

**WESTERN
AUSTRALIAN
GOVERNMENT**
Gazette
ISSN 1448-949X

4507



PERTH, FRIDAY, 7 OCTOBER 2005 No. 186 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

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WATER SERVICES LICENSING ACT 1995

**WATER SERVICES
LICENSING (PLUMBERS
LICENSING AND PLUMBING
STANDARDS) AMENDMENT
REGULATIONS 2005**

Water Services Licensing Act 1995

Water Services Licensing (Plumbers Licensing and Plumbing Standards) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000**.

[* *Reprint 1 as at 1 October 2004.*

For amendments to 29 July 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 438, and Gazette 19 April 2005.]

3. Regulation 3 amended

(1) Regulation 3(1) is amended as follows:

(a) by inserting in the appropriate alphabetical positions —

“

“**permit**” means a restricted plumbing permit;

“**permit fee**”, in relation to a permit, means the fee for the issue of that permit set out in Schedule 1;

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“permit holder” means the holder of a restricted plumbing permit;

“restricted plumbing permit” means the permit referred to in regulation 13A;

”;

- (b) in the definition of “application fee” by inserting after “licence” in each place where it occurs —

“ or permit ”;

- (c) by deleting the definition of “certificate of compliance” and inserting instead —

“

“certificate of compliance” means a certificate given by a —

(a) licensed plumbing contractor under regulation 42 or 44; or

(b) permit holder under regulation 42;

”;

- (d) by deleting the definition of “identification card” and inserting instead —

“

“identification card” means an identification card issued to —

(a) a licensee under regulation 17(2) or 20(7); or

(b) a permit holder under regulation 17(2);

”;

- (e) in the definition of “late renewal fee” by inserting after “licence” in each place where it occurs —

“ or permit ”;

- (f) in the definition of “notice of intention” by inserting after “contractor” —

“ or permit holder ”;

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(g) in the definition of “renewal fee” by inserting after “licence” in each place where it occurs —
“ or permit ”.

(2) Regulation 3(4) is amended by inserting after “contractor” in each place where it occurs —
“ or permit holder ”.

4. Part 3 heading replaced

The heading to Part 3 is deleted and the following heading is inserted instead —

“

Part 3 — Licences and permits

”.

5. Regulation 9 amended

Regulation 9(1) is amended by inserting after “licence” —
“ or permit ”.

6. Regulation 11 amended

Regulation 11 is amended as follows:

(a) by inserting after “licence” in the first place where it occurs —

“ or permit ”;

(b) after paragraph (b) by deleting “and”;

(c) after paragraph (c) by deleting the full stop and inserting —

“

; and

(d) a restricted plumbing permit.

”.

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7. Regulation 13A inserted

After regulation 13 the following regulation is inserted —

“

13A. Restricted plumbing permit

- (1) A restricted plumbing permit authorises the holder to disconnect, remove, install and connect the following —
 - (a) a compression union;
 - (b) a temperature/pressure relief valve;
 - (c) an expansion control valve,in the course of removing, removing and reinstalling or replacing a water heater.
- (2) A restricted plumbing permit does not authorise the holder to carry out the work referred to in subregulation (1) if —
 - (a) a change to the existing pipes is required;
 - (b) the existing pipes are not in safe and proper working order;
 - (c) the temperature/pressure relief valve overflow pipe does not comply with the plumbing standards; or
 - (d) the use of a flexible hose connection is required.
- (3) If any of the conditions in subregulation (2) exist, a permit holder must inform the person for whom the work is to be done —
 - (a) of the reasons why the permit holder is unable to perform the work; and
 - (b) that a licensed plumbing contractor should be engaged to perform the work.

Penalty: \$2 000.

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(4) In subregulation (1) —

“**compression union**” means a connection between pipes which can be fastened and unfastened and which complies with the plumbing standards (for example, a connection made using a cone, olive or loose ring);

“**existing pipes**” means pipes on a water heater and the structure to which it is, or is intended to be, attached that are necessary for the safe and effective operation of the water heater;

“**expansion control valve**” means a valve, designed for installation on the cold or hot water side of a water heater, that regulates pressure;

“**temperature/pressure relief valve**” means a valve, designed for installation on the hot water side of a water heater, that regulates pressure or temperature or both.

