

ELECTRICAL SAFETY RECALL

GUIDE FOR INDUSTRY

It is in the best interests of suppliers and consumers to make sure that unsafe electrical product are removed from use. Consumers may suffer serious injury from such products and, if they do, suppliers can be liable under the product liability provisions of the Federal Trade Practices Act, mirrored State legislation or at common law.

This guide is to be read in conjunction with the *Recall Guide* prepared by the Australian Competition and Consumer Commission (see www.recalls.gov.au).

The majority of State electrical safety regulators have mandatory recall powers and regard a voluntary recall as mandatory for the purposes of enquiry and subsequent review.

In this guide 'home regulator' means-

- a) where the product is certified or approved, the regulator who issued that certification or approval; or
- b) where no approval or certification has been issued, the electrical safety product regulator in the State in which the recalling entity's head office is situated.

- 1) **Advise the home regulator of the basis for the recall, including:-**
 - The type of equipment including brand/trade name/s and model number/s
 - The fault and its expected consequence;
 - How the fault came to notice;
 - Number of units found to have the fault;
 - Cause of the fault – eg.design defect, manufacturing process failure or bad workmanship;
 - Total number of units manufactured or imported;
 - Number sold to wholesalers and/or retailers
 - Number of units know or suspected to have the fault, and how this number was determined.
- 2) **Advise the home regulator whether you (the recaller) is the:**
 - Australian manufacturer;
 - importer into Australia; or
 - overseas manufacturer and importer into Australia
 - other
- 3) **Advise the home regulator, if not the manufacturer:**
 - of the details of the manufacturer

- 4) **Advise the home regulator of –**
- **the details of retailers and/or wholesalers** you have supplied with the product
 - **the geographic distribution of the product**
 - **other known Australian sellers** supplied with the product by the manufacturer.
 - **any known similar product** (whether in your product range or a competitor's) that may have the same fault as that to be recalled.

5) **Advise wholesalers/retailers to stop sale and quarantine affected stock**

6) **In consultation with the home regulator determine the most appropriate recall method or methods**

Eg. Direct mail to consumers utilising sales records
General press or speciality press advertising
Point of sale advertising

7) **Where records are available for a direct recall** prepare suitable correspondence or notice, which must address the items listed in 8) below.

The home regulator may assist in the drafting of the above on request.

8) **Where records for a direct recall are not available**

Prepare a draft recall advertisement-

The advertisement must

- Contain the prominent heading '**ELECTRICAL SAFETY RECALL**'
- Contain a picture or sketch of the product
- Identify the product by brand/s and model or type (and batch if relevant)
- Identify the fault
- Adequately identify the risk (eg of electric shock or fire)
- Identify where and when the article was sold
- Advise of the action to be taken (eg cease use immediately and return to...)
- Identify the entity responsible for the recall.
- Contain the footnote "See www.recalls.gov.au for Australian product recall information"
- Be in the standard format of :
 - at least two columns width with a minimum size of 10 X 12 cm
 - inside a hatched border with a safety triangle in the upper left-hand corner

In most circumstances the format should contain headings such as Product description, Hazard and Action required.

The home regulator may assist in the drafting of the above on request.

9) **Submit the draft advertisement or other notification, and publication schedule (if applicable) to the home regulator for approval before it is published or issued.**

- 10) **Notify the Parliamentary Secretary to the Federal Treasurer** (the minister) in writing within two days of taking recall action. [Notification is required under the Trade Practices Act and should be made in writing to; c/o Product Policy Section, ACCC, PO Box 1199, Dickson, ACT 2602, or e_mail, recalls@recalls.gov.au](#)
- 11) **Notify State/Territory Fair Trading / Consumer Affairs agencies.** Notification is required by most State Fair Trading Acts.
- 12) **Publish the recall advertisement in the publications as agreed by the home regulator.** In general these will include at least those publications identified below but **additional regional or specific advertising may be sought.**

For New South Wales

- Sydney Morning Herald, Telegraph, Illawarra Mercury, Newcastle Herald and Canberra Times

For Victoria

- [Herald Sun and Age](#)

For Queensland

- The Courier Mail, The Sunday Mail, The Sunshine Coast Daily, Townsville Bulletin, Rockhampton Morning Bulletin, Mackay Mercury, Gympie Times, The Toowoomba Chronicle, The Daily Mercury, The Queensland Times, The North West Star, News Mail, The Gladstone Observer. There are also 12 Suburban Brisbane newspapers that can also be utilized.

