



September 2013

info brief

A word from the Chair

Welcome to the September edition of the Plumbers, Gasfitters and Drainlayers Board Info Brief.



The Board's annual report for the year ending 31 March 2013 has been published and can now be viewed on our website.

The 2012/13 year was a very busy one for the Board with the year being dominated by:

- Implementing the new continuing professional development policy;
- Review of fees and the disciplinary levy;
- Substantial completion of work to address the issues raised in the 2010 report of the Office of the Auditor General (OAG).

The Board met most of its targets and is in a sound financial position. It also received a very satisfactory audit opinion from Audit New Zealand.

The Board finished the year with an operating surplus of \$923,000. Of this, \$210,000 relates to complaints and discipline, and \$65,000 relates to prosecutions. These sums will be held in memorandum accounts so that the unspent disciplinary levies will only be used for complaints

and discipline, and the unspent offences fees will only be used for prosecutions. There were a large number of complaints and alleged offences under consideration at the end of March and these are expected to use all of the surplus in these areas.

The two other major contributors to the overall surplus were registration fees which were \$101,000 more than budget due to record numbers of people registering, and the net income from gas certification which was approximately \$200,000 more than budgeted.

At 31 March 2013, the Board held uncommitted reserve funds of \$1.41M. This takes into account the memorandum accounts and the sum that was allocated from reserves to reduce fees and the levy over the next three years as part of the fees review.

Part of these reserves will be used to offset the operating deficit which is projected for the current year.

Alan Bickers
Board Chair



Inside this issue:

- Council Inspectors are checking licences| **2**
- What evidence does the Board need to prosecute someone who is working unlawfully? | **3**
- Recent prosecutions | **4**
- Consultation on supervision requirements| **4**
- A simple guide to gasfitting certification under the amended Gas (Safety and Measurement) Regulations 2010 | **5**

Many City and District Councils throughout New Zealand are now working with the Board to reduce the number of people working illegally within the plumbing and drainlaying sector of the construction industry, and accordingly to reduce the risk to public health and safety. This is welcomed and appreciated by the Board. The Board is hoping that all Councils will take this approach.

Councils and the Board have complementary roles in protecting public health and safety by ensuring that construction work is carried out competently. One of the ways of achieving this is to ensure that plumbing and drainlaying are only carried out by authorised tradespeople. The Board has little ability to physically check that the people who are doing plumbing and drainlaying on building sites are authorised to do so, because our staffing levels and other resources are not adequate to perform this task. Because of this, the help of Council inspectors with checking licences and authorisations while they are on building sites, is invaluable.

Centenary Youth Leadership Awards Announced

To mark its centenary, the Board will soon be inviting nominations for its Youth Leadership Awards. The purpose of the awards is to recognise achievement and potential in young tradespeople who are likely to become leaders within the industry in years to come. These awards will see a young plumber, a young gasfitter and a young drainlayer attending an eight day Outward Bound course. The cost of the courses and travel to get there will be paid for by the Board.

People nominated for a Youth Leadership Award must have gained a National Certificate, have passed a Board registration examination and be registered in their trade. Application packs will be available in late September. Please register your interest in receiving an application pack by emailing comms@pgdb.co.nz



Matthew Bowman awarded for his gasfitting examinations achievement

Matthew Bowman of Waimauku, has belatedly received the 2008 gasfitting "Merit Award of Excellence and Top Mark Achiever" for achieving the top marks in the craftsman gasfitting examinations that year. Matthew's award consists of a framed certificate and the prize of \$1000.

Matthew's achievement is worthy of recognition within the industry and the current Board regrets that the award was not presented to Matthew following the 2008 examinations when it should have been.

The Board congratulates Matthew on his achievements in the 2008 examinations and wishes him every success in his gasfitting career.

What evidence does the Board need to prosecute someone who is working unlawfully?

From time to time the Board is told about people who appear to be doing sanitary plumbing, gasfitting, or drainlaying work unlawfully. Sometimes the Board cannot take these people to Court because there is not enough evidence to get a conviction. This can be frustrating for the person who has reported the matter to the Board. This article attempts to explain what evidence is required.

