

## Electrical safety law

If you let property you must ensure that the **electrical system** and all appliances supplied are safe - failure to comply with the regulations is a criminal offence and may result in:

- A fine of £5,000 per item not complying
- Six months imprisonment
- Possible manslaughter charges in the event of deaths
- The tenant may also sue you for civil damages
- Your property insurance may be invalidated

These regulations are enforced by the Health Safety Executive. There is no **statutory requirement** to have annual safety checks on electrical equipment as there is with gas, but it is advisable for landlords to have periodic checks done by a **qualified electrician**.

## Landlord's Guide

**Manage your property** well and the risks to you as landlord or agent are minimal, but manage it badly and your risks are high.

- You are advised to make **visual inspections** yourself as landlord or agent in residential properties (record on a safety checklist) and have periodic checks carried out by a qualified electrician.
- Keep supplied appliances to a minimum.
- Make sure appliances supplied are complete and in working order - keep purchase receipts.
- Pay particular attention to second hand equipment - always have these items checked.
- Ensure that **operating instructions** and safety warning notices are supplied with the appliances.
- Ensure that flexes are in good order and properly attached to appliances and plugs.
- Ensure that earth tags are in place.
- Ensure that plugs are of an approved type with sleeved live and neutral pins.
- Ensure that plugs and sockets conform to **BS1363** or **BS1363/A** for heavy duty uses.
- Ensure that all fuses are of the correct type and rating.
- Make sure that tenants know the location of and have access to the main consumer unit, fuses and isolator switch.
- Make a note of all **fuse ratings** on the inventory.
- If you are in any doubt about the wiring or the safety of any appliances consult a qualified electrician.

## Regulations

There is no statutory obligation on landlords or agents to have professional checks carried out on the electrical system or appliances. However, under the **Electrical Equipment (Safety) Regulations 1994**, the Plugs and Sockets etc. (Safety) Regulations 1994, both of which come under the Consumer Protection Act 1987, there is an obligation to ensure that all **electrical equipment** is safe.

## Compliance

We would strongly recommend that any Landlord, regardless of whether they see themselves as running a business or not, should make absolutely sure they are complying with these regulations to ensure that all electrical equipment supplied is safe.

In order to do this we recommend:

- Annual **visual inspections** by the landlord or agent - recording this on a safety checklist
- Periodic inspections of electrical equipment by a qualified electrician
- **inspections** by a qualified electrician to ensure that the electrical system complies with current regulations, the frequency of which will depend on the state of the electrical installation, the last recommended inspection state and/or a change in occupancy
- Keep all records of these inspections
- Due Diligence

In the event of a tenant complaint or an incident the defence of "due diligence" may be accepted where it can be shown that the landlord or agent took all reasonable steps to avoid committing an offence - you will need documentary evidence of this.

A private owner letting a single dwelling (not in the course of business) may have a defence, whereas an agent acting on his behalf will not. However, an agent merely introducing a tenant and not becoming involved in the inventory or management of the tenancy may well be exempt from liability.