For South Australia

- The Advertiser and the Sunday Mail

For Western Australia

- The West Australian

For Tasmania

- The Mercury, The Advocate and The Examiner.

For the Northern Territory

- Northern Territory News
- Centralian Advocate

Or, on negotiation with the home regulator (who will consult the other Regulators) other publications that may be determined more suitable (eg trade or age group targeted magazines).

The advertisements in the format previously described must be placed prominently (**usually within in the first five pages**) in the newspapers or magazines.

Publication does not

- **preclude additional action** such as point of sale advertising.
- **diminish** a suppliers responsibility to attempt to recover all faulty product by other means

- 13) **Determine after publication of the advertisement or after issue of a recall notice, and at least monthly advise the home regulator on a state-by-state basis where possible;**
- the number of unsold units returned by retailers
 - the number of units sold to consumers by retailers
 - the number of units returned by consumers as a result of the recall
- 14) **Determine in consultation with the home regulator** whether further advertising or other action is warranted.
- 15) Where replacement or 'reworked' units cannot be readily identified from the recalled type, it is recommended that replacement or reworked units be marked to enable that identification.

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**AUSTRALIAN AND NEW ZEALAND ELECTRICAL
EQUIPMENT SAFETY REGULATORS**

ENQUIRIES

VICTORIA

Energy Safe Victoria
PO Box 262
Collins Street West
MELBOURNE 8007

Neil Fraser

Phone : 03 9203 9771

Fax : 03 9686 2197

Email : nfraser@esv.vic.gov.au or equipmentsafety@esv.vic.gov.au

QUEENSLAND

Department of Justice and Attorney-General
Electrical Safety Office
LMB 2234
BRISBANE 4001

General inquiries:

Phone: 1300 650 662

Email: equipmentsafety@deir.qld.gov.au

Website information: www.deir.qld.gov.au/electricalsafety

ERAC and Regulator contact:

Brian Richardson
Phone : 07 3237 0674
Fax : 07 3406 3808
Email : brian.richardson@dir.qld.gov.au or equipmentsafety@deir.qld.gov.au

WESTERN AUSTRALIA

**Department of Consumer and Employment Protection
Energy Safety Division**

303 Sevenoaks Street
CANNINGTON, WA 6107

PO Box 135
CANNINGTON, WA 6987

Suman Dewan
Phone : 08 9422 5247
Fax : 08 9422 5244
Email : sdewan@docep.wa.gov.au

TASMANIA

Electricity Safety & Standards

PO Box 56
ROSNEY PARK 7018

Tony Millhouse
Phone : 03 6233 7585
Fax : 03 6233 8338
Email : tony.millhouse@justice.tas.gov.au or wstinfo@justice.tas.gov.au

SOUTH AUSTRALIA

Office of the Technical Regulator

L8 ANZ Building

11 Waymouth Street
ADELAIDE 5000

Mark Emrose
Phone : 08 8226 5516 Office: 08 8226 5500
Fax : 08 8226 5529
Email : mark.emrose@saugov.sa.gov.au

AUSTRALIAN CAPITAL TERRITORY

ACT Planning and Land Authority
Construction Occupations Regulation Team (Electrical)

PO Box 1908

CANBERRA ACT 2601

Dennis Harvey

Phone : 02 6207 7161
Fax : 02 6207 6324

Email : dennis.harvey@act.gov.au

NORTHERN TERRITORY

Department of Justice

NT WorkSafe

Electrical Safety Regulator

Darwin Plaza

Smith Mall

DARWIN 0801

Robin Smith

Phone : 08 8999 5038

Fax : 08 8999 5141

Email : robin.smith@nt.gov.au

NEW SOUTH WALES

Department of Commerce

Office of Fair Trading

Home Building Services

PO Box 261

Parramatta NSW 2124

Rod Hawks

Phone : 02 9895 0714 (or **02 9895 0720 / 0722**)

Fax : 02 9895 0735

Email : rod.hawks@oft.commerce.nsw.gov.au

or

energyapprovals@oft.commerce.nsw.gov.au

NEW ZEALAND

Ministry of Economic Development

Energy Safety

PO Box 1473

WELLINGTON

Peter Morfee

Phone : 64 4 474 2692

Fax : 64 4 470 1365

Email : peter.morfee@med.govt.nz

Private Bag 4714

CHRISTCHURCH

Miles Bonfield

Phone : 64 3 962 6231

Fax : 64 3 962 6220

Email : miles.bonfield@med.govt.nz

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