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WATER SERVICES COORDINATION ACT 1995

**WATER SERVICES
COORDINATION
(PLUMBERS LICENSING)
REGULATIONS 2000**

Western Australia

Water Services Coordination (Plumbers Licensing) Regulations 2000

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Defined Terms

Water Services Coordination Act 1995

Water Services Coordination (Plumbers Licensing) Regulations 2000

Made by the Administrator in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Water Services Coordination (Plumbers Licensing) Regulations 2000*.

2. Commencement

These regulations come into operation on the day on which the *Water Services Coordination Amendment Act 1999* comes into operation.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 1** Preliminary**r. 3**

3. Definitions

In these regulations, unless the contrary intention appears —

“**apprentice**” means an apprentice, or industrial trainee, within the meaning of the *Industrial Training Act 1975*;

“**chairperson**” means the chairperson of the Board appointed under regulation 6;

“**court**” means the Local Court dealing with an appeal under regulation 41;

“**deputy chairperson**” means the deputy chairperson of the Board appointed under regulation 6;

“**disciplinary matter**” means a disciplinary matter referred to in regulation 27;

“**drainage plumbing**” has the meaning given in regulation 4;

“**exempt work**” means work carried out by or on behalf of the holder of an operating licence in connection with the undertaking, maintenance and operation of water services works owned or operated by that holder;

“**inquiry**” means an inquiry under Part 4;

“**legal practitioner**” means a practitioner as defined in section 3 of the *Legal Practitioners Act 1893*;

“**licence**” means plumber’s licence or tradesperson’s licence;

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

“**licensee**” means a person who holds a licence;

“**member**” means a member of the Board and includes a person appointed under clause 4 of Schedule 2;

“**plumber’s licence**” means a licence of the kind referred to in regulation 12;

“**register**” means the register referred to in regulation 43;

Water Services Coordination (Plumbers Licensing) Regulations 2000

Preliminary

Part 1

r. 4

“renewal fee”, in relation to a licence, means the fee for the renewal of that licence set out in Schedule 1;

“sanitary plumbing” has the meaning given in regulation 4;

“tradesperson’s licence” means a licence of the kind referred to in regulation 13;

“water supply plumbing” has the meaning given in regulation 4.

4. Plumbing work (s. 59I)

(1) For the purposes of section 59I of the Act —

- (a) water supply plumbing is work, other than exempt work, that involves the installation, alteration, extension, disconnection, repair or maintenance of pipes and other fittings used or intended to be used for the supply of potable water from a meter assembly to the points of use within any property;
- (b) sanitary plumbing is work, other than exempt work, that involves the installation, alteration, extension, disconnection, ventilation, repair or maintenance of fittings and fixtures used or intended to be used for the carrying of wastewater or other waste, but does not include drainage plumbing;
- (c) drainage plumbing is work, other than exempt work, that involves the installation, alteration, extension, disconnection, repair or maintenance of underground pipes and other fittings used or intended to be used for the carrying of —
 - (i) wastewater to a sewer; or
 - (ii) wastewater or other waste to an apparatus for the treatment of sewage.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 1** Preliminary**r. 4**

- (2) In this regulation —
- “**apparatus for the treatment of sewage**” has the same meaning as it has in section 3(1) of the *Health Act 1911*;
 - “**fittings**”, “**fixtures**”, “**pipe**”, “**sewer**”, “**waste**” and “**wastewater**” have the same meanings as they have in section 3(1) of the *Water Agencies (Powers) Act 1984*.

Water Services Coordination (Plumbers Licensing) Regulations 2000
The Plumbers Licensing Board **Part 2**

r. 5

Part 2 — The Plumbers Licensing Board

5. Membership of the Board

(1) In this regulation —

“**CEPU**” means the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Plumbing Division (Western Australian Branch);

“**metropolitan region**” has the same meaning as in section 6 of the *Metropolitan Region Town Planning Scheme Act 1959*;

“**MPMSA**” means the Master Plumbers and Mechanical Services Association of Western Australia.

(2) The Board consists of 9 members, of whom —

- (a) one is to be the holder of a plumber’s licence chosen by the Minister from a panel of 3 names submitted by the MPMSA to represent the interests of members of that body who carry out plumbing work in the metropolitan region;
- (b) one is to be the holder of a plumber’s licence chosen by the Minister from a panel of 3 names submitted by the MPMSA to represent the interests of members of that body who carry out plumbing work outside the metropolitan region;
- (c) one is to be the holder of a plumber’s licence or a tradesperson’s licence chosen by the Minister from a panel of 3 names submitted by the CEPU to represent the interests of plumbers who are members of that body;
- (d) one is to be the holder of a plumber’s licence chosen by the Minister from a panel of 3 names submitted by the Western Australian Drainage Association to represent the interests of plumbers who are members of that body;

