



NSW Government Consultation – Easy and Transparent Trading

Submission by:-
Master Plumbers Association of NSW
on 27 August 2018

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Easy and Transparent Trading Consultation Paper
Regulatory Policy, BRD
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INTRODUCTION

The Master Plumbers and Mechanical Contractors Association of NSW (MPA NSW) is a registered employer organisation providing representation, training and extensive advisory services to a broad base of members in the plumbing, gas and mechanical services sector in NSW and the ACT. The principal activities of the Association are to provide business services, industry representation, training and advice on industrial relations and employment to the membership. Our members range from major contracting companies through to sole traders and are a highly reputable group to lobby government in support of various plumbing, business and environmental reforms and recommendations.

This submission is made in addition to the comments made by the Association's CEO at the roundtable meeting convened by The Hon. Matt Kean on 21 August 2018.

A tragic incident occurred on Sunday 26 August 2018, when the son of one of the Association's Guardians took his own life and has left two young girls without their father. The family of the Guardian is well known in the plumbing industry and as you can imagine close family friends and the industry are devastated by this tragic event and are making continuous contact with the Association for information.

Accordingly, the Association seeks an extension of time for the final submission to be made, until the 28th August 2018 to make, in the interim, a short form version of the more detailed submission that will follow by the **COB on 28 August 2018**.

The matters the Association wishes to address from the Easy and Transparent Trading Consultation Paper are:

- 1.1 Extending licence durations**
- 1.2 Extending licence restoration periods**
- 1.6 Removing 13 categories of home building licences**
- 1.7 LP gas and electricity licence category**
- 1.13 AMR – architects and other building related occupations**
- 1.15 Review of Continuing Professional Development (CPD) requirements**

Plus one additional matter in relation to the licensing of plumbing contractors as detailed on the Fair Trading website and raised with the Minister on 21 August 2018:

“A” Qualification and experience requirements for independent (endorsed) contractor licence and qualified supervisor certificates”.

The short form of the information is as follows:

1.1 Extending licence durations

In general the Association would support Option 2 in this category, but wishes to provide comment on the issues related to legislative change.

1.2 Extending licence restoration periods

The Association opposes the length of the three month restoration period. As a specialist industry under the Home Building Act 1989 and the Plumbing and Drainage Act 2011, it is essential that a licence be renewed when due and only a minimal extension period should exist as in the current regulation.

This section will be expanded upon in the full submission.

1.6 Removing 13 categories of home building licences

The Association will make comment on the issues of the protection of consumers against non-licensed trades. The proposition that the ACL is a protection is an argument about “after completion” of the work protection. The licence gives a pre-check availability to the consumer as an initial safeguard not only against unscrupulous apprentices, but protection against Health and Safety issues such as asbestos etc.

There is no protection for the consumer in the practical sense if the danger is not recognised before the work commences. Additional information will follow.

1.7 LP gas and electricity licence category

Option 2 should be rejected out of hand. The Policy Objective is absolutely correct in relation to gas and electrical licensing as being the mechanism to protect consumers and workers from poor workmanship and unsafe work practices and public health and safety.

A half trained plumber or electrician is a recipe for creating a disaster, especial with LP gas.

The Association will comment on the QLD “refit” position as this becomes a modification to a gas installation that has been certified by a licenced gas installer. What then is the status of the original certification?

This argument will be expanded on in the submission.

1.13 AMR – architects and other building related occupations

The pros and cons of this proposition will be expanded on in the formal submission.

In general, the proposal is supported, but the process for a national reciprocity through AMR was a wasted 2.5 year program to implement National Licensing that in the end was scuttled by the state regulators, including NSW.

Exploration of the proposal is supported, but a lot of broad range discussion needs to occur before any headway can be made.

1.15 Review of Continuing Professional Development (CPD) requirements

The process attempted to require licencees to participate in CPD, was buried by Labor Government backbenchers previously and the lessons learnt in that exercise should be noted.

For specialist trades the compliance with CPD should be mandatory, but implementation will be enormously difficult if the industry does not have the benefits demonstrated to it in a positive and practical sense.

“A” Qualification and experience requirements for individuals (endorsed contractor licence and qualified supervisor certificates”.

This is simply an argument about the plumbing contractor having to know how to run a business, as against the Fair Trading view that he/she only needs to know the technical requirements of high end plumbing installations.

For a plumber to be an **authorised** person under the Plumbing and Drainage Act 2011 he must hold a qualification under the Home Building Act 1989 of a Certificate III in Plumbing.

To advance to the status of a contracting licence or qualified supervisor certificate he/she must attain a Certificate IV in Plumbing Services or part thereof.

Fair Trading requires, as a minimum, a Statement of Attainment in the Certificate IV in Plumbing Streams (technical requirements only) and not the full Certificate IV in Plumbing Services.

The Association and the industry has long held the view that a Plumbing Contractor must hold the full Certificate IV in Plumbing Services, which includes not only the technical requirements to do the work, but the business competencies so he/she can run a business properly and protect the consumer in doing so.

Yours sincerely

Paul Naylor
Chief Executive Officer