The Board hears about most unlawful workers either from tradespeople or from home owners who have had poor quality work done.

The Board takes working unlawfully very seriously, and every time it hears about someone working unlawfully it looks into and decides what action is appropriate. Sometimes that results in a prosecution, sometimes in other action such as a warning, and sometimes the Board cannot do anything.

If the Board hears about an unauthorised person doing work, it considers whether or not to prosecute them in the District Court. But simply being told someone is working illegally is not enough for the Board to undertake a prosecution. The Board needs to know that there is sufficient evidence to prove a charge.

Good evidence is usually available from the home owner who has had poor quality work done but that is not always the case with complaints from tradespeople. The first thing the Board does is ask for the name of the person working illegally, the address where the work was done, and further information such as whether there are witnesses who saw the person doing the work and can give evidence in Court, specific examples

of work done, even photographs if they are available. This information provides basic evidence that enables the Board to make a decision about whether it can successfully carry out a prosecution. Sometimes the complainant does not want their name to be involved, perhaps because they come from a small town and they do not want to deal with the fall out of having informed the Board. Often this means that the Board cannot take the concerns any further. Without good evidence a prosecution will fail.

The Board will send someone out to investigate information about unlawful work to obtain evidence where it is a serious matter but the reality is that we do not have adequate resources to do much of that work. All information about people working unlawfully is taken seriously but in most cases we must rely on the quality of evidence that is provided by the person making the complaint to decide whether or not to prosecute.

The Plumbers, Gasfitters and Drainlayers Amendment Bill passed in Parliament

The Bill to validate some Board fees and levies has been passed in Parliament. The passing of the Bill removes uncertainty about the way in which the cost of offence prosecutions are funded by the Board.

Recent prosecutions

On 25 June 2013, Rodger Rowland Spence, registered certifying plumber, was convicted in the Hutt Valley District Court of a charge of carrying out sanitary plumbing work without a current practising licence. Mr Spence was convicted and fined \$900.

On 1 July 2013, Lindsay Jones was convicted in the Timaru District Court of charges of carrying out sanitary plumbing and gasfitting work when not authorised. Mr Jones was fined \$2,000.

On 2 July 2013, Ken Dunlop, an unauthorised person, was convicted in the Wellington District Court of a charge of negligently carrying out sanitary plumbing in a manner dangerous to life. Mr Dunlop was fined \$3,500.

On 9 July 2013, Albert Wilson was convicted in the Auckland District Court of a charge of carrying out sanitary plumbing work without authorisation. Mr Wilson was fined \$700.

On 15 July 2013 Stephen David Drake was convicted in the Thames District Court of a charge of carrying out sanitary plumbing and gasfitting without authorisation. Mr Drake was fined \$5000.

On 19 July 2013 Bruce Hume was convicted in the North Shore District Court of charges of advertising as a plumber without being registered or licensed. Mr Hume was fined \$2000.

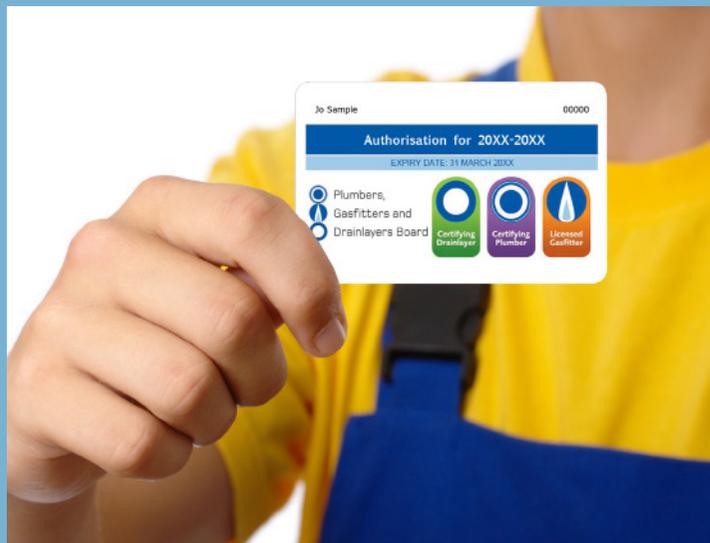
On 6 August 2013, Ruo Lan was convicted in the Auckland District Court of a charge of carrying out gasfitting without authorisation. Mr Lan was fined \$3,700.

