



CBOS
Consumer, Building &
Occupational Services
Promoting a fair marketplace

Electrical Standards and Safety Regulatory Guide

Selling second hand electrical articles

If you sell (as a supplier) second hand electrical goods, you must comply with the *Electricity Industry Safety and Administration Act 1997*.

A supplier is someone who sells electrical articles in the course of business.

Supply includes: sales, exchanges, leases, hires, hire-purchase arrangements and similar.

Requirements

A person must not in the course of a business sell second-hand electrical articles unless a label is attached:

- (a) **warning** that the article has not been tested to ensure that it can be safely operated; or
- (b) **certifying** that the article has been tested by a competent person and has been found to be safe.

It is a requirement that used second hand electrical goods are labelled to indicate its safety as either (a) or (b) described above.

These requirements are under the *Electricity Industry Safety and Administration Act 1997* (see section 55 - Sale of second-hand electrical articles).

Australian and New Zealand Standards for testing

The following Australian Standards have information about electrical equipment testing:

- AS/NZS 5761 *In-service safety inspection and testing - Second-hand equipment prior to sale*, and
- AS/NZS 3760 *In-service safety inspection and testing of electrical equipment*

The item does not have to be safety tested. However if no testing has been performed it must be labelled with a label warning that it has not been tested.

Examples of labels

Compliant with Appendix D of Australian Standard/New Zealand Standard 5761

Tested and compliant equipment

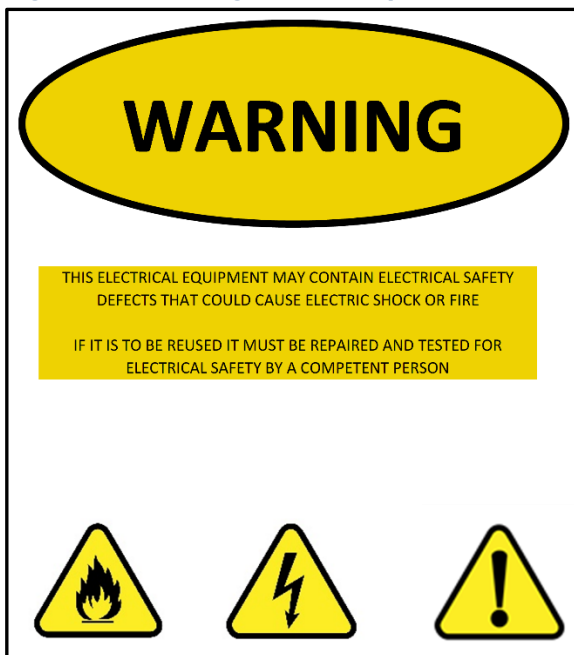
Figure 1 – Example label for equipment which has been tested and found safe

SECOND-HAND EQUIPMENT
COMPLIES WITH AS/NZS 5761:2011
Testing performed by
Date
Instructions provided – Yes/No (Delete non-applicable option)

- The label/tag must contain:
 - Inspection and test date, and
 - Name of the person or company who performed the tests.
- The recommended colour scheme is black on a white background.
- The label/tag must be legible, durable and non-metallic.

Untested equipment

Figure 2 – Warning label example for untested equipment



The label must:

- Be a minimum size of 80mm high 50mm wide, not including any area needed to attach to item, and
- Be made of durable material with indelible marking (i.e marking which can't be removed).

Who can safety test electrical equipment

Testing and tagging electrical appliances is not a licensed occupation in Tasmania.

Licensed electricians are automatically qualified to test and tag and may use their electrician's licence number for the tag records.

Interstate persons who have completed the required training are also allowed to test and tag in Tasmania.

For more information about the requirements for testing and tagging electrical equipment in workplaces, contact WorkSafe Tasmania ([external link](#)).

TasTAFE offers courses in electrical safety testing at www.tastafe.tas.edu.au. Use the search term: portable appliance tester.

Check for recalled products

Check the website www.recalls.gov.au to ensure the article you are selling is not affected by a recall.

Statutory warranties

Statutory warranties apply to second hand or used goods. In general terms an item must be 'fit for purpose'. That means it is assumed to be in safe working order unless sold under different terms, e.g. for parts. It also must match the seller's description.

More information on the consumer guarantees is available at www.cbos.tas.gov.au and consumerlaw.gov.au

You can also read [Consumer Guarantees – A Guide for Business and Legal Practitioners \(pdf\)](#)

Document Development History

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1.0	February 2019	Original release
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