to site preservation, provides information about directions and gives examples of incidents where an Energy Safe authorised officer will typically attend before allowing a site to be disturbed.

## 3.1 Requirement to preserve an incident site

An electricity supplier or gas company that has a duty to report a serious electrical incident or gas incident under section 142 of the Electricity Safety Act or section 36 of the Gas Safety Act must not fail, without reasonable excuse, to ensure that the site of the incident is not disturbed until:

- an Energy Safe authorised officer attends the site and issues a direction allowing the site to be disturbed, or
- such other time as directed by an Energy Safe authorised officer when the incident is reported.

If, after attending the incident site, an Energy Safe authorised officer considers that the site should remain undisturbed to facilitate an investigation, they will issue a direction specifying the date after which the site may be disturbed (usually no more than 7 days).

### What needs to be preserved

Only the incident site needs to be preserved. This includes the area immediately surrounding the location of the incident and any network, plant, substance, structure or thing associated with the incident. It is not necessary to preserve the entire site if the incident site can be safely isolated from the rest of the site.

### Meaning of 'reasonable excuse'

A reasonable excuse will be any of the exceptions listed below in section 3.2. We also acknowledge that there will be circumstances in which it may not be practicable for an electricity supplier or gas company to preserve the incident site, such as where:

- another regulatory authority or agency (such as WorkSafe, Victoria Police or emergency services) directs the electricity supplier or gas company to take specified actions
- the incident occurs in relation to an installation that the electricity supplier or gas company supplies electricity or gas but does not own or operate the installation
- the incident occurs in a residential home or business premises that the electricity supplier or gas company does not readily have access to without permission of the owner or occupier
- the incident is in a public place or at a public event where it may not be practicable to secure the area so that the incident site can be preserved
- the incident occurred some time ago and the electricity supplier or gas company has only recently become aware.

We expect electricity suppliers and gas companies to take all practicable steps to preserve an incident site so that an Energy Safe authorised officer can attend the site where necessary and observe it in a state as close as possible to how it was at the time of the incident.

## 3.2 Exceptions to the duty to preserve an incident site

The incident site may be disturbed before an Energy Safe authorised officer directs otherwise to:

- protect the health or safety of any person

- aid an injured person who was involved in the incident
- take necessary action to make the site safe or prevent further incident
- restore supply of electricity or gas.

### Limitations on exceptions

We expect any disturbance of the site of an incident for the above purposes to be done only to the extent reasonably necessary to meet those purposes. This is to enable an Energy Safe authorised officer to still attend the site where necessary and observe the site in a state as close as possible to how it was at the time of the incident.

We also expect electricity suppliers and gas companies to:

- take photographs and videos of the site before it is disturbed
- retain evidence at the site to the extent possible, and
- ensure any evidence that is removed from site is stored and available for inspection by Energy Safe if necessary.

Electricity suppliers and gas companies should in all cases keep records about the extent and reasons for any disturbance, including the details of any actions taken by the electricity supplier or gas company.

## 3.3 Directions on site preservation

An Energy Safe authorised officer may issue a direction allowing the incident site to be disturbed without first attending the site if they are satisfied it is appropriate having regard to a range of matters. These matters include:

- the seriousness of the incident
- whether disturbance of the incident site would hinder investigation into the cause of the incident
- whether it is likely that an investigation will be undertaken to determine whether there have been any breaches of Victoria's energy safety laws
- whether preservation is likely to cause significant disruption to public infrastructure and essential services
- whether the incident is in a public place or at a public event where it may not be practicable to secure the incident site
- whether or not it is practicable for the electricity supplier or gas company to secure the incident site due to the nature or location of the incident
- whether there is video footage or photo evidence of the site immediately before and after the incident
- whether there are directions in place issued by another regulatory authority or agency.

An Energy Safe authorised officer will typically issue the direction verbally in the first instance followed by a written direction (usually via email) where necessary to confirm. This allows electricity suppliers and gas companies to take action sooner where there may be delays with emails (e.g., where the incident occurs outside business hours, a verbal direction will be given with an email sent during business hours).

### Deemed direction allowing a site to be disturbed

An Energy Safe authorised officer will be deemed to have issued a direction allowing a site to be disturbed where regulations or guidelines allow an electricity supplier or gas company to report an

incident to Energy Safe within a specified period other than immediately or as soon as practicable.<sup>2</sup>  
For example:

- where the Gas Safety (Safety Case) Regulations allows the reporting of an incident in the form of a statistical summary on a quarterly basis (regulation 44)
- where the [MEC incident and safety performance reporting guidelines](#) allows the reporting of 'other serious incidents' as part of a quarterly report (regulation 29).

In these instances, an Energy Safe authorised officer is not required to issue a written direction but may do so in some circumstances to aid clarity or certainty.

If you are unsure and require advice about whether a deemed direction applies to your circumstances, you should call Energy Safe and report the incident so that incident-specific information can be provided.

