



## TABLE OF CONTENTS

- [The Federation would like to take this opportunity to thank Maurice Williamson and the Board for their contribution.](#)
- [Action From You](#)

## IN OTHER NEWS

### A Quick Summary of the Bill

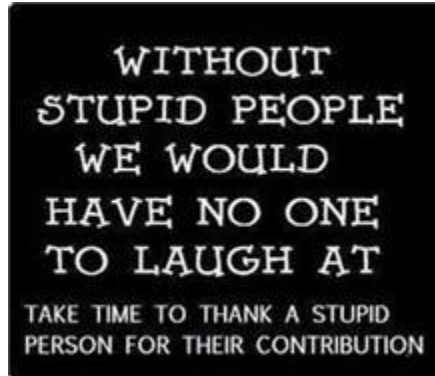
The Bill seeks to validate decisions made by the Plumbers Gasfitters and Drainlayers Board and the Minister of Building and Housing, and also amends the Act to give the Board power to levy the industry for prosecutions of non registered people.

What this bill does is to vindicate the actions of the Plumbers Gasfitters and Drainlayers Federation, an incorporated society with over 1,000 members whose purpose is to ensure the industry gets treated in a fair and equitable manner.

The Federation have been lobbying against a Board that is simply not listening to the industry it regulates.

This Bill is proof the Federation has been right all along, and shows that the Board, it's CEO, its four legal staff, The Minister of Building and Housing, (backed by the Building

**The Federation would like to take this opportunity to thank Maurice Williamson and the Board for their contribution.**



The Federation would like to take this opportunity to thank Maurice Williamson and the Board for their contribution, as this week they have bettered themselves by setting new levels of low!

On Monday Williamson submitted a Bill to the members of parliament which has a huge effect on

the plumbing, gasfitting and drainlaying industry.

*The main aim of this Bill is to amend the Plumbers, Gasfitters, and Drainlayers Act 2006 (the Act) to validate a disciplinary levy imposed under that Act between 1 April 2007 and 11 January 2012, and an offences fee prescribed by the Plumbers, Gasfitters, and Drainlayers Board (the Board) since 2012.*

In simple terms the Government is “making legal” the things the Board have done in the past and the present with regards to the Disciplinary Levy and the Offences Fee.

This is to take away any legal liability the Board may have such as repaying any money taken illegally.

*The second main aim is to correct the underlying problem by amending the Act to provide the Board with a levy power to fund its function of instituting prosecutions against persons for the breach of any Act or regulation relating to sanitary plumbing, gasfitting, or drainlaying.*

The second thing they are doing is changing the Act so the Board can impose an Offences Levy on the industry. Simply another tax.

With a fee the person who pays the fee gets something for their money - like a course fee, you attend the course.

A levy is like a tax where the money is collected to pay for something for all people.

This Bill was scheduled to have its first reading in Parliament on Thursday 14 March 2013. The Federation Committee has been busy

and Housing Group) got the interpretation of the Act wrong and the actions taken by them were contrary to the guidelines issued by Treasury and the Office of the Auditor General.

It is vital that the Board uses its statutory powers properly to gain the trust and respect of the industry. Currently this is not the case.

The industry is full of suspicion and discontent. The competence of the Board and the Minister that appointed them is questioned by industry.

Given that industry fund the Board through their fees, many plumbers, gasfitters and drainlayers are becoming increasingly disaffected which is what led to the establishment of the Federation, and organisation which is now the largest industry body in this sector, at just under two years old.

And so they should question the competence and actions of the Board as the industry has faced a 1080% increase in discipline levies and offence fees in less than six years.

It is now at a level where the industry and ultimately the consumer pay around \$1.8 million annually for these functions. Over \$36,000 per week for discipline and prosecutions.

We don't see other Boards that are 100% funded by the industry that also pay 100% for the prosecution of non-registered people.

Is the Bill setting a precedent for other industries? Are people in

trying to ensure the industry gets to have a say in this matter as no one has consulted us or industry at large.



collected by the Board unlawfully.

*Now this Bill allows the Board to continue to collect offences fees (currently about \$600,000 a year) from registered persons for the 2013 licensing year. The disciplinary and offences fees are validated. The effect of this is that the Board cannot be required by registered persons to refund the monies*

So there you have it – yet again the Federation and its members have been proved to be right. The Minister, the Board, the CEO and all its legal advisers have been exposed in a series of acts that we feel could only be termed as acts of total incompetence.

This entire issue would have been avoided if the Board worked WITH the industry instead of their band of cronies, and if the Government had disallowed the regulations as recommended by the Regulations Review Committee. But no, everyone decided to try and play circus games which resulted in them all looking like a bunch of clowns, which incidentally vindicates the comment at the meeting in Napier where the Board was indeed referred to as “a bunch of clowns”. Yet again the Federation was right.

We attended a meeting in Upper Hutt where the Prime Minister John Key was asked why the Government was turning its back on the industry and he responded that it wasn't and that the Government would listen to the industry, as after all the industry knows what's best for it.

So for once he was right, the industry did know what was right for it but he was wrong in that the Government isn't listening.

We recall the meeting in Napier where Mr. Bickers stated he would resign if the Minister lost faith in him and he is still there - so the Minister must still have faith in him, the Board and the CEO and their legal advisers. Where are the Building and Housing Group advisors and lawyers?

Well we don't have faith in any of them and they should all go. And look at this:

*This bill implements policy decisions of the Building Act Review to provide incentives for building professionals and trades people to take responsibility for their work and to stand behind it.*

What a total load of shit - how is taxing us more going to make us more responsible for our work and isn't this Bill about taking money for prosecuting NON REGISTERED people.

