

OGCA Article – (March 22nd) New Penalties for Non-Compliant Electrical Work

In an effort to reduce illegal and unsafe electrical installations across Ontario, the Electrical Safety Authority (ESA) will have the ability to begin issuing administrative penalties on April 1st 2023. In 2020, the Auditor General of Ontario recommended that ESA be given the powers to issue monetary fines to help deter illegal electrical installations. Administrative penalties will be used by ESA as a tool to address acts of non-compliance under the Electricity Act, 1998 and its Regulations.

An administrative penalty issued by a Director of ESA can be up to \$10,000 per infraction. They can be issued for acts of non-compliance that are currently addressed via provincial prosecutions, licensure suspension, terms & conditions and/or other internal administrative actions.

Examples of contraventions where ESA can issue an administrative penalty include, but are not limited to: conducting electrical work without a licence, advertising electrical services without a licence, working without filing a notification (permit) with ESA, and hiring or sub-contracting an unlicensed contractor. An administrative penalty will be applicable when an act of non-compliance continues to persist or is repeated after previous enforcement actions, such as education, warnings, or terms and conditions, have failed to achieve desired behaviour. The program is a new tool to increase compliance with electrical safety in Ontario.

ESA worked with the Ministry of Public and Business Service Delivery on a regulatory framework for ESA's Administrative Penalty regime with consultation from relevant stakeholder groups, including Licensed Electrical Contractors and Master Electricians, as well as ESA's advisory committees. The framework outlines a tiered penalty structure, an opportunity for recipients to be given notice and an opportunity to respond, as well as a formal appeal process. Additionally, ESA will publish confirmed administrative penalties on its website. Monies collected through ESA's Administrative Penalties program will go directly toward funding electrical safety and educational programs.

For general contractors looking to engage in electrical work as a part of their project, make sure you hire a Licensed Electrical Contractor to conduct any electrical work. ESA Licensed Electrical Contractors are the only businesses, with limited exemptions, in Ontario legally authorized to do electrical work. They are required to be fully insured, will arrange notifications (permits) with ESA, have certified staff to perform electrical work and can provide an ESA certificate of acceptance.

For more information on ESA's Administrative Program please visit our Administrative Penalty FAQ page [here](#). For information on licensing requirements, electrical safety information, to confirm a Licensed Electrical Contractor or to report an act of non-compliance please visit www.esasafe.com.

About the Electrical Safety Authority

The Electrical Safety Authority's (ESA's) role is to enhance public electrical safety in Ontario. As an administrative authority acting on behalf of the Government of Ontario, ESA is responsible for administering specific regulations related to the Ontario Electrical Safety Code, the licensing of Electrical Contractors and Master Electricians, electricity distribution system safety, and

electrical product safety. ESA works extensively with stakeholders throughout the province on education, training and promotion to foster electrical safety across the province.