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## IN OTHER NEWS

### Letter to the Editor

#### Dear Editor

I hear a lot of talk about historical complaints and the Board's claim that they have all been dealt with.

Can you give us an update of what you know?

**Ed:**

The historical complaints process has been closed off by the Board and all reference to it has now gone.

However this Board has possibly created its own group of historical complaints and only time will tell.

What we know about the historical complaints dealt with by the Board is that we are yet to find a complainant who was satisfied by the outcome of their complaint.

It appears most of the independent inquiries conducted found in the favour of the complaints but the actions taken by the Board were limited or nonexistent resulting in the complainants not being satisfied with the outcomes.

## The Election is Over

The election is over and Ministers have been appointed. It appears the Hon Dr Nick Smith has retained the position of Minister of Building and Construction.

Hopefully we can now get some stability and consistency in the manner in which plumbers, gasfitters and drainlayers are regulated, where there will be accountability of the Board and its actions, and dare we hope for some fairness and equality for the industry.

We all know the Minister is responsible for the builders and electricians as well so perhaps we could ask him to address the inconsistencies in the regulation of the three sectors. This would make so much sense – good common sense.

Should plumbers, gasfitters and Drainlayers be sucked in to MoBIE there should be economies of scale savings in administration alone surely, and even more if they could accommodate them in cheaper premises! Who knows, perhaps the PGDF could loan its considerable "legal" department to other government agencies and we could get some pay back on this investment.

## Review of the Act



What's happened to the review of the Plumbers Gasfitters and Drainlayers Act 2006?

Section 187 of the Plumbers Gasfitters and Drainlayers Act 2006 states:

### 187 Review of Act

- (1) The Ministry must, after the expiry of 3 years after the commencement of this section,—
  - (a) review the operation of this Act since the commencement of this section; and
  - (b) consider whether any amendments to this Act or any other law are necessary or desirable in relation to plumbing, gasfitting, or drainlaying; and
  - (c) report on its findings to the Minister.
- (2) The Minister must present a copy of any report provided under this section to the House of Representatives as soon as practicable after receiving it.

The Board appears to have taken the stance of “yes we got it wrong but for the safety of the public we can’t do anything about it now”.

In most cases they didn’t follow through with the recommendations of the independent inquiries.

The Act doesn’t allow a provision of compensation so in effect the historical complaints have been dealt with from the Board’s perspective but live on with complainants thus undermining the credibility of the Board.

We know some of the complainants are still fighting with the Board attempting to get some form of satisfaction.

We take our hats off to them for their tenacity. You would think the Board would make minor concessions to make the situations go away.

Perhaps the Board should revisit the complaints and their outcomes and negotiate their way clear of the current negative attitude towards them.

Awarding a couple of qualifications, one exam point, and asking for an independent enquiry into an investigation might help get them out of quagmire they are sinking into.

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#### Dear Editor

This question is with regard to the Board – “Is the Board still an unquestioned regulator or an increasingly irrelevant and dysfunctional sideshow?”

**Ed:**

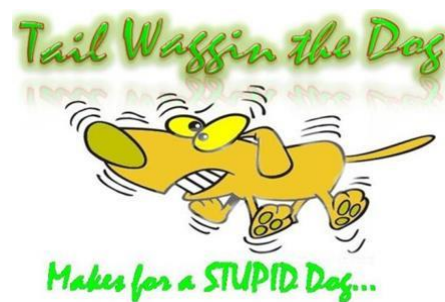
Well reader you certainly know how to put the editor on the spot.

By our reckoning the three years was up in July 2013. Now 15 months later we haven’t seen anything about it!! At a meeting with the Minister we were told by a MoBIE representative that consultation would be out in August. We presumed it would be August 2014, but perhaps they meant 2015. Such an important review as this should not be sitting on someone’s back burner. The time delay isn’t good enough.

We get the impression that the industry gets limited time to respond to anything, for example the previous Minister wanting to rush the Amendment Bill through Parliament in a week - but on the flip side the Board and Government can bumble along at whatever speed they want – which generally seems to be slow, very slow and almost dead.

We note the Board will make a decision about the Fees and Levy review this year and will consult with the industry next year, prior to the new licensing period. That doesn’t leave much time for consultation and the issuing of Gazette notices. Looks like decisions may have already been made and now it’s just a matter of being SEEN to follow a process. We will be fighting to ensure our right to be properly consulted with and due process being followed.

#### Letter to the Editor



**Dear Editor**

Who is running the Board? I get the impression it’s the Chief Executive and the Board is just there for the perks. It looks like a case of the tail wagging the dog. Any thoughts?

**Ed:**

There would be some who would argue about the perks but it’s probably more an issue of perceptions and sometimes perceptions can be more damaging than reality.

In response to your comment about the “tail wagging the dog,” in some ways you may be right, but yet again it may be a perception or yes, there could be a lot of truth in the comment.

We know nearly every one of the appointed Board’s functions that can be, has been delegated to the CE/Registrar. It seems the CE/Registrar reports on his decisions for no further action by the appointed Board. Any question of those decisions by practitioners seems to be dismissed by the appointed Board in support of the CE/Registrar.

The CE/Registrar does make some recommendations to the Board, backed by his legal division, which the Board base their decisions on. So yes there is a perception the tail is wagging the dog, but the ultimate responsibility lies with the Board. If they don’t hold the CE/Registrar accountable then they must take the flack for their actions or lack of action.

Let's look at it this way - the Board's performance appeared to go unchecked by the previous Minister and the Board made some huge mistakes, which the tried to justify, that affected the industry and the credibility of the Board.

The suspicion of their actions and the mistrust it created has affected the perception of their motives in everything they do.

As far as their relevance goes it seems the more heavy handed regulation they impose on the industry the more people are turning their back on the regulation of the industry.

If tradespeople saw an advantage in having the Board then you could say the Board was relevant to the industry but when they take a solid consumer protection stance then they are working themselves into a position where the industry doesn't support them and relevance becomes nonexistent.

A lot of our future hangs in the CE/Registrar's hands – is this a good thing or a bad thing for industry. Tell us your thoughts.

## We are still here



On 24 September 2010 the Plumbers Gasfitters and Drainlayers Federation was formed and was incorporated. Four years later we are still here and still fighting for fairness and equality in the industry.

The Federation was formed as the “self proclaimed voice of the industry” at the time had a bad case of laryngitis

and change was needed. Up stepped the Federation to take on the cause for the grass roots industry members that supported the Federation's stance on issues. In those four years there has been success but there is still a long way to go.

The softly, softly approach to negotiate change is gradually being replaced with more aggressive measures to force change. Without wasting hundreds of thousands of dollars of industry money in legal battles we are left with relying on the Minister of Building and Construction to bring about change or we must hit the streets and force the change.

Earlier this year we protested for change at licensing time and that same time of the year is only 5 months away, with very little change for the good of the industry having occurred. It has been suggested the protest action was too mellow as was the action when Prince Charles visited. Talk of a physical protest at parliament and on the streets has again been suggested.

One suggestion this week is a rally from each end of the country converging on Wellington. This type of action might be what is needed to protect our own interests.

We know this goes against the grain of a lot of tradespeople but we are rapidly running out of options. How long do we wait for something to change?

What are your thoughts? Send them to us and we will let others know what you are thinking.

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