



# Guidance notes for The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024

## 1. Introduction

- 1.1 The Department for Communities is committed to making sure that private rented homes are safe, secure places to live and raise families. The majority of landlords are pro-active when it comes to ensuring the safety of their tenants and make a welcome contribution to the housing market. But a minority fail to do so, putting their tenants in danger as a result.
- 1.2 The Regulations require landlords to have the electrical installations in their properties inspected and tested by a qualified person at an interval of at least every 5 years.
- 1.3 This means that all landlords now must do what good landlords are already doing: making sure the electrical installations in their rented properties are safe.
- 1.4 Houses in Multiple Occupation (HMOs) continue to be covered under the HMO Licensing Scheme; see the following link for further information.  
<https://www.gov.uk/house-in-multiple-occupation-northern-ireland>

## 2. Purpose

- 2.1 The Regulations came into force on [TBC] and to ensure private rented properties meet the required Electrical Safety Standard. This forms part of the Department's wider work to improve safety in all residential premises. Which means that:
  - The electrical wiring, sockets, consumer units (fuse boxes) and other fixed electrical parts in rented homes must be inspected and tested every 5 years, or more often than this if the qualified person undertaking the inspection thinks that is necessary.

- Throughout the time a tenant is living at the property, electrical safety standards must be met.
- The landlord must give the tenant a copy of the report detailing the condition of the property's electrical installation. If requested the report must also be provided to the appropriate district council.

### **3. What do these Regulations mean for Landlords?**

#### 3.1 Landlords of privately rented accommodation must:

- Ensure all electrical installations in their rented properties are inspected and tested by a qualified person at least every 5 years. The qualified person will ensure national standards for electrical safety are met. These are set out in the [18th edition of the 'Wiring Regulations'](#), which are published as British Standard 7671.
- Obtain a report from the qualified person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the appropriate district council with a copy of this report within 7 days of receiving a written request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the further investigative or remedial works from the electrician to the tenant (and the appropriate district council within 28 days of completion of the works if linked to previous council intervention).

#### 3.2 The landlord will need to liaise and agree with the tenant a suitable time and date for the electrical safety inspection to be completed. Additionally, if remedial work is identified from the inspection a suitable time and date must also be agreed with the tenant to have that work completed.

## 4. What do these Regulations mean for Tenants?

4.1 Landlords must keep the electrical installations in their rented properties safe and in working order and most landlords already do this. These Regulations mean landlords must now have the electrical installation checked at least every 5 years by a properly qualified person. The electrical Installation must be safe, and a landlord must give a tenant proof of this.

4.2 Tenants should:

- ✓ Check they have been provided with a copy of the latest electrical safety inspection report.
- ✓ Report any electrical problems, or potential problems, that occur in between the 5-year inspection period to the landlord so that remedial action can be taken.
- ✓ Allow access to the property for the electrical safety inspection to be completed by the qualified person, and if necessary, allow further access for remedial work to be completed.

### Points to Note

4.3 A tenant:

- ✓ Is not required to pay for or contribute towards the cost of the electrical safety inspection.
- ✓ Has the right to contact the appropriate local district council to seek intervention if it is evident that no action has been taken in respect of faults detailed on the last electrical safety inspection report, or no action has been taken in respect of a notified potential new problem.
- ✓ Should be aware that if a landlord cannot carry out an inspection because they do not have right of access to all or part of the property, or lack any other necessary right, the landlord is not in breach of their duties in relation to the regulations if they have taken reasonable steps to acquire that right.
- ✓ Can ask the qualified person completing the inspection for appropriate ID upon arrival.
- ✓ Should note that the landlord is not responsible for the electrical safety of any appliances that belong to the tenant and have been brought into the rental property by the tenant. That is the tenant's responsibility.

