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**IN OTHER NEWS**

**Spot the difference**

Last week we spoke about the difference between health of the public and construction.

Can you spot the difference between the purpose of the five acts to follow?

**Building Act 2004**

**Purposes** This Act has the following purposes:

- (a) to provide for the regulation of building work, the establishment of a licensing regime for building practitioners, and the setting of performance standards for buildings to ensure that—
- (i) people who use buildings can do so safely and without endangering their health; and
  - (ii) buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them; and
  - (iii) people who use a

**And now and encouraging word from our Minister the Minister of Building and Housing**



We know we constantly hold the Plumbers Gasfitters and Drainlayers Board accountable in whatever way we can, but don't forget they follow Government policy and are answerable to the Minister of Building and Housing through their Accountability Agreement.

Here is a Minister that has one of New Zealand's first lines of defence against illness and disease at his disposal, and what encouragement and support do he and his colleagues give to the Plumbing Gasfitting and Drainlaying Industry?

Since October last year there have been 83 media releases listed on his website and NONE of them had anything to do with the plumbing gasfitting and drainlaying industry.

Eighty three issues that the Minister felt were important enough to inform the public about. Here's a few of them:

- *The Government is contributing \$200,000 towards the design of a clean-up of the Calwell Slip in Port Nelson;*
- *The Government will invest \$160,000 to support the investigation of a potentially contaminated site in New Plymouth;*
- *A \$158,000 Community Environment Fund grant for a project which aims to protect native birds and forest at Rotokare Scenic Reserve in South Taranaki;*
- *The Government is providing a \$290,000 Community Environment Fund grant for a project aimed at protecting and restoring biodiversity on the Kapiti Coast;*
- *The Government is committing \$41.2 million in Budget 2015 to deliver on its priorities for the environment;*

building can escape from the building if it is on fire; and

(iv) buildings are designed, constructed, and able to be used in ways that promote sustainable development:

(b) to promote the accountability of owners, designers, builders, and building consent authorities who have responsibilities for ensuring that building work complies with the building code.

### Electrical Act 1992

**Purposes** The purposes of this Act are—

(a) to provide for the regulation, supply, and use of electricity in New Zealand; and

(b) [Repealed]

(c) to protect the health and safety of members of the public in connection with the supply and use of electricity in New Zealand; and

(d) to promote the prevention of damage to property in connection with the supply and use of electricity in New Zealand; and

(da) to provide for the regulation of fittings and electrical appliances that are, or may be, exported pursuant to an international trade instrument; and

(e) to provide for the regulation of electrical workers.

### Registered Architects Act 2005

**Purpose** The purpose of this Act is to reform the law relating to the registration of registered architects and to protect the title of registered architect; and, to those ends, this Act—

- *The Government is to provide \$776,000 from the Waste Minimisation Fund for a new Marlborough waste sorting facility;*

- *The Government is partnering with the retail sector and packaging industry to recycle thousands of tonnes of plastics like shopping bags that currently cannot be,*

- *Labour is exposing itself to ridicule with its Environmental Protection Authority (Protection of Environment) Amendment Bill, which passed its first reading in the House today, Environment Minister Dr Nick Smith says.*

Nice work to protect the environment but what about protecting people? What about protecting our industry? There is the review of the Plumbers Gasfitters and Drainlayers Act under way and also there is a review of occupational regulation within the building and construction sector, but will we benefit from them?

It seems the Plumbing Gasfitting and Drainlaying industry is stuck in a "Groundhog Day" of reports and reviews and nothing is improving or changing. The gap between the industry, the regulators and government is growing ever wider. Consultation now seems to be a matter of process rather than a constructive collection of information to make informed decisions for advancement.

The changes to the Gas Certification system is a prime example where the industry wasn't listened to by Government (and we suspect they didn't listen to the PGDB either!), and now the public have less protection at a higher cost. The old system was transparent, readily available to all and cost effective. The new one is not easily accessed, has no barriers and don't even get us started on the risk categories.

The Federation is fearful the consultation during the reviews by MBIE will result in a similar situation as what happened to the gas certification scheme. In an effort to reduce regulation they have made a good system turn into an impossible system. Even the Prime Minister said the industry knows what is best for it so why doesn't he listen to the industry instead of excluding it?

The Federation is working on a ten point plan for advancement of the tradespeople in the industry and as our previous actions have shown we are prepared to talk the talk and walk the walk. If the Government and Minister want to continue on with poor leadership then we will provide leadership from our own ranks and the Minister and Government should be prepared for continual battles.

Is it possibly the Government and Minister's fault industry numbers are dropping and training standards via the ITO is at an all time low?

(a) establishes a registration system for registered architects, under which persons who wish to be registered architects must meet minimum standards to be, and continue to be, registered:

(b) requires a code of ethics and a complaints and disciplinary process to apply to registered architects:

(c) establishes a statutory body to carry out the functions relating to the registration system, the code of ethics, and the complaints and disciplinary process:

(d) repeals the Architects Act 1963.

