

BRAVOSCAN

INTERPRETATION AND GUIDANCE NOTES

CHAPTER 1: How to use the Guidance Notes and Disclaimer

Sub-Title:

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These Guidance Notes are issued by BravoScan in its capacity as an Approved Inspection Authority. Their primary purpose is to articulate, in a transparent and structured manner, how BravoScan as an organisation generally interprets regulatory obligations, industry practices, and risk-based considerations within the scope of its inspection mandate. **The Guidance Notes do not reflect the personal views, preferences, or subjective opinions of individual inspectors and are meant to reign in any misguided preferences and subjective opinions that do not reflect the ethos of BravoScan as an organisation.** They represent an institutional position, developed to promote consistency, predictability, and trust within the electrical and compliance industries.

The Guidance Notes are intended to serve as a reference framework for contractors, clients, stakeholders, and inspectors alike. They provide insight into how BravoScan typically approaches recurring issues and scenarios encountered during inspections.

In doing so, they seek to enhance transparency and accountability, particularly in circumstances where stakeholders may perceive an inspector to be acting beyond what is reasonably expected. While BravoScan inspectors operate independently in the execution of their duties, and while it is neither practical nor appropriate to monitor every interaction in the field, these Guidance Notes provide a general benchmark against which conduct and decision-making may be understood and evaluated.

It is expressly recorded that these Guidance Notes do not constitute binding rules, directives, or prescriptive instructions. *Inspectors are appointed precisely because of their professional competence, technical judgment, and ability to assess risk in real-world conditions.* Accordingly, the Guidance Notes must be interpreted liberally and purposively. They are not intended to prevent, limit, or restrain an inspector's interpretation, assessment, or judgment where such judgment is exercised in good faith and directed at the identification, mitigation, or management of risk. The Guidance Notes represent premeditated institutional guidance from BravoScan to its inspectors, which is disclosed to the public in the interests of openness, trust, and industry confidence.

BravoScan expressly reserves the right to deviate from any guidance, recommendation, example, or interpretation contained in these Guidance Notes where valid, material, or case-specific facts justify such deviation. No inspection scenario is identical, and the existence of these Guidance Notes does not fetter BravoScan's discretion, nor that of its inspectors, to respond appropriately to the factual, technical, and risk environment presented by a particular installation or inspection. Any departure from the Guidance Notes does not, in itself, indicate inconsistency, error, or impropriety, but may reflect the proper exercise of professional judgment in light of information not contemplated at the time the Guidance Notes were prepared.

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In this regard, it is recognised in constitutional jurisprudence that interpretation notes and similar instruments are, in substance, nothing more than the subjective opinions

of the administrative body or its legal advisers. As such, they do not constitute authoritative statements of law and are not admissible as determinative evidence of legislative meaning. The courts have further confirmed the continued application of the *contra fiscum* rule, reinforcing that interpretative authority ultimately rests with the judiciary and not with administrative or private bodies.

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Read together, these Guidance Notes should be understood as a good-faith articulation of BravoScan's general thinking at a particular point in time, informed by law, standards, and experience, but always subordinate to the facts of each case, the professional judgment of inspectors, and the ultimate authority of the law.