

## ***ELECTRIC FENCE TIPS***

Please be advised that the regulations regarding electric fencing have changed and Homeowners need to be made aware of the following:

Until 25 March 2011, when the new Electrical Machinery Regulations were published in the Government Gazette, electric fences were governed by the Electrical Machinery Regulations, 1988 – as well as the relevant South African National Standards (SANS), including SANS 60335-2-76 and electric fencing now needs to be compliant with these Regulations.

The electric fence Certificate of Compliance is separate from a COC for your home and is an additional requirement if the property has an electric fence system. It is also now necessary to include an appropriate clause in sale agreements if there is an electric fence system on the property. This doesn't mean old electric fences need to be replaced. As long as they comply with the old 1988 regulations, they are perfectly legal. And if they comply, there is no reason why they shouldn't qualify for a COC and, when a property is sold, a COC is now required.

Electric fence systems installed prior to 1 October 2012 don't require a COC unless:

- they have been added to or altered,
- there is a change of ownership of the premises.

A transfer registered after 1 October 2012 therefore triggers the obligation to provide a certificate. It will thus be necessary to arrange for a COC if an electric fence system exists on a property that is in the process of being transferred. The certificate is however transferable: Once it has been issued, there is no need to obtain a new one on a change of ownership.

### **In Conclusion**

- A sectional title owner need not obtain a certificate. It is the responsibility of the Body Corporate Trustees to ensure that the electric fence is properly certified
- Unless a sale agreement provides otherwise, the purchaser of a property must obtain a certificate
- A landlord should obtain a certificate for leased property
- A COC must be issued when the fence is erected, when the fence is repaired, extended or any work done and when the property is sold.