”.

8. Regulation 14 amended

Regulation 14 is amended by inserting after “licence”—

“ or permit ”.

9. Regulation 15 amended

Regulation 15(1) is amended as follows:

(a) by inserting after “licence” in the first place where it occurs —

“ or permit ”;

(b) by inserting after “licence fee” —

“ or permit fee ”.

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10. Regulation 17 amended

- (1) Regulation 17(1) is amended as follows:
- (a) by inserting after “licence” in the first, third and fourth places where it occurs —
“ or permit ”;
 - (b) by inserting after “fee” —
“ or permit fee ”.
- (2) Regulation 17(2) is amended as follows:
- (a) by deleting “license” and inserting instead —
“ licence or permit ”;
 - (b) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”.
- (3) Regulation 17(3) is amended by inserting after “licence” —
“ or permit ”.

11. Regulation 18 amended

Regulation 18 is amended as follows:

- (a) by inserting after “licence” in the first place where it occurs —
“ or permit ”;
- (b) by inserting after “licence fee” —
“ or permit fee ”.

12. Regulation 19 amended

- (1) Regulation 19(1) is amended by inserting after “licence” in each place where it occurs —
“ or permit ”.

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- (2) Regulation 19(2) is amended as follows:
- (a) by inserting after “licensee” —
“ or permit holder ”;
 - (b) by inserting after “licence” in each place where it occurs —
“ or permit ”.
- (3) Regulation 19(3) is amended as follows:
- (a) by inserting after “licensee” —
“ or permit holder ”;
 - (b) by inserting after “licence” —
“ or permit ”.

13. Regulation 20 amended

- (1) Regulation 20(1) is amended as follows:
- (a) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”;
 - (b) in paragraph (a) by inserting after “licence” —
“ or permit ”.
- (2) Regulation 20(2) is amended by inserting after “licensee” in each place where it occurs —
“ or permit holder ”.
- (3) Regulation 20(3) is amended by inserting after “licence” in each place where it occurs —
“ or permit ”.
- (4) Regulation 20(4) is amended by inserting after “licence” in each place where it occurs —
“ or permit ”.

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- (5) Regulation 20(5) is amended by inserting after “licence” in each place where it occurs —
“ or permit ”.
- (6) Regulation 20(6) is amended by inserting after “licence” in each place where it occurs —
“ or permit ”.
- (7) Regulation 20(7) is amended as follows:
- (a) by inserting after “licence” —
“ or permit ”;
 - (b) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”.
- (8) Regulation 20(8) is amended as follows:
- (a) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”;
 - (b) by inserting after “licence” —
“ or permit ”.

14. Regulation 21 replaced

Regulation 21 is repealed and the following regulation is inserted instead —

“

21. Duration of licence or permit

- (1) A licence or permit remains in force, subject to these regulations —
- (a) until 30 June immediately following the date of issue of the licence or permit; and

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- (b) if renewed, until 30 June in the financial year for which it is renewed.
- (2) A permit remains in force, subject to these regulations, while the permit holder's licence, permit or authorisation referred to in Schedule 3 clause 5(b) is in force.
- (3) Within 7 days of the day on which a permit holder's licence, permit or authorisation referred to in Schedule 3 clause 5(b) ceases to be in force, the holder must —
 - (a) give his or her permit and identification card to the Board; and
 - (b) where practicable, remove or obliterate all references to his or her permit in advertisements and business documents (as defined in regulations 25 and 25A respectively).

Penalty applicable to subregulation (3): \$2 000.

”.

15. Regulation 21A amended

Regulation 21A(1) is amended by deleting “or licensee” in each place where it occurs and inserting instead —

“ , licensee or permit holder ”.

16. Regulation 22 amended

Regulation 22 is amended by inserting after “licence” in each place where it occurs —

“ or permit ”.

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17. Regulation 23 amended

Regulation 23 is amended as follows:

- (a) by inserting after “licensee” —
“ or permit holder ”;
- (b) by inserting after “licence” in each place where it occurs —
“ or permit ”.

18. Regulation 24A amended

Regulation 24A is amended by inserting after “licensee” in each place where it occurs —

“ or permit holder ”.