Consultation on supervision requirements

There are currently supervision requirements in place for trainees, holders of exemptions under supervision, and licensed class registered tradespeople. The Board wants to look at how well the current supervision requirements are working to see if they need to be reviewed. As part of this process the Board is looking for input from tradespeople and wants to know how you think supervision in the industry is working and could be improved. What do you think should be allowed or required in terms of supervision and what shouldn't?

The Board does not yet have any firm views on this issue. Our work of developing a new policy will not start until we have the views of tradespeople. Please read the consultation paper and send us your views by **5pm Friday, 18 October 2013**.

[Click here](#) to view the consultation document and to make an online submission.



ASK FOR THE CARD

A simple guide to gasfitting certification under the amended Gas (Safety and Measurement) Regulations 2010

What gasfitting requires certification?

From 1 July 2013, all gasfitting work (as defined in section 5 of the Plumbers, Gasfitters and Drainlayers Act 2006) requires certification.

Who can certify gasfitting?

Only Certifying Gasfitters or people specifically authorised by the Board to certify can issue any gasfitting certificate.

What types of gasfitting certificates are required?

There are now two stages to certification: **the Certificate of Compliance (CoC)** and the **Gas Safety Certificate (GSC)**.

Certificate of Compliance (CoC)

A CoC is required for all high-risk and general gasfitting. The CoC is issued by the person (certifying gasfitter) who carried out or supervised the work and states that the gasfitting was done lawfully and safely. A CoC may also be issued for low-risk gasfitting.

A CoC may be issued for work on an installation or part installation and CoCs may be combined.

Gas Safety Certificate (GSC)

A GSC is required for all gasfitting work on an installation or part installation once it has been completed and connected to the gas supply. If the gasfitting work is done without disconnecting the gas supply a GSC must be issued on completion of the work. The GSC states that the installation is connected to a gas supply and is safe. The GSC is issued by the person (certifying gasfitter) who did or supervised the connection.

A person connecting the gas installation (and therefore issuing a GSC) is entitled to rely on any relevant CoCs. Connection and issuing the GSC usually happens at the end of each job but may on some occasions happen two or more times over the course of the installation.

What does a gasfitting certificate need to contain?

Certificate templates can be found at www.med.govt.nz/energysafety/forms/certification/gas

What gasfitting has to be entered into the Energy Safety database?

Only high risk gasfitting. This entry is not a certificate; it is a record of the installation.

How do I decide which risk type a gasfitting job fits into?

This work is now broken down into 3 risk types: low-risk, high-risk and general risk. Use the following three step process to determine which risk type the gasfitting is.

1. Decide whether the gasfitting meets any of the low-risk criteria. If so, it is low-risk gasfitting.
2. If the gasfitting is not low-risk, decide whether it meets any of the high-risk criteria. If so, it is high-risk gasfitting.
3. If it is not low-risk or high-risk gasfitting, it is general gasfitting.

Low-risk gasfitting:

If any of the conditions listed below applies, the gasfitting is low-risk.

Low-risk gasfitting determination checklist

1	<p>The (like for like) replacement of a gas appliance with an equivalent gas appliance, provided –</p> <p>(i) the work does not result in any of the following:</p> <ul style="list-style-type: none"> • the repositioning of pipework or flue system components • a change in the installation pressure or the gas type • a significant change in energy consumption • a change in the ventilation • a change to the operation of the installation; and <p>(ii) the appliance is not located in a caravan or boat with sleeping quarters.</p>	
2	<p>Maintenance of fittings and appliances in an installation that involves gasfitting – other than repair work carried out following a notifiable accident.</p>	
3	<p>Replacement fittings that are instrumentation and related controls – provided the work doesn't result in the repositioning or disturbance of pipework that is not instrumentation and related controls.</p>	

Low-risk gasfitting determination checklist continued...

