



## Fellow Practitioner Issue 234 Dated 28 November 2014

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### IN OTHER NEWS



#### Hi Ed

When I started my apprenticeship in the early 60's it consisted of 12,000 hrs but was reduced to 10,000 soon after.

I concentrated on passing my exams as soon as possible and really enjoyed the practical side of things, beating at lead etc for days on end.

I had planned to gradually slow down in the last few years and become a tap washer, ball-cock specialist, but with all the associated bureaucracy now days I've become sick of it all.

Two licences best part of \$500, Public Liability \$500, don't stand on the top rung of a three step ladder, responsible for anything we touch, i.e. owner supplied even, it's all got a bit much.

Gaining CPD points by attending courses about something I'll never use in the future, CHARACTER interviews? I think 51 years (45 in my own business) should tell something about my CHARACTER.

Master Plumbers - I got out of

### From the Plumbers Forum

We picked up on this little gem on the Plumbers Forum and it was in response to last week's issue of the Fellow Practitioner.

*It just gets worse doesn't it!*

*What's the Minister "Mr No Action" doing about all this? We haven't heard from him since he took over earlier in the year. At least with old flip flop Williamson we got a few laughs.*

Well some things don't change and Maurice Williamson still cops a bit of flack and deservedly so. The comments prompted us to do some digging about what is happening.

When the Federation met with the Minister earlier in the year after Maurice Williamson got the flick, Dr Smith indicated he wanted to look at a wider review of all occupational licensing to get try and alignment across the 7 or 8 different schemes.

So it would appear that is what is happening. Looks like there will be consultation on this issue and it may be part of the review of the Plumbers Gasfitters and Drainlayers Act which is signalled to commence next year, some TWO years after the Act stated it should occur!!

This is quite surprising when not all issues were considered when the changes were implemented which is evidenced from the summary of changes in the Energy Safety Review Bill: Plumbers Gasfitters and Drainlayers Bill which states:

*The report discusses the proposed changes to the Energy Safety Review Bill Parts 5 to 8 in the appropriate order that they appear in the Bill. In reading through the proposed changes you should also note that the Committee proposes to include in the Bill a requirement for a review of the implementation of the Bill three years after it is enacted, to be tabled in Parliament. This review will allow for both the implementation to be monitored as well as for considering amendments to those parts of the Plumbers Gasfitters and Drainlayers Act that it was not possible to consider during the Select Committee process.*

When you read that statement it is quite evident the industry has been operating on a partially considered Act for nearly 5 years now and it is obvious there is no urgency to take action to correct the situation. Why would the Government put urgency on the review or anything to do with Plumbers Gasfitters and Drainlayers as they don't fund us and at the moment they only achieve their goals through the good will of the industry?

years ago as I could not see any benefits for my \$1000 fee and I can only recall being asked if I was a member two or three times in my life.

Thanks for all the work of the PGDF over these last few years and keep up the battle (ILIGITIMO NON CARBORUNDUM) army speak.

The government felt sorry for me a few years ago so they started sending me money each week for doing nothing, I don't even have to get out of bed if I don't feel like it, so I've decided to hop in my classic car and ride off into the sunset on a nice day instead of staring into a toilet bowl where all I could see was the Plumbers Board looking back at my CHARACTER.

Quote for the day, SHIT HAPPENS, no it doesn't it needs an arsehole. (Plumbers Board springs to mind again.)

#### *Retired Plunger Bill*

Thanks again for all the hard work you are doing.

#### **Ed:**

Well writer you are a prime example of a person that the implementation of the Plumbers Gasfitters and Drainlayers Act was meant to protect.

There was intent there with regard to licensing to protect retired people so they could do exactly what you are implying but alas the regulators are failing and ignoring the intent of sections of the Act.

We are fighting for change and fail to see why the Government is supporting 10 people and a CEO who are getting it so wrong apart from the Government wanting to save face because they appointed them and failed to hold them

The Government and their appointed Board have not taken reasonable care in the regulation of the industry and the industry has endured far too much of their incompetence. There will no doubt be a panic when that good will runs out.

## The Best Practice Regulation Model



You may not be aware but Treasury has developed, implemented and monitors a Best Practice Regulation Model. Being a regulated industry we thought "what a great idea". Read on for the outcome.

Treasury states:

*"Regulation is one of the key tools used by government to pursue economic, social and environmental outcomes from which the community will derive benefit. High quality regulation is important for productivity and higher living standards for New Zealanders, which encompasses economic growth, reducing risk, sustainability, equity and effective social institutions.*

*A regulatory regime can therefore be viewed as a type of institutional asset that is intended to provide a stream of net benefits to New Zealand society over time. The challenge is to ensure that those regimes remain assets and not liabilities, and that we maximise their net benefit to society"*

Looking at this best practice model and the organisations it affects it would appear the plumbing gasfitting and drainlaying industry is not included in the best practice reviews. There is mention of water quality and gas supply in the review list but nothing about the collective industry.

The plumbing gasfitting and drainlaying industry seem to miss out on the best practice reviews done on a bi-annual basis, which is not surprising, as Treasury deals with Government money and savings in that area.

Why would they get involved in plumbing gasfitting and drainlaying when the Government doesn't have to fund it, when the model of funding is the only one of its kind in the country, when the method of prosecutions of non registered people is the only one of its kind in the country and would they really want to get involved in a Registered Charity that is given the power by the Government to tax (levy) an industry?