## 5. What will the Electrical Safety Inspection involve?

- 5.1 It is the landlord's responsibility to make sure that the person undertaking the inspection is appropriately qualified and skilled. A qualified person has been defined in the Regulations as being *"a person competent to undertake the inspection and testing required under regulation 3(1) and any further investigative or remedial work in accordance with electrical safety standards."*
- 5.2 The 'fixed' electrical parts of the property, like the wiring, the socket-outlets (plug sockets), the light fittings and the consumer unit (or fuse box) will be inspected. This will include permanently connected equipment such as showers and extractors.

The inspection will find out if:

- Any of the electrical installations are overloaded.
- There are any potential electric shock risks and fire hazards.
- There is any defective electrical work.
- There is a lack of earthing or bonding – these are 2 ways of preventing electrical shocks that are built into electrical installations.

(The Regulations do not cover the inspection of plug-in electrical appliances like cookers, fridges, televisions etc, only the fixed electrical installations.)

- 5.3 The qualified person at the end of the inspection will produce a report, usually an Electrical Installation Condition Report (EICR). (See Annex A). This report details the condition of the electrical installations and any remedial works or further investigations which may be needed.
- 5.4 The inspection report will use the following classification codes to indicate where a landlord must undertake remedial work.
- **Code 1 (C1): Danger present. Risk of injury.** The electrical inspector may make any C1 hazards safe before leaving the property.
  - **Code 2 (C2): Potentially dangerous.**
  - **Further Investigation (FI): Further investigation required without delay.**
  - **Code 3 (C3): Improvement recommended.** Further remedial work is **not** required for the report to be deemed satisfactory.

## **6. What happens after the inspection?**

- 6.1 The report (usually an EICR) will show whether the electrical installation is safe for continued use. In practice, if the report does not require investigative or remedial work, the landlord will not be required to carry out any further work. A copy of that report needs to be given by the landlord to the tenant within 28 days and no further action will be taken.
- 6.2 If the report contains a code C1, C2 or FI, then your landlord must ensure that further investigative or remedial work is carried out by a qualified person within 28 days, or less if specified in the report. The C3 classification code does not indicate remedial work is required, but only that improvement is recommended. Landlords don't have to make the improvement, but it would improve the safety of the installation if they did.
- 6.3 If further necessary investigative or remedial work identified by the report is not undertaken by the landlord, the appropriate district council can be contacted by the tenant to determine if further action should be taken.

## **7. What happens if an electrical fault occurs between a 5-year inspection point?**

- 7.1 If a landlord is notified of an installation electrical fault occurring between the 5-year inspection point, the landlord is responsible under Regulation 3, to ensure the fault is investigated and remedial action taken to meet the required safety standards.
- 7.2 However depending on the type of fault reported the electrical installation may need checked by a qualified person, and if necessary, remedial work undertaken (for example minor works, or a fuse box replaced or rewired). If remedial work is needed then any report provided by the qualified person should be appended to the previous inspection report as detailed in Section 6 above, as evidence that the electrical safety standards have been met. (Annex A provides further clarification.)

## **8. What happens if a Landlord does not comply with the Regulations?**

- 8.1 If the appropriate district council believes a landlord is in breach of one or more of their duties set out in the Regulations, they must serve a remedial notice on the landlord requiring them to take action within 28 days.

8.2 Landlords will have 21 days to make any written representations and appeal to the district council against the remedial notice. If representations are made the remedial notice is suspended until the district council considers those. The district council must inform the landlord of their decision within 7 days.

8.3 District councils may, with the consent of the tenant, arrange to carry out remedial work in the following circumstances:

- If a landlord does not comply with a remedial notice.
- If the electrical safety inspection report indicates that urgent remedial action is required, and the landlord has not carried this out within the period specified in the report.

The district council can recover the costs incurred.

8.4 Before arranging remedial action following non-compliance with a remedial notice, the district council must give the landlord notice that they are going to do work.

