

**TABLE OF CONTENTS**

- **Don't hold back on your Opinion.**
- **Pay no Fees to the PGDB Update**
- **Trust**
- **What do we do when they do nothing?**
- **Spot the Difference**

**IN OTHER NEWS**

**Letter to the Editor**

**Dear Editor**

**The stigma follows them.**

I read with interest your few lines implying the Boards were failing due to having the same people or types of people on the Boards influencing the industry.

I tend to agree with you. I know I don't trust a couple of the PGD Board Members and a few ex Board members. Some are now on other Boards which I now question their ethics and standards.

When you lose faith and trust in the Boards you question their decisions and become suspicious of their activities and motives.

**Don't hold back on your Opinion.**



The Federation voices its opinion and sometimes people don't like or agree with them, but imagine if you knew what we were thinking.

We thought we would start this week with some of our member's opinions.

***Dear Editor** Has a new Board member been appointed to replace Alan Bickers? I seem to remember the position was advertised at the beginning of the year.*

***Ed:** We have checked up with Senior Advisor Governance, Office of the Deputy Chief Executive, Market Services Group, Ministry of Business, Innovation & Employment (Yawn) and he tells us the Board member vacancy on the Plumbers, Gasfitters & Drainlayers Board is still under consideration and they should be in a position during the next few weeks to advise the outcome.*

***Dear Editor** God help us if we relied on Government Departments for our livelihood. They move slower than a turtle trying to pull a house. How hard is it to make a decision like this?*

*With all the shit coming out about Labour allegedly accepting donations from the dodgy Mr Liu it just makes me lose the tiny shred of respect I might have had for any Member of Parliament - to zero.*

*If I was the captain of a boat choosing who I would keep if the world was facing total devastation – there would not be one Member of Parliament amongst them. I would even give shelter to a cockroach ahead of a Member of Parliament, or any strategic policy analyst for that matter. They are truly a blight on society.*

Thanks writer. It's very good to find out how people feel about these issues. If anyone else out there has an opinion send it in so others know what you are thinking.

**Pay no Fees to the PGDB Update**



This year's protest of "Pay No Fees to the PGDB" is nearly over as it would appear the Board have moved to the enforcement stage of their "tax" collection process.

The Federation thanks all those who supported the "Pay No Fees

I know I now question my membership and support of some Boards and organisations due to the Board members.

I believe this situation is going to get far worse than it is now with the PGDB leading the way trying to force people into submission.

I think other Boards are going to get more forceful in their attempts to get their own way but believe it will back fire on them financially with the loss of stakeholders and their support.

**Ed:**

Hi writer. That's a very big prediction you have made but we think you are right. We stated last week that we felt more people want accountability and you are re-enforcing that.

If people are not held accountable then what actions can stakeholders take? All they can do is what is happening now – they are moving to organisations that they feel they can get a better deal.

This issue has been in the industry for a long time but beforehand the Board Members had the backing of an industry organisation but now even that organisation has had its own problems. We are lead to believe there is another

to the PGDB" campaign. A great deal was learnt from the campaign both in how to run such a campaign and the Board's attitude.

Right from the start the Board and CEO displayed an arrogant attitude in that they knew protest action was being planned and how it would unfold, yet they did nothing to prevent it. They showed no willingness to negotiate to avoid the action, they simply took an hard-line ignorant attitude, and all their actions were reactive.

The protest showed the Board's Waiver of Fees and Levy Policy had no explicit purpose and is only "implied". That means the policy is based on what the Board believes the Plumbers Gasfitters and Drainlayers Act 2006 means. The Act states in part:

*"Any notice imposing any levy under this section may exempt from liability to pay the levy any class or classes of registered person, and may provide for the waiver or refund of any levy"*

Simply put, there is no mention of exemptions being limited to hardship. We feel those practitioners who submitted applications were discriminated against based on the fact it was a protest action, and they were Federation members. The actual substance of their complaints was never looked at. This shows the measure of the Board and the Registrar. Trust is a huge issue between industry and our regulator in that we don't have any trust in them.

Our perception is the Board and Registrar used the system in an unfair manner. The policy is open to interpretation as the Board sees fit BUT was it the Board that interpreted it? NO, it was the Registrar, to whom the Board delegated all licensing authorities. This effectively means one person's decisions and advice reigned supreme, so it begs the question is the "tail wagging the dog"?