### 3.4 Incidents Energy Safe will typically attend before issuing a direction

It is not practicable for an Energy Safe authorised officer to attend the site of every incident that is reported to Energy Safe. We typically prioritise attendance at the site of serious incidents or other instances where we intend to conduct an investigation to determine what occurred and whether there have been any breaches of Victoria's energy safety laws.

We are most likely to require the site to be preserved until an Energy Safe authorised officer attends and inspects the site when the incident:

- caused the death of or serious injury to a person
- caused significant property damage
- caused significant disruption to the community
- involved an electric line with a nominal voltage of more than 66 000 volts
- involved an imminent risk of electrocution
- involved a fire originating from a major electricity company's supply network
- involved a transmission pipeline
- involved a fire or explosion originating from a gas company's facility.

However, an Energy Safe authorised officer may also issue a direction allowing the site to be disturbed if there is sufficient video footage or photo evidence of the site immediately before and after the incident.

#### Meaning of 'serious injury to a person'

Includes an injury to a person that requires any of the following:

- immediate treatment as an in-patient in hospital
- immediate treatment for:
  - serious head or eye injury
  - serious burns
  - electric shock
  - spinal injury
  - loss of bodily function
  - serious lacerations or amputation.

<sup>2</sup> Any references in the relevant Acts or regulations or the [MEC incident and safety performance reporting guidelines](#) to 'notification' of incidents to Energy Safe has the same meaning as 'reporting' incidents for the purposes these guidelines. Accordingly, a deemed direction does not apply in any instance where there is a requirement to 'notify' Energy Safe of an incident as soon as practicable.



Immediate treatment means the kind of urgent medical treatment that would be required for life-threatening injuries or serious injuries that without proper care could become life-threatening or significantly affect a person's ability to function as they did before the incident. It includes treatment by a registered medical practitioner (i.e., a doctor), a paramedic or registered nurse. It also includes instances where immediate treatment should occur but is not readily available (e.g., because the incident site is in a rural or remote location or because the relevant specialist treatment is not available). It does not include injuries that can be treated with basic first aid without needing further follow up and assessment by a medical professional.

Also see: [Meaning of 'injury to a person'](#).

### **Meaning of 'significant property damage'**

See: [Meaning of 'significant property damage'](#)

### **Meaning of 'significant disruption to the community'**

Includes an incident that involves any of the following:

- the need for attendance and action by emergency services or other authorities to mitigate risk to the public
- widespread and/or prolonged supply disruptions to the community
- any unplanned transmission supply disruptions resulting in supply outages to a distribution customer or customers
- unplanned supply outages that cause significant disruption to public transport, public infrastructure or essential services.

### **Meaning of 'imminent risk of electrocution'**

Includes any situation that requires immediate corrective or preventative action to prevent electrocution of a person. For example:

- any contact made by a person, machinery, equipment or plant with an energised supply network asset such as overhead powerline that posed an imminent threat of electrocution
- reverse polarity
- taking action to raise the height of live conductors that may be at a reduced height due to asset failure or external forces (e.g., vehicle impact with a pole).

# Attachment A – Policy

## About this policy

This policy outlines our initial approach on key aspects of incident reporting and site preservation requirements, including:

- Timeframes for Energy Safe’s site attendance and decisions on site preservation.
- The types of incidents Energy Safe will require to be preserved until after our site attendance.

As we work with industry to implement the new site preservation requirements, we anticipate gaining valuable insights into the types of incident sites that need preserving and the most efficient and effective ways to direct when a site can be disturbed.

We will periodically review this policy to include these insights and ensure that our implementation aligns with best practices and fulfills our regulatory goals.

## Response timeframes for site attendance and issuing directions

We acknowledge that how rapidly we respond to a reported incident and make decisions on site preservation is important for allowing electricity suppliers and gas companies to fulfill their own obligations (e.g., commence their own investigations) without undue delay.

We will respond to all incidents and make decisions on site preservation as soon as practicable after they are reported to us. As our ability to do this will depend on numerous factors, such as whether there is sufficient information available to make an informed decision and any complexities involved, we cannot specify a response timeframe that will apply to all instances. However, we commit to the following:

- where we decide that site attendance is required before issuing a direction to allow site disturbance, we will make our best effort to attend the incident site within the following timeframes:
  - four (4) hours from the time of reporting in metropolitan Melbourne, and
  - twenty-four (24) hours from the time of reporting in regional Victoria
- where we decide that site attendance is not required before issuing a direction to allow site disturbance, we will issue the direction (either verbally or via email) as soon as that decision is made.

While we will always strive to attend sooner and well within these timeframes, there may be situations where our attendance will take longer. We will communicate this to the electricity supplier and gas company so that they can have a clear understanding of timeframes in the particular instance.

## Incidents Energy Safe will attend before issuing directions

The types of incidents that Energy Safe will attend before issuing a direction allowing a site to be disturbed are those which have:

- caused the death of or serious injury to a person
- caused significant property damage, and/or
- caused significant disruption to the community.

This is an initial position as we work with industry to implement the new site preservation requirements. There may also be some instances where we will issue a direction allowing a site to be disturbed even though the incident meets the above criteria.