

ELECTRICAL FENCE SYSTEM CERTIFICATE

We set out below a suggested clause in terms of the requirements of Regulation 12 of the Electrical Machinery Regulations which came into operation on the 1st October 2012.

“The Seller shall obtain at his cost the required Electric Fence System Certificate as mentioned in Regulation 12 of the Electrical Machinery Regulations, 2011 promulgated in terms of the Occupational Health and Safety Act 1983 (Act No 6 of 1983) in respect of the electric fence system and deliver the said Electric Fence System Certificate to the Purchaser within 15 days of acceptance of this offer by the Seller. If the electric fence system on the premises is faulty, the Seller shall at his cost repair the electrical fence system in order to deliver the required Electric Fence System Certificate to the Purchaser. The Seller undertakes not to make any alterations to the Electric Fence System after the issue of the certificate. If the certificate has not been delivered within the period referred to above, the Purchaser shall be entitled but not obliged to obtain an Electric Fence System Certificate in respect of such system at his own costs and the conveyancer is hereby irrevocably instructed to pay to the Purchaser from the proceeds of the sale, on the date of registration of transfer of the Property into the name of the Purchaser, the costs incurred by the Purchaser of obtaining such Electric Fence System Certificate (including the costs of effecting any rectifications or repairs to enable the relevant party to issue such certificate).”

An Electrical Compliance Certificate has to be issued in respect of all electrical fence systems which are installed after the 1st October 2012 or in respect of which any modifications or alterations have been made to such electrical fence system after the 1st October 2012. In addition if there is a change of ownership which takes place after the 1st October 2012, such certificate must be issued. The certificate is transferrable.



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