For example an Official Information Act request was submitted and because it would have delayed the payment of fees to the Board, a response was received within 48 hours, but then when an additional request was made where the information was needed for appeal purposes the Board immediately went back to the standard 20 working days response time.

Was there fairness in when the Board's decision took effect? First a letter was sent out stating the waiver of fees and levy application had been denied and that the Board was looking at declining the licensing application because it wasn't accompanied by the relevant fee. Ten working days were given to respond.

The next letter stated the Board had declined the application to relicense and that the status on the public register would now be changed. No date was stated. On checking with the Registrar he had this to say:

*"Now that the Board has made its decision and it has been conveyed to you, you are effectively unlicensed immediately. Your status on the public register will be changed to unlicensed tomorrow unless you have relicensed before then, which you can of course do online in a matters of minutes."*

change in management which hopefully will open the door to a more unified industry.

Times are changing and there is more than one voice in the industry now so Boards and organisations, whether they are industry Boards or Merchant Boards, need to recognise this.

### From the Media

We saw this on [www.plumbers.co.nz/forum/](http://www.plumbers.co.nz/forum/)

“I have a very simple question. What has the Plumbers Gasfitters and Drainlayers Board done to protect the Public since the Amendment Bill last year?

In fact what has the Board done differently in the last 5 years that has been legal to protect the Public?

It seems to me nothing is improving and all the Board ever does is change administrative processes to make themselves look busy”

**Ed:**

This is a very valid question and we hope the writer gets an answer.

We tend to agree with the writer, as whatever the Board does affects us the practitioners, so you would think they would want to get the support of the industry by being fair and reasonable but the perception is they are stuck in a rut of failed ideas and don't want to back down.

We can only imagine what it would be like to get up in the

*Section 168 of the PGD Act 2006 provides that an appeal to a District Court does not delay the implementation of, or put a stay on, the Board's decision”*

So how fair is that? You follow the process and at the end of the day there is no grace period to license, “bang” - unlicensed immediately. For one Upper Hutt firm this was six people with families to support immediately left unemployable. This is sickening.

Luckily the employer paid the fees but is now being obstructed by the Board with regard to information being released in time for an appeal. Incidentally an appeal must be filed with the District court within 20 working days of the Board's decision.

We have not heard of any Section 52 exemptions which were accepted as it seems these applications must be accompanied by the fee or they don't even get looked at.

This protest action provided the Board and Registrar with the opportunity to show their willingness to talk to the Federation as they claimed to the Office of the Auditor General follow up report. More hollow words from our regulator.

So much for being recognised as a fair regulator of the industry. Simply despicable behaviour to again impede practitioner's rights.

### Trust

We see the 10th annual Reader's Digest trust survey is out and Politicians have moved up a spot to 47th-equal with sex workers, journalists (43rd) are just ahead of real estate agents (44th) and car sales people (46th). We feel the sex workers may have been hard done by here as they will only take money once for services provided but the Politicians will continually take money for doing nothing.

CEOs (41st) are slightly more trusted than call centre staff (42nd). Amazing how that one point difference has a salary difference of hundreds of thousands of dollars annually.

### What do we do when they do nothing?



It might look like the Plumbers Gasfitters and Drainlayers Board is doing nothing, but they are actively waiting for all their problems to go away.

A lot of administrative paper shuffling, giving the illusion of success, has the

Government believing the Board is achieving - or perhaps the Government is turning a blind eye because the protection afforded to the consumer through the efforts of practitioners doesn't cost the Government a single cent.

morning and go to work thinking it's great to be well regulated on an even playing field supporting a go ahead industry that everyone wants to join.

The Current environment created by the Board is one of enforced compliance and no one likes to be continually told what to do, especially when the people telling you have been proven to be incompetent and previously acting in an illegal manner.

You would think the Government would be smart enough to realise change is needed and that people in the industry are sick of a regulatory environment which is stop, start, fail.

#### Party politics put aside for UN Security Council bid

Labour and National could have to work together during the election campaign, to secure a seat on the UN Security Council.

A decision on whether New Zealand gets a non-permanent seat on the Council for the next two years, will be made around the time of September's election.

Labour's David Shearer told TVNZ's Q&A programme New Zealand has to show it's bigger than party politics, when it comes to international affairs.