### **The Health Practitioners Competence Assurance Act (HPCAA)**

The principal purpose of the Act is to protect the health and safety of members of the public by providing for ways to ensure that all health practitioners are competent and fit to practise their professions.

### **Plumbers PGDA**

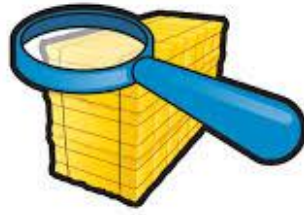
**Purpose** The purposes of this Act are—

(a) to protect the health and safety of members of the public by ensuring the competency of persons engaged in the provision of sanitary plumbing, gasfitting, and drainlaying services; and

(b) to regulate persons who carry out sanitary plumbing, gasfitting, and drainlaying.

### **Three construction acts**

## **Bundled in because of others mistakes?**



## **EXPLORE THE BUNDLE CONCEPT**

The leaking building saga resulted in all trades people being labelled as being incompetent when in fact it was poor design and materials. Tradespeople have ever since been required to prove their competence. Not the tradespeople's fault but we pay the price for others mistakes and views.

Is that happening again? In late 2014 the Ministry of Business, Innovation and Employment (MBIE) sought comments on a set of proposals and options to improve the way professional engineers are regulated within New Zealand.

The proposals in the document resulted from recommendations of the Canterbury Earthquakes Royal Commission (Part 3 (Volumes 5, 6 and 7) of the Final Report) and a review of the existing professional engineers regulatory system carried out during 2013 and 2014 by officials from MBIE.

The proposals aimed to make sure engineers could be held accountable for substandard work and have the right knowledge, skills and competence to design safe, reliable buildings. Here are some of the changes suggested:

- **Mandatory registration of professional engineers** – for those engineers who review and certify engineering work for any commercial, multi-unit/multi-storey residential and complex buildings requiring a building consent;
- **Introduce changes to the disciplinary system for engineers** – including revising sanctions and penalties for breaches of the Chartered Professional Engineers of New Zealand Act;
- **Independently review the Chartered Professional Engineer qualification (CPEng) requirements for structural, geotechnical or fire engineers** - to examine the CPEng standard; the assessment process; areas of practice and consider options for introducing a tiered professional qualification system;
- **Introduce changes to the current regulatory structures for engineers** - Registration Authority Board members would become accountable to the Minister for Building and Construction; a new construction industry body would oversee the Registration Authority's performance; and the Minister would have powers to audit the performance of the Registration Authority.

So are we being bundled in with the problems of another industry? Since that review the Minister for Building and Housing signalled his intent to have the Ministry lead a review of occupational regulation

## and two health - you decide?

### Safety rules add to housing cost: report

NZ Newswire July 16, 2015, 4:02 am

Unnecessary red tape around safety standards is slapping extra costs on homeowners, exacerbating the housing affordability problem, says The New Zealand Institute.

In a report released on Thursday, the market-orientated think tank found increased workplace safety requirements were adding thousands of dollars to the cost of building new homes and maintaining existing ones.

The institute's executive director, Dr Oliver Hartwich, is blaming a WorkSafe campaign rolled out in 2011 which aims to prevent tradesmen from falling from heights less than three metres in residential houses.

"Further increasing the cost of undertaking routine maintenance and building new homes which are already out of reach for many New Zealanders through unnecessary regulation is a major public policy concern and should not continue," he said.

within the building and construction sector.

He has recently confirmed that this will be a high level review that looks at the overall design of the system, and how the system is delivered. The focus will be on the way that core functions (such as the registration function, and the complaints and discipline system) are organised across the occupations within the sector.

The objectives are to ensure that the way that the occupations within the sector are regulated is simple, clear, flexible, easy to understand, and equitable across the different occupations.

Given that the review is focused on the overall design and delivery of the system, detailed provisions and rules for each occupation within the sector will not be examined at this stage.

Work on the regulation of three occupational groups within the sector is currently underway:

- professional engineers
- plumbers, gasfitters and drainlayers
- electrical workers.

The insights and findings from the current work within each of these areas will be fed into the high level review. Any proposals emerging from the current work for changes to the way that functions are organised and delivered, and any proposals that would require legislative change, will be examined in the context of the high level review rather than being progressed independently.

We picked up on this from a government site:

The Government's response to the Royal Commission in March 2013 noted that the *"current regulation of engineers is focussed on title protection and therefore engineers can practice with no assessment of their competence."*

The response proposed to look at *"all the occupations engaged in the building and construction sector to be assured that the occupational regulatory framework is fit for purpose and in particular we are not creating further buildings with structural issues."*

So there you have it - we endure more issues because of problems with other industries. Here's a simple question - if all these industries are so closely linked then why didn't the other industries start paying prosecution levies when they were imposed on us?

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