

# Electric fencing: Who is responsible for injuries?

Electric fencing is a popular security solution in South Africa which, along with alarm systems and CCTV cameras, is used as a deterrent to would-be burglars.

However, by nature it is potentially dangerous. But what happens if a fault occurs and who's liable if someone gets hurt?

Any homeowner who does not have a valid Certificate of Compliance, issued by a qualified electric fencing installer registered with the Department of Labour, can be held civilly and criminally liable for injuries caused by the fencing.

According to the Electrical Machinery Regulations of 2011, electric fencing that does not conform to the Electricity Security Installations Regulations outlined below is illegal. **By law, electric fencing has to comply with the following regulations:**

- It must be installed on a wall with a minimum height of 1.5m
- If angled brackets are used, the maximum outward angle is 45 degrees and



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they must be installed on the inside of the boundary wall, and neighbours' consent is required if you plan to angle brackets into their property.

- The fencing must be installed and operate such that it won't cause a hazard or entanglement to people or animals.
- The maximum distance between posts is 3m.
- A minimum of three earth spikes must be installed for every 30m.
- Electrification of barbed or razor wire is prohibited.
- Yellow warning signs are required at all gates and access points.
- Electrified gates must enable a person to open and close them without

receiving a shock.

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## **Claims for injury**

If you or your child is injured by electric fencing that doesn't comply with the electrical installation regulations, you may have a personal injury claim against the property owner responsible for the fencing.

It is worthwhile seeking an attorney who specialises in personal injury claims.