19. Regulation 25 amended

Regulation 25(1) is amended as follows:

- (a) by inserting after “contractor” —
“ or permit holder ”;
- (b) by inserting after “licence” —
“ or permit ”;
- (c) by deleting “his or her plumbing business.” and inserting instead —

“

the business for which the licence or permit is, or is intended to be, used.

”.

20. Regulation 25A amended

(1) Regulation 25A(1) is amended as follows:

- (a) by inserting after “contractor” —
“ or permit holder ”;

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- (b) by inserting after “licence” —
“ or permit ”;
- (c) by deleting “his or her plumbing business.” and
inserting instead —

“

the business for which the licence or permit is, or is
intended to be, used.

”.

- (2) Regulation 25A(2) is amended by inserting after “licence” in
each place where it occurs —

“ or permit ”.

21. Regulation 26 amended

Regulation 26 is amended by inserting after “licence” —

“ or permit ”.

22. Regulation 27 amended

Regulation 27 is amended as follows:

- (a) in paragraph (a) by inserting after “licence” —
“ or permit ”;
- (b) in paragraph (b) by inserting after “licensee” —
“ or permit holder ”;
- (c) in paragraph (b) by inserting after “licence” —
“ or permit ”;
- (d) in paragraph (c) by inserting after “licensee” —
“ or permit holder ”;
- (e) in paragraph (d) by inserting after “licensee” —
“ or permit holder ”;
- (f) in paragraph (d) by inserting after “licence” —
“ or permit ”;

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- (g) in paragraph (e) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”;
- (h) in paragraph (f) by inserting after “licensee” —
“ or permit holder ”.

23. Regulation 28 amended

Regulation 28 is amended by inserting after “licensee” —
“ or permit holder ”.

24. Regulation 34 amended

- (1) Regulation 34(1) is amended as follows:
 - (a) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”;
 - (b) by inserting after “licence” in each place where it occurs —
“ or permit ”.
- (2) Regulation 34(2) is amended by inserting after “licensee” —
“ or permit holder ”.
- (3) Regulation 34(4) is amended as follows:
 - (a) by inserting after “licence” in each place where it occurs —
“ or permit ”;
 - (b) by inserting after “licensee” —
“ or permit holder ”.

25. Regulation 41 amended

- (1) Regulation 41(1) is amended by inserting after “contractor” in each place where it occurs —
“ or permit holder ”.

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(2) After regulation 41(2) the following subregulation is inserted —

“

(2a) Subregulation (1) does not apply to a permit holder if the permit holder is to carry out the work for a licensed plumbing contractor or permit holder and that licensed plumbing contractor or permit holder has, or ought to have, given a notice of intention to carry out the work under subregulation (1).

”.

(3) Regulation 41(3) is amended by inserting after “contractor” —

“ or permit holder ”.

26. Regulation 42 amended

(1) Regulation 42(1) is amended by inserting after “contractor” —

“ or permit holder ”.

(2) Regulation 42(4) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

(3) Regulation 42(5) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

(4) Regulation 42(6) is amended by inserting after “contractor” —

“ or permit holder ”.

27. Regulation 43 amended

(1) Regulation 43(1) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

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- (2) Regulation 43(2) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

28. Regulation 44 amended

- (1) Regulation 44(1) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

- (2) Regulation 44(2) is amended as follows:

- (a) by inserting after “contractor” in each place where it occurs —

“ or permit holder ”;

- (b) by inserting after “that” —

“ other ”.

29. Regulation 47 amended

Regulation 47(1)(c) is amended by inserting after “contractor” —

“ or permit holder ”.

30. Regulation 53 amended

Regulation 53 is amended by inserting after “licensee” in the first place where it occurs —

“ or permit holder ”.

31. Regulation 68 amended

- (1) Regulation 68(1) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

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- (2) Regulation 68(3) is amended by inserting after “contractor” —
“ or permit holder ”.
- (3) Regulation 68(4) is amended as follows:
- (a) by deleting “contractor” in the first place where it occurs and inserting instead —
“ recipient of a notice under subregulation (1) ”;
 - (b) in paragraph (b) by deleting “contractor” and inserting instead —
“ recipient ”;
 - (c) by inserting after “licensee” —
“ or permit holder ”;
 - (d) by inserting after “licence” —
“ or permit ”.
- (4) Regulation 68(5) is amended by inserting after “contractor” —
“ or permit holder ”.

