

Fellow Practitioner Issue 260 Dated 26 June 2015

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IN OTHER NEWS

It's about trust

The main article has highlighted a number of issues which have caused the industry to mistrust the Plumbers Gasfitters and Drainlayers Board.

As tradespeople in the industry we are expected to get it right first time every time and if we don't we are deemed incompetent and persecuted - all paid for by us.

The Ministers, and their departments and agencies have been ignoring the issues, and in this case either ignored the issues or failed in their duties to pick up on the issues.

Yet again failures of the Government, their Departments and Agencies cost us money.

The Ministry of Business, Innovation and Employment are

Sorry we put you wrong!!



Thanks to the supporters that bought a mistake to our attention this week. It's good to see people paying attention and taking a positive interest in what happens in the industry. Last week we talked about cross subsidisation and we stated:

"We don't like to harp on about the Plumbers Gasfitters and Drainlayers Amendment Bill 2013 but this is another regulation which the Government have legislated was legal when implemented. They may have made it legal and taken away the industry's right to complain to the Regulations Review Committee but as we have shown with previous issues - it doesn't make it right"

So what was the mistake that generated so much interest – simply it was that the licensing and registration fees are **not** covered by the validations made in the Plumbers Gasfitters and Drainlayers Amendment Act 2013 (the Act). We have copied the relevant sections from the Act in part for you:

171A Validation of disciplinary levy.....

(2) Money received by the Board in payment of a disciplinary levy validated by subsection (1) is and always has been lawfully collected and applied.

171B Validation of offences fee......

(3) Money received by the Board in payment of an offences fee validated by subsection (1) is and always has been lawfully collected and applied.

It's amazing what was lost in translation from the Bill to the Act, but on reading those two sections it would appear only the money collected as discipline and offences fees was validated and was made lawful when collected and applied.

So it would seem the gate is open for us to complain to the Regulations Review Committee regarding the collection and application of the cross subsidisation money and the one off events that have been collected every year!

The Federation will continue to explore this option as we are not talking about small amounts of money here, and transparency has

to advise the Minister of Building and Housing on all things to do with the Plumbers Gasfitters and Drainlayers Board but perhaps they have been too busy straightening their hair after being on their \$260,00 rooftop sundeck, so they can purchase a drink from their \$2800 refrigerator while walking past the \$74,000 reception desk on the way to see themselves on the \$140,000 television screen on the way out of the building past the Minister's bronze plaque and their \$70,000 concrete sign.

All that expenditure and yet the Government can't pay anything to protect the public by funding of the Plumbers Gasfitters and Drainlayers Board.

The Government couldn't even find money to pay back money unlawfully taken from tradespeople so they changed the law to make the activities legal, yet they can spend on items for themselves and their staff that, in our opinion are just plain wasteful.

The lack of trust in the Plumbers Gasfitters and Drainlayers Board has been a huge issue for over a decade and in the case of the cross subsidisation and the discipline levy and

always been at the top of our agenda when it comes to fees and levies.

You would have to ask where was the governance over site when the cross subsidisation was implemented?

Where do we go for help?



The Federation gets asked the question all the time "where can we go to get help?" - the simple answer is we don't know any more. It seems the industry has been abandoned by those whose job it is to ensure

people get a fair go.

Over the years there has been so much go wrong with the regulation of the plumbing, gasfitting and drainlaying industry that everyone is sick of it, including the industry. The cross subsidisation issue and a number of others was raised with Dr Smith, Minister of Building and Housing at our one and only meeting, and nothing, absolutely nothing has been done about any of the issues.

Those who should be providing the leadership and expertise needed to resolve the issues seem to be at a loss as to what to do, so they simply do nothing and while they are doing nothing the tradespeople in the industry get left with the financial burden.

Issues like this place into question the motives of the Government and the Government departments and agencies that should be helping us. Why don't the issues get picked up in reviews and audits or are they just sick of dealing with our issues?

The thing to remember is we don't create the issues, yet we get punished for them. Maurice Williamson the previous Minister of Building and Construction blamed the drafting of legislation for the Government having to change laws to cover the Board's actions.

This is what the NZ Parliamentary Library, Bills Digest, Digest No. 2019 stated:

This Bill allows the Board to continue to collect offences fees (currently about \$600,000 a year) from registered persons for the 2013 licensing year. The disciplinary and offences fees are validated. The effect of this is that the Board cannot be required by registered persons to refund the monies collected by the Board unlawfully.

So what do we do this time - do we go through the Regulation Review Committee, the Auditor General or the Ombudsman and waste years, or do we go direct to the courts once and for all?

What are your thoughts?

offences fees saga they are not historical issues, they have occurred while most of the current Board have been sitting.

The Federation would like nothing more than fairness and equality imposed by an INDUSTRY Board. A Board that could be trusted.

The loss of trust in the PGD Board has caused nothing but conflict so what happens when the public loses trust in the Ministers and their departments?

What happens when we have nowhere to go for help?

And think of this could an industry appointed Board meet the purpose of the Plumbers Gasfitters and Drainlayers Act?

Give us your thoughts.

Do we belong to them?

When Building and Housing Minister Nick Smith, had to explain how he came to conduct a tour of potential housing sites only to learn that one part wasn't the Government's to sell, we started to think about what the Government was doing, or not doing to our industry.

Put simply - we don't belong to the Government or the Plumbers Gasfitters and Drainlayers Board, so why do we beg and scrape to them so we can apply our trade?

Whatever happened to them WORKING WITH US TO ACHIEVE RESULTS rather than treating us like "MERE TRADESPEOPLE".

Send us your thoughts as it's your industry so have your say, and thanks again to our keen eyed readers on the feedback from last week's issue!!

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