#### Right of appeal

8.5 Landlords have recourse to have an appeal heard in court against:

- A decision that the district council will undertake the remedial action. [An appeal must be made within 28 days from the day on which a remedial notice is served.]
- A demand for the recovery of costs made by the district council following remedial action.
- The decision to take urgent remedial action by district council. [An appeal must be made within 28 days from the day on which the work started.]

## **9. What is the consequence of non-compliance?**

9.1 A landlord who fails to comply with any of the duties under the regulations will be guilty of an offence. The appropriate district council shall bring the prosecution of the offence and on conviction the landlord will be liable to a fine not exceeding level 5 on the Department of Justice standard scale.

9.2 Alternatively, where an authorised officer of an appropriate district council believes that an offence has been committed the authorised officer, may offer the landlord the opportunity of discharging any liability to conviction, by the payment of a fixed penalty. The fixed penalty is an amount determined

by the council, and will not exceed one-fifth of the maximum fine payable on conviction of that offence.

## Do I need an EICR, EIC, or MEIWC Report?

### 1. Electrical Installation Condition Report (EICR)

In the majority of cases the 5 yearly inspections will generate the completion of an Electrical Installation Condition Report (EICR). The EICR must be completed by a qualified person as defined within the Regulations.

The EICR must cover the following installations for the supply of electricity; electrical fittings, including –

- ✓ the consumer unit(s)
- ✓ switches
- ✓ socket outlets
- ✓ light fittings,
- ✓ any visible wiring, and
- ✓ any areas where electrical equipment may be installed, (for example lofts with supplies to renewable energy sources), and

visual inspection of fixed electrical equipment, including –

- ✓ fixed electrical heating equipment e.g. storage or panel heaters,
- ✓ electric showers and over/under-sink water heaters
- ✓ boilers and other heat producing equipment, and
- ✓ hard-wired smoke and fire detectors.

The person carrying out the inspection must complete and clearly set out on the EICR –

- the date of the inspection;
- the full address of the house inspected;
- the name and address of the landlord or their agent;
- the name and address of the person carrying out the inspection;
- evidence that person completing the inspection report is a qualified electrician as defined at Annex A;
- a description of each installation, fixture and fitting inspected, and its location in the house, and
- any defect identified.

Any electrical installation, fixtures, fittings, or equipment which fails to pass electrical safety inspection must be replaced or repaired.

The qualified person completing the EICR will use the following classifications codes to indicate where a landlord must undertake remedial work.



- **Code 1 (C1):** *Danger present. Risk of injury.* The qualified person may make any C1 hazards safe before leaving the property.
- **Code 2 (C2):** *Potentially dangerous.*
- **Further Investigation (FI):** *Further investigation* required without delay.
- **Code 3 (C3):** *Improvement recommended.* Further remedial work is not required for the report to be deemed satisfactory.

If the codes C1 or C2 are identified on the report, then remedial work will be required. The report will state the installation is unsatisfactory for continued use. If the qualified person identifies that further investigative work is required (FI), the landlord must also ensure this is carried out for the tenant's safety.

The C3 classification code does not indicate remedial work is required, only that improvement is recommended. Landlords don't have to make the improvement, but it would improve the safety and efficiency of the installation if they did.

An EICR will recommend any remedial action required to ensure that the electrical installation is in a satisfactory condition for continued service, but any remedial work which is undertaken must be recorded separately on a Minor Electrical Installation Works Certificate (MEIWC).

If remedial work includes replacement of a fuse box (known in the electrical industry as a consumer unit) an Electrical Installation Certificate (EIC) should be provided.

## 2. **Minor Electrical Installation Works Certificate (MEIWC)**

The MEIWC is used for any remedial work identified on the EICR, as evidence that the faults have been fixed. It is used when there needs to be additions and alterations to an electrical installation that do not extend to the provision of a new circuit. Examples include the addition of socket, outlets or lighting points to an existing circuit, the relocation of a light switch etc.

If a replacement of a fuse board is necessary an Electrical Installation certificate (EIC) is required.