4	Setting of safety devices, combustion conditions and controls that are not designed to be adjusted by a consumer or gas refueller.	
5	<p>Gasfitting in a gas engineering workshop, manufacturing facility, gas test facility, laboratory, hospital, research project, or teaching institution, but only if—</p> <p>(i) the work is the installation of temporary pipework between fittings (or between gas appliances, or between fittings and gas appliances), or the repair of fittings and gas appliances; and</p> <p>(ii) the fittings or appliances are used for experimental, testing, demonstration, teaching, or research purposes.</p>	

Most low-risk gasfitting is gasfitting that before 1 July 2013 did not require certification. Examples of low-risk gasfitting are:

- Servicing a gas appliance e.g. setting burner pressures, adjusting burner aeration controls, replacing thermocouples etc.
- Replacing or swapping a like for like appliance or fitting e.g. a valve or regulator or a flue cowl.

High-risk gasfitting:

If any of the 12 conditions listed below applies and it is not low-risk, then the gasfitting is high-risk.

High-risk gasfitting determination checklist		
1	Alteration of or addition to an existing installation	
2	Work not carried out in accordance with the means of compliance in the Installation Standard	
3	Work on an installation that includes gas pressure raising equipment	
4	Repair work following a notifiable incident	
5	Work on domestic premises where the maximum operating pressure is more than 7 kPa for NG or more than 14 kPa for LPG	
6	Work in a building of more than three storeys which contains three or more separate dwellings	
7	Work done to Part 1 of the installation Standard but where the pressure supply to the installation is greater than 200 kPa	
8	Work done to Part 2 of the installation Standard but where the pressure supply to the installation is greater than 3 kPa	
9	Work done within 20 metres of a hazardous area	
10	Work in a building in which air pressure is controlled by a mechanical ventilation system	
11	Work where air for combustion is provided by mechanical means either at above or below atmospheric pressure	
12	Work in a caravan or boat with sleeping accommodation	

General Risk:

If the gasfitting is not low-risk or high-risk, it is general risk. Examples are:

- A new installation that does not meet any of the high risk criteria
- Replacing an appliance with a different type of appliance
- Installing pipework, flues or ventilation

What is a Safety Verification Certificate used for?

A safety verification certificate issued by a certifying gasfitter or other person authorised to certify in accordance with NZS 5255(Int):2013 is required where an existing gas installation has been disconnected for 6 months and no general or high-risk gasfitting has been done in that period.

Gas certification examples

1. If you install a continuous flow water heater in a new installation that meets the means of compliance in the installation standards:

- The work is not low-risk or high-risk so it is general gasfitting
- The work requires a CoC as well as a GSC

2. If you replace a continuous flow water heater with an equivalent that does not result in a charge to the installation pipework, gas type, gas pressure, energy consumption, ventilation or operation of the installation:

- The work is low-risk gasfitting
- The work requires a GSC

3. If you install a continuous flow water heater in a new domestic installation that doesn't meet the means of compliance in the installation standard:

- There will have to be a certificate design and you may also be following manufacturer's instructions
- The work is not low-risk and is high-risk because it meets one of the high-risk criteria
- The work requires a CoC and a GSC, and you will have to register details about the work on the high-risk register.

4. If you install the pipework for a new installation of a continuous flow water heater without connecting it to the gas supply, but someone else is going to install the appliances and connect the gas supply:

- The work is not low-risk or high-risk so it is general gasfitting
- The work requires a CoC for the part installation, (it will require a GSC when it is connected by the person who connects the gas supply)
- The person doing the connection can rely on the CoC for the pipework

5. If you install the pipework for a new installation of a continuous flow water heater and connect it to the gas supply, but someone else is going to install the appliances and connect the gas supply:

- The work is not low-risk or high-risk so it is general gasfitting
- The work requires a CoC and GSC for the part installation
- The installation of the appliance will require a CoC and GSC when it is connected