He says he and Murray McCully will need to move there in the next couple of days, and begin presenting a principled "New Zealand Inc" front to other

As an industry we are left in the wasteland without any governance but are still required to fund a Board for the benefit of all New Zealanders. We need numbers and a collective direction to force fairness and equality.

The Federation speaks with practitioners every day and are quite amazed at how many are waiting for the Minister of Building and Construction and the Board to do something for the industry. It's time to realise that isn't going to happen. We would love to be proved wrong but are confident the status quo will remain. Politicians at the present time are simply focussed on the upcoming election and how they can maintain their fat cat wages and comfy perks. The day we meet a politician who is more interested in helping the people they are meant to serve rather than themselves we'll willingly eat our overalls.

We have no say in what they do or how they spend our money. If we were to forget about the garbage they impose on the industry, forget about the historical issues from the last four years, forget about their devious tactics and ask a simple question - what are they actually doing to protect the public – we would be struggling to find an answer.

### Spot the Difference

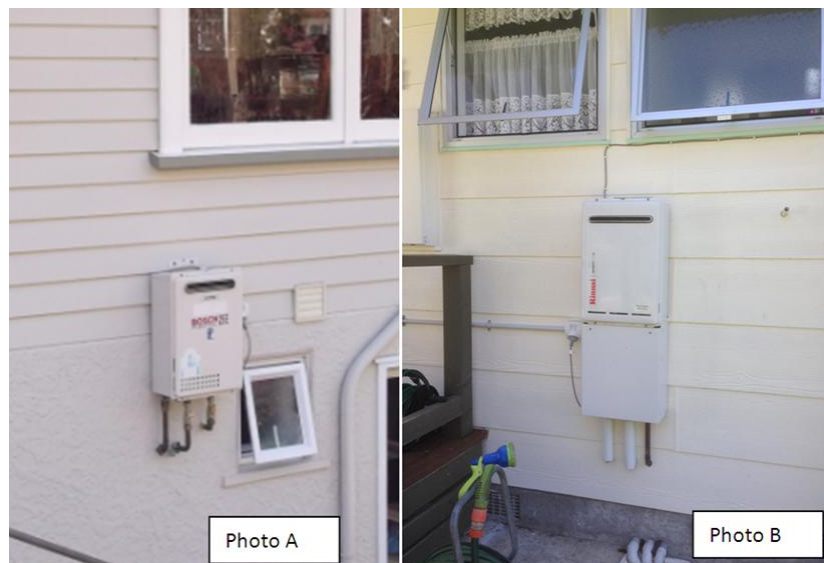


Photo A was used as evidence in a discipline hearing which cost over \$200,000 and a tradesman his livelihood and career. Photo B shows a property where it would appear the Board is not willing to investigate.

Photo A was not the subject of a complaint by the consumer and there was never any smell of gas inside the building. The consumer did not see the need for an investigation and subsequent prosecution.

Photo B it would appear was the subject of a complaint from the consumer over seven months ago and gas was smelled inside the building. Word is the consumer was advised to shut the windows when using the Infinity. The consumer complaint was apparently withdrawn.

countries.

**Ed:**

A Principled “New Zealand Inc” what a joke.

When you look at what the Governments have done to our industry they are not principled at all.

Is it principled to make a decision in select committee and then vote against that decision in the House?

Is it principled to let a Government appointed Board unlawfully take millions of dollars from an industry without repercussions?

Is it principled to use industrial exclusion on an industry and to give a Registered Charity the authority to tax New Zealanders as they see fit?

Is it principled to legalise the unlawful spending of money that was collected for a specific purpose?

Is it principled to ignore over a decade of failures by a government appointed Board?

Principled isn't the perception we have of the Government or their cronies.

Photo A was installed by a tradesman the Board chose to persecute. Photo B was installed by an authorised installer and maintenance agent.

You are the judge on what is fair and what is not, but the perception there is no set standard and it is more a case on how the Board feels the day and if they know the alleged offender. Even if the Board don't take action we would hope the manufacturer of the appliance would have some concerns about an authorised service agent installing one their products in this manner.

We understand this has also been brought to their attention but that they are waiting to see what the Board will do. We say – don't wait on the Board – or you could be collecting your old age pension. We also say – why are their mixed messages going out to the public? We say if this matter has been brought to the Board's attention they should act with fairness and consistency.

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