As we have stated a number of times before, the entire Board and its

other regulated industries going to be levied in a similar manner?

What will these levies do to the price of housing if others in the construction sector are treated in the same manner as the plumbers, gasfitters and drainlayers?

Members of the house of representatives will be aware the legislation already provides the Board an inexpensive method of dealing with un-registered persons who may breach the Act by instituting a range of infringement fees, to date the Board has failed to implement this option.

Many in the industry challenge the fees they are required to pay and have asked the Board for the breakdown of what constitutes the fees but this Board, who is spending tens of thousands of dollars to appeal it's deregulation as a Registered Charity is wanting to charge the industry over \$1,000 to search for the fees information - information that should be readily available to all who ask.

This Bill is a cover for incompetence. The Board did not listen to the industry and ended up before the Regulation Review Committee requiring the Government to bail them out.

The Ombudsman in a recent report stated the Board were wrong with regard to the offences fee and suggested they return over \$600,000 to the industry.

The Board is again before the Regulations Review Committee regarding the

set up should be looked at before the industry turns its back on the Board and gives the "Bird" to the Government's regulation of the industry.

A decade of failures under different Governments, and to quote Maurice Williamson in a TV One interview:

*"You will never be able to fix something where people breach what the rules were because it was not designed to code, not built to code, or even consented to code".*

He was referring to a building but how is it any different to systems being imposed on us?

The action the Government has taken with this Bill is to bail out an organisation and its cronies that have failed in their duties, and failed to meet the expectations of the Minister's Output Agreement with them. (A note from the man with the Ute, the cell phone and the dog – Wouldn't you think a Justice of the Peace, a lawyer and some high flyers from industry would know better?)

Federation RIGHT - Minister, Board, CEO, Cronies and legal advisers WRONG.

If these people get the simple things wrong then what about the big things like Continuing Professional Development (CPD)? The credibility and legal analysis used for the CPD is certainly placed into question.

This decision by the Government to legalise these issues is proof the rules and regulations have been distorted to achieve a purpose rather than abiding by the laws and guidelines. The Board have failed to follow Treasury and Office of the Auditor General guidelines.

We know this issue isn't fair and there are grumblings about not paying fees and turning our backs on the regulation of the industry but at this stage do we want to lower ourselves to the scummy levy of those who regulate us.

This is an individual choice but we say "keep legal and don't behave like the Board".

Everyone needs to remember the industry is the victim here. The Government wants us to fund the Board 100% for the protection of the public - no benefit for us apart from the satisfaction that we are doing a good job.

They want us to fund the prosecution of ourselves if we do wrong and the Board that the Government has just stated has been taking money from us unlawfully will sit in judgement over us.

They want us to pay for the prosecution of non registered people doing illegal work in our industry. We are the victims here in that they are taking work away from us. What the Government is doing is punishing us for working hard to get our trade and qualifications and for being part of a regulated industry.

What they are doing is like charging the victims of a burglary to

fees and this Bill will again bail the Board out of a position it should never have got itself into.

Where is the accountability? Why is there a rush now to amend the Act when the Act is up for review later this year? This industry will not continue to be productive if they do not support the regulation that is being imposed on them.

We recommend the Bill be forwarded to select committee where this debacle, which we feel is only the tip of a very large problem, can be subjected to the democratic process and the industry given a chance to voice its opinion.

Join together with the Federation in contacting your local MP's and making your opinions known.

Encourage your colleagues to join what is now the biggest voice of industry!

prosecute the person who just ripped them off. 7100 trade's people in New Zealand are footing the bill for the entire population of New Zealand. We are paying the tax for all.

So we need to pass on these costs to the consumer and what impact will that have? It will either put up the price of housing and maintenance or will expand the black market.

We interpret the report that 13 non registered people were taken to court. Based on the Board's Offence fee of \$90.00 the Board collected \$666,000.00 from the industry to prosecute the 13 defendants, that's an average of \$51,230.76 for each prosecution. The return was an average fine of \$2,489.29 and \$113.00 court costs. Is this a good use of your money? And what about the people that employed these unlicensed non registered people – probably because they were cheap – what happened to them? We understand the Board are yet to prosecute a homeowner who knowingly employs someone who is not registered – yet we also understand that is an offence to do so.

The industry will be in trouble if every New Zealander breaches an Act regarding sanitary plumbing, gasfitting or drainlaying next year - are we going to pay to prosecute them all? That could get very costly for the industry based on the figures above.

The Government has a Board which they appoint, and control BUT DON'T PAY FOR. They have a consumer protection Board which they have faith in but which has not been operating as the Act intended. Is this setting a precedent where the victims pay the prosecution?

We believe other trades should be fearful because they could well end up following in our footsteps.

### Action From You

Quite simply everyone needs to pull their finger out and take action NOW! A few minutes of you time now will save money and time later. Fight for YOUR industry.

Don't sit back and take shit from people who are incompetent at what they do. Don't sit back and say "someone else will do it".

If we all fight and encourage others to step up and be counted we can finish this and get on to what we all know we do best "protect the health and safety of our customers".

The first reading of the Bill should be on Parliament TV this afternoon or you can pick it up on [www.inthehouse.co.nz](http://www.inthehouse.co.nz)

You are receiving this email as a member of PGDF or because you signed up online.

[Edit your subscription](#) | [Unsubscribe instantly](#)

Plumbers Gasfitters and  
Drainlayers Federation 3 Jupiter  
Grove Trentham Upper Hutt 5018  
Ph (04) 5277977 Mob  
0276564811 Fax (04) 5277978  
[information@pgdf.co.nz](mailto:information@pgdf.co.nz)