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## IN OTHER NEWS

### From the Ministry of Business, Innovation and Employment

*Have your say on the Plumbers, Gasfitters and Drainlayers Act*

*The Ministry of Business, Innovation and Employment (the Ministry) is currently reviewing the operation of the Plumbers, Gasfitters and Drainlayers Act 2006 (the Act), as required by section 187 of the Act (the review).*

*The Act aims to protect the health and safety of the public by regulating people who carry out sanitary plumbing, gasfitting and drainlaying. Consequently, the Act regulates a wide range of functions, including:*

- *registration and licensing*
- *exemptions from registration and licensing*
- *competence*
- *receipt and investigation of complaints*

## A Privilege to be Reappointed

In the latest edition of the Plumbers Gasfitters and Drainlayers Board Info Brief the Chairman of the Board had this to say:

*"It is a privilege to have been reappointed as Chair of the Board for another year....."*

A privilege to be reappointed to lead a Board that has unlawfully taken from the industry, that has implemented a Continuing Professional Development Scheme that was rejected by the industry twice, that has implemented a prosecution levy that causes the industry to pay to protect the ENTIRE public of New Zealand, that issues gazette notices knowing the content to support unlawful activities, that bases fees and levies on individual time allocation that can't be supported by any documented proof and a Board that has lost all credibility. What's to be proud of there we ask ourselves?

He stated in the same article:

*"The Board always strives to improve our services and the way we regulate. However, I see this as a process of evolution, not revolution. It is important to provide some stability and certainty for those we regulate and I think that is what tradespeople expect of us"*

Evolution is the act of developing gradually by natural process - revolution is the forcible overthrow of government or social order in favour of a new system, or it could be a single competition of orbit or rotation, time taken for this cyclic recurrence.

It seems to us the regulation of the industry is continually re-starting and the only evolution is the manner in which we, as an industry, are imposed upon.

How can it be evolution when we have had systems that worked for the industry and the public and now we don't?

Perhaps we should be looking at revolution, as it appears as an industry we have no rights or representation in the decision making process.

Mr. Jackson also stated:

*"The Board is currently developing its business plan for the next year and this will be available to read at the end of March. The plan will show a number of initiatives to support the evolutionary approach to improvement that the Board is following".*

- *discipline and offences.*

*The Ministry will be conducting a survey of plumbers, gasfitters, drainlayers to gain a better understanding on how well the Act is operating. Is the Act supporting you in your day-to-day work, or could it be improved? Your thoughts are important and will make a real difference in the review.*

*The survey will be conducted online, and your responses will be confidential. A link to the survey will be emailed to you on Friday 27 February 2015.*

*The Ministry will also contact other industry stakeholders to gain their thoughts on the operation of the Act.*

*After analysing the responses from plumbers, gasfitters, drainlayers and other industry stakeholders the Ministry will provide a report on the operation of the Act to the Minister for Building and Housing. The Minister must present a copy of the report to the House of Representatives as soon as practicable after receiving it.*

*If you have any questions regarding the review, please give me a call or send me an email.*

*Regards*

*Judith Judith Burney*

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Perhaps if more time was spent building relationships and aiming at fairness and equality instead of writing plans something may be achieved because forced compliance is not going to work for a productive industry.

## Two for the price of six?



was short lived!

A single click on the computer took us from policies to complaints, and under complaints we found a section titled “Making a General Complaint About the Board” and there it was - a second policy stating:

*This policy does not cover complaints:*

- *about an action, order or decision of the Board under Part 3 of the 2006 Act (relating to discipline and offences);*
- *of a general nature about the Board’s policies and processes under the 2006 Act;*
- *about an action, order or decision of the Board under the Plumbers, Gasfitters, and Drainlayers Act 1976;*
- *that have already been considered under the Board’s historical complaints resolution process; and/or*
- *considered to be trivial, frivolous or vexatious.*

So is this another “Mistake” or are there two policies? What are we as an industry to believe? Or is this action so the Board can refer to whatever policy meets their needs for a particular event?