32. Regulation 69 amended

Regulation 69(1) is amended by inserting after “contractor” in each place where it occurs —

“ or permit holder ”.

33. Regulation 71 amended

- (1) Regulation 71(3)(b) is amended as follows:
- (a) by deleting “that” and inserting instead —
“ whether ”;
 - (b) by inserting after “contractor” —
“ or permit holder ”.

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- (2) Regulation 71(4) is amended by inserting after “contractor” —
“ or permit holder ”.
- (3) Regulation 71(6) is amended by inserting after “contractor” —
“ or permit holder ”.

34. Regulation 100 amended

Regulation 100(1) is amended by inserting after “licence” in each place where it occurs —

“ or permit ”.

35. Regulation 102 amended

- (1) Regulation 102(1) is amended by inserting after “licences” —
“ and permits ”.
- (2) Regulation 102(4) is amended by inserting after “licence” —
“ or permit ”.

36. Regulation 103 amended

Regulation 103 is amended as follows:

- (a) by inserting after “licence” in each place where it occurs —
“ or permit ”;
- (b) by inserting after “licensee” in each place where it occurs —
“ or permit holder ”.

37. Regulation 104 amended

Regulation 104(2) is amended by inserting after “licensee” in each place where it occurs —

“ or permit holder ”.

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38. Regulation 105 amended

Regulation 105 is amended as follows:

- (a) by inserting after “licensee” —
“ or permit holder ”;
- (b) by inserting after “licensee’s” —
“ or permit holder’s ”.

39. Regulation 107 amended

Regulation 107(2) is amended by inserting after “licence” in each place where it occurs —

“ or permit ”.

40. Schedule 1 amended

(1) Schedule 1 is amended in the Table to clause 1 as follows:

- (a) after item 2 by inserting —
“

2A.	Application for restricted plumbing permit (regulation 15)	\$25.00	”;
-----	--	---------	----
- (b) after item 4 by inserting —
“

4A.	Issue of restricted plumbing permit (regulation 17)	\$100.00	”;
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- (c) after item 6 by inserting —
“

6A.	Renewal of restricted plumbing permit (regulation 20)	\$25.00	”;
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(d) after item 8 by inserting —

“

8A.	Late renewal fee for restricted plumbing permit (regulation 20(4))	\$25.00
-----	--	---------

”.

(e) in item 9 by inserting after “licence” —
“ or permit ”.

(2) Schedule 1 is amended in clause 2 by inserting after
“licence” —

“ or permit ”.

41. Schedule 3 amended

(1) The heading to Schedule 3 is deleted and the following heading
is inserted instead —

“

Schedule 3 — Licence or permit requirements

[r. 17(1)(b)]

”.

(2) Before Schedule 3 clause 1 the following heading is inserted —

“

Division 1 — Preliminary

”.

(3) After Schedule 3 clause 1 the following heading is inserted —

“

Division 2 — Licence requirements

”.

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(4) After Schedule 3 clause 4 the following is inserted —

“

Division 3 —Permit requirements

5. Restricted plumbing permit

The requirements for a restricted plumbing permit are that an applicant must —

- (a) apply to the Board for a restricted plumbing permit on or before —
 - (i) 31 December 2005; or
 - (ii) if an applicant can demonstrate to the satisfaction of the Board that an extension of time within which to lodge his or her application is warranted, such later day as is nominated by the Board;
- (b) be the holder of —
 - (i) an electrical worker's licence or contractor's licence issued under regulation 24 of the *Electricity (Licensing) Regulations 1991*; or
 - (ii) a gasfitting permit or authorisation issued under regulation 12 of the *Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999*;
- (c) have been the holder of a licence, permit or authorisation referred to in paragraph (b) continuously on and from 1 July 2004 until the day on which the Board issues, or refuses to issue, a permit to the applicant; and

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- (d) have sufficient skill and knowledge to qualify the applicant to carry out competently the work that the applicant would be authorised to carry out under the permit.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