So who is measuring the benefits and what are they? We heard a lot during the Plumbers Gasfitters and Drainlayers Amendment Bill 2013 about the benefits of tradespeople being in regulated industries. This was about the protection afforded to the industry by the regulation but no one could tell us what the protection was and how anyone in the industry actually benefited from it.

accountable.

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**Dear Editor**

Have you ever tried to contact someone at "The Skills Organisation?"

I tried last week and was told the person wasn't available. I tried again this week twice, and again, they weren't available. I asked for their direct dial number and was told they didn't have direct dial numbers.

What a joke. It appears they are an organisation that employs people who produce very little and what they do produce you can't contact them about to get the information from them.

Ed:

Yes I have had the same experience.

The best you can do is leave a message and hope that they get back to you.

**From the Media**

*Commenting on the settlement the State Services Commission has reached with former CERA CEO Roger Sutton, Taxpayers' Union Executive Director, Jordan Williams, says:*

*"Only in the public sector do you receive a payout for 'resigning'. While the public were told that Mr Sutton resigned, it now appears a secret deal was done that's seen taxpayers fork out*

Is anyone measuring if the costs outweigh the benefits with regard to public safety? Is anyone measuring if the regulation of the industry is actually effective? What are the measurements of public safety?

It appears to us that the Board's success is measured on its achievement of bureaucratic performance indicators such as having 10 newsletters a year, having 10 stakeholder meetings a year, prosecuting non registered people, making recommendations for changes to the Act, and of course getting a good pass from the Auditor General's follow up report.

Where are the measurements of the protection of the public's health and property? There doesn't appear to be any, so how is success measured? It seems that SUCCESS IS MEASURED ON FAILURE – DISCIPLINE AND PROSECUTIONS. Yes it is very much a case of look at how many prosecutions we have undertaken, look at how many tradespeople we have prosecuted for working unlawfully, and look at how many tradespeople we have disciplined.

No one is looking at WHY these issues are occurring. Why are people choosing to take the risk and do their own work, why are tradespeople taking the risk and operating when not authorised, why are tradespeople being disciplined – is it lack of knowledge, lack of training or something else? Where are all the measurements to get this type of information?

The Government are the only ones who benefit from the existing system as the Government does not incur costs and they have the assurance from the Board of practitioner skill. Apparently under the Act they have increased monitoring capabilities which provide greater assurance of Board and regulation performance.

We note that MoBIE advises the Minister and provides the Minister with advice and support on matters of strategic importance. We would have thought the reduction in numbers of people seeking authorities to do sanitary plumbing, gasfitting and drainlaying and issues with the levels of training would be strategic issues. As an industry they are important issues to our survival and maintaining historical knowledge for the development of the industry.

It seems to us that there is no stewardship over the regulation of our industry just people going through the motions. On 4 March 2013, Cabinet agreed to a set of initial expectations for departments in exercising their stewardship role over government regulation [CAB Min (13) 6/2B refers].

The regulatory expectations outline at a high level how departments should be designing and implementing regulatory regimes, and their stewardship role in administering those regimes. The expectations are that departments will:

- monitor, and thoroughly assess at appropriate intervals, the performance and condition of their regulatory regimes to ensure they are, and will remain, fit for purpose
- be able to clearly articulate what those regimes are trying to achieve, what types of costs and other impacts they may impose, and what factors pose the greatest risks to good regulatory performance

*potentially hundreds of thousands."*

*"Instead of serving taxpayers, the State Services Commission is spinning the golden handshake as a 'resignation' to avoid public scrutiny."*

*"State Services Commissioner Iain Rennie can't have it both ways. He either negotiated an exit package to dump Mr Sutton, or Mr Sutton resigned and gets nothing." "*

*It's time for Labour Minister Michael Woodhouse to step up and amend employment law to prevent more taxpayer funded golden handshakes."*

*"Regardless of whether Mr Sutton is guilty of wrongdoing, he's telling the public that he resigned off his own back. That shouldn't come with a cheque."*

- have processes to use this information to identify and evaluate, and where appropriate report or act on, problems, vulnerabilities and opportunities for improvement in the design and operation of those regimes
- for the above purposes, maintain an up-to-date database of the legislative instruments for which they have policy responsibility, with oversight roles clearly assigned within the department
- not propose regulatory change without:
  - clearly identifying the policy or operational problem it needs to address, and undertaking impact analysis to provide assurance that the case for the proposed change is robust
  - careful implementation planning, including ensuring that implementation needs inform policy, and providing for appropriate review arrangements
- maintain a transparent, risk-based compliance and enforcement strategy, including providing accessible, timely information and support to help regulated entities understand and meet their regulatory requirements, and
- ensure that where regulatory functions are undertaken outside departments, appropriate monitoring and accountability arrangements are maintained, which reflect the above expectations.

The last one on this list *"ensure that where regulatory functions are undertaken outside departments, appropriate monitoring and accountability arrangements are maintained, which reflect the above expectations"* creates a final laugh when you look at the accountability agreement between the Minister and the PGDB - of holding meetings, putting out newsletters, getting good passes from the Auditor General's office etc.

The Federation doesn't believe we should be funding others failures.

1. How far are you prepared to go to ensure fairness and equality in the regulation of OUR industry?
2. What are you prepared to do to strengthen OUR industry?
3. What are you prepared to do to ensure relevance in training?
4. What are you prepared to do to tackle excessive expenditure?
5. What are you prepared to do to make the Board and Government accountable?

**LET US KNOW HOW FAR YOU ARE PREPARED TO GO BECAUSE THERE NEEDS TO BE CHANGE NOW! WE HAVE WAITED LONG ENOUGH – TOO LONG MANY WOULD SAY.**

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