## 3. **Electrical installation Certificate (EIC)**

An EIC is provided for new build properties and for properties that have been fully rewired. It may also be required for an alteration or addition to the

electrical installation – like the installation of a new circuit and the replacement of the fuse box or consumer unit.

After 5 years this will be replaced by an EICR.

A landlord who has an EIC for a property can provide this in place of an EICR to show compliance with the Regulations provided that the date of next inspection indicated on the certificate has not elapsed.

#### **4. Provision of EICR, MEIWR & EIC Reports on Request**

A copy of all the relevant reports and certificates (EICR, MEIWR or EIC) must be provided to the tenant within 28 days from the electrical safety inspection.

Follow up paperwork to confirm that any remedial C1, C2 or FI faults have been actioned needs to be appended to the associated report within 28 days from the faults being rectified.

If a district council official requests a copy of any relevant report and certificate (EICR, MEIWC, or EIC), landlords must supply a copy within 7 days of receiving the request.

#### **5. What if a landlord already has a report?**

If a landlord has had an inspection carried out before the Regulations come into force and they have complied with all relevant requirements, the next test will not be due until 5 years have passed from the date of the report, or less if the report specifies a shorter period.

### Useful Information

#### 1. Definition

**Qualified person:** defined in the Regulations, as a person who possesses the appropriate practical skills to the nature of the electrical work to be undertaken. This would include adequate education, training and being able to perceive risks and avoid hazards which electricity can create. Please note the qualified person should be registered with a recognised electrical trade body.

#### 2. How to select a qualified person

Guidance has been produced by the electrical safety industry that covers how landlords can choose a qualified and competent electrician and tester. this includes but is not limited to:

- [Electrical Safety Roundtable](#)
- [Are You on the RCPE Register? - Professional Electrician \(professional-electrician.com\)](#)

#### 3. Further Informaiton

##### **Electrical Safety First**

The registered charity Electrical Safety First, have provided advice and guidance, useful for landlords and tenants to aid understanding of the electrical installation condition reporting process and classification codes applied to faults:

- [Layout 1 \(electricalsafetyfirst.org.uk\)](#)
- Further practical guidance on classification codes: [bpg4-1.pdf \(electricalsafetyfirst.org.uk\)](#)

##### **Trustmark Scheme**

Backed by the government, ensures that traders who sign up are fully qualified to do electrical work and they also provide a complaints procedure: [TrustMark - Government Endorsed Scheme For Work Done Around Your Home](#)

#### 4. **Recommended Good Practice – PAT Testing**

The 5-yearly electrical safety check only covers the electrical wiring installation within the property and the inspection of any hard-wired

appliances. Portable Appliance Testing (PAT) covers moveable appliances that have a cable and a plug.

These Regulations do not require landlords to undertake PAT within the 5-yearly safety check. PAT does not have specific frequency requirements and instead it is therefore recommended that landlords give consideration to having PAT testing of electrical equipment within their rented property carried out as good practice based upon factors such as location, frequency of use, and types of appliances.

If thought beneficial a PAT test can either be carried out by a qualified person as defined in Annex A, or alternatively by a person that has completed a PAT testing accredited course/training.

Any appliance which fails to pass a Portable Appliance Test should be replaced or repaired immediately, for further guidance see the following link: [PAT \(Portable appliance testing\) - HSE's](#)

### **Appliance Recalls or Safety Alerts**

Landlords and Tenants should keep alert to any product recall notices or safety alerts relating to the models of appliances installed within the property. A significant number of recalls for electrical appliances occur due to a risk of catching fire or causing electrocution. It is good practice to register products at the address of the landlord to ensure that recall paperwork is actioned. Alternatively, landlords can check a free list of products that have recently been recalled by manufacturers which is provided by Electrical Safety First and is available free online at:

[Product Safety Alerts, Reports and Recalls - GOV.UK \(www.gov.uk\)](#)