We thought we may be able to bring it up with the Board for discussion at the next Board meeting but two months into the new year the Board’s website only tells us when last year’s meetings were to be held. It doesn’t give much confidence in the information being given to us. This is actually a “fail” in regard to the Accountability Agreement where the Board is to maintain current material on the website.

It would seem the Board are too busy to maintain an up to date site as the latest Board minutes are FOUR months old prior to their updating this week. With a review of fees and levies pending, how can we be certain the information is accurate and true if the Board can’t even keep simple information accurate? It certainly places into question their credibility.

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## Reviews

Currently there are two reviews under way being the review mentioned above, and the Fees and Levies review being conducted by the Plumbers Gasfitters and Drainlayers Board.

The Federation encourages all plumbers gasfitters and drainlayers to participate and have a say. We believe we must extinguish legal avenues before participating in what the Chairman of the Plumbers Gasfitters and Drainlayers Board calls "revolution".

The Federation believes the reviews need to be done so we end up with a piece of legislation and regulations that meet the needs of the INDUSTRY and the government. To date it is a one way street in the Government's favour.

The Federation wants the Act and regulations to help protect the public as well as the industry. We don't want something that is "pretty legal" to quote Steven Joyce, – we want fairness, equality and something that IS ACTUALLY legal - not pretty legal. Near enough isn't good enough for us.

So have your say - so that if we do have to revolt then you can hold your head high and say "I tried to change the systems but no one listened."

Remember we want it legal, fair and equitable not just "pretty legal!"

Federation members can be

The Strategic Plan 2015/2018 Strategic Plan was to be adopted by 31 December 2014 but now two months on and we still haven't seen it. Perhaps the Board is operating on the plan on their website that is through to 2016. We do note the Board have announced they have an amended version of the plan which is focusing on cost reduction, evolution of the regulatory scheme and relationship building. Perhaps they might like to load that up so we can all see it.

## Karma



Remember how the Board unlawfully took fees and levies from the industry and we lost \$2 million after the Government retrospectively changed the law?

Well the government has just lost \$200 million! Almost \$200 million in

taxpayers' money invested through the New Zealand Superannuation Fund has been lost after the collapse of a Portuguese bank where the money was invested - supposedly as a "risk-free" loan.

However, **an unusual retrospective rule change** in Portugal had resulted in the insurance being voided.

How does that feel?

## Rebounding License Numbers



The Chairman of the Board had this to say in the December issue of the Info Brief:

*"It is time to reflect as another year is almost at an end. From the Board's point of view it has been a good*

*year with the release of the Auditor General's follow up report, less resources needing to be applied to historical issues, and licensing numbers rebounding to healthy levels"*

We were interested in the rebounding license numbers so we had a

look and compared the number of people that COULD license, to those THAT DID license.

The two dates chosen were 6am 1 April 2014 until 6am 19 February 2015.

• Certifying Drainlayer in 2014 40.85% licensed - 2015 40.67% licensed

proud of their participation in previous consultations – we have contributed to a large percentage of the responses – we really hope that you will see the need to be heard in these two consultations. Although we have little faith in the Board actually listening to what anyone but themselves say, we DO want you to participate – have your say – make your opinions known.

The Board have provided a paltry amount of information about how they spend our money – and this may be one of the things you feed back.

They have not provided enough information for anyone to make truly, informed decisions, but nevertheless we can make the opinions we do have well known to them. Feel free to send us a copy of your responses and we may feature some of them in upcoming newsletters.

- › Certifying Gasfitter: 2014 55.41% licensed - 2015 55.42% licensed
- › Certifying Plumber: 2014 49.52% licensed - 2015 49.86% licensed
- › Licensed Drainlayer: 2014 2.73% licensed - 2015 3.58% licensed
- › Licensed Gasfitter: 2014 25.03% licensed - 2015 24.86% licensed
- › Licensed Plumber: 2014 35.28% licensed - 2015 34.85% licensed

Looks like the Board's definition of rebounding is like the Finance Ministers definition of a "meaningful surplus" - where \$1 is a meaningful surplus, and where are these figures "rebounding?"

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