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 2** The Plumbers Licensing Board**r. 5**

- (e) one is to be the holder of a plumber's licence who carries out plumbing work in the metropolitan region chosen by the Minister to represent the interests of plumbers who —
 - (i) are not members of the MPMSA or the CEPU; and
 - (ii) carry out plumbing work in the metropolitan region;
 - (f) one is to be the holder of a plumber's licence who carries out plumbing work outside the metropolitan region chosen by the Minister to represent the interests of plumbers who —
 - (i) are not members of the MPMSA or the CEPU; and
 - (ii) carry out plumbing work outside the metropolitan region;
 - (g) one is to be a person nominated by the Minister responsible for the administration of the *Vocational Education and Training Act 1996* to represent the interests of the training sector;
 - (h) one is to be a person nominated by the Minister responsible for the administration of the *Fair Trading Act 1987* to represent the interests of consumers; and
 - (i) one is to be a person nominated by the Coordinator to represent the interests of the department.
- (3) The Minister is to request each of the bodies referred to in subregulation (2)(a), (b), (c) and (d) to submit a panel of 3 names of people suitable for appointment under the relevant paragraph.

Water Services Coordination (Plumbers Licensing) Regulations 2000

The Plumbers Licensing Board

Part 2**r. 6**

-
- (4) The Minister is to invite nominations, in the manner determined by the Minister, for appointment under subregulation (2)(e), (f), (g), (h) and (i).
- (5) If —
- (a) a panel of names is not submitted in accordance with a request under subregulation (3) within 30 days of the request being made; or
 - (b) nominations are not received following an invitation under subregulation (4) within the time specified in the invitation,

the Minister may make such appointment for the purposes of the relevant paragraph as the Minister thinks fit.

6. Chairperson and deputy chairperson

- (1) The Minister is to appoint 2 of the members to be the chairperson of the Board and the deputy chairperson of the Board respectively.
- (2) The deputy chairperson is to perform the functions of the chairperson when the chairperson is unable to do so by reason of illness, absence or other cause, or when the office of the chairperson is vacant.
- (3) An act or omission of the deputy chairperson acting as the chairperson cannot be questioned on the ground that the occasion for the acting had not arisen or had ceased.

7. Remuneration of members

- (1) A member is to be paid such remuneration and travelling and other allowances as are determined in the member's case by the Minister on the recommendation of the Minister for Public Sector Management.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 2** The Plumbers Licensing Board**r. 8**

- (2) A member who is an employee (as defined in the *Public Sector Management Act 1994*) is to be paid only such travelling and subsistence allowances as are determined in the member's case by the Minister on the recommendation of the Minister for Public Sector Management.

8. Constitution and proceedings

Schedule 2 has effect with respect to the constitution and proceedings of the Board.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Licensing

Part 3**r. 9****Part 3 — Licensing****9. Requirement to hold licence**

- (1) A person must not carry out plumbing work of any kind or in any circumstances except in accordance with a licence that authorises the person to carry out plumbing work of that kind or in those circumstances.

Penalty: \$5 000.

- (2) Subregulation (1) does not apply to an apprentice who carries out plumbing work under the supervision of —
- (a) the holder of a plumber's licence; or
 - (b) the holder of a tradesperson's licence working under the general direction and control of the holder of a plumber's licence.

10. Employment of unlicensed persons prohibited

A person must not employ or otherwise engage a person under a contract of service to carry out plumbing work if the person knows that the carrying out of the work by the person employed or engaged is or would be contrary to regulation 9(1).

Penalty: \$5 000.

11. Classes of licence

The classes of licence that may be issued under these regulations are —

- (a) a plumber's licence; and
- (b) a tradesperson's licence.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 3** Licensing**r. 12**

12. Plumber's licence

- (1) A plumber's licence authorises the holder to —
- (a) carry out —
 - (i) water supply plumbing, sanitary plumbing and drainage plumbing;
 - (ii) water supply plumbing and drainage plumbing;
 - (iii) water supply plumbing; or
 - (iv) drainage plumbing,as specified in the licence;
 - (b) exercise general direction and control over the carrying out of authorised work by the holder of a tradesperson's licence; and
 - (c) supervise the carrying out of authorised work by an apprentice.
- (2) In subregulation (1) —
“authorised work” means the plumbing work specified in the plumber's licence.

13. Tradesperson's licence

A tradesperson's licence authorises the holder to —

- (a) carry out plumbing work; and
- (b) supervise the carrying out of plumbing work by an apprentice,

under the general direction and control of the holder of a plumber's licence.

14. Who may hold licence

A licence can only be issued to a natural person.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Licensing

Part 3

r. 15**15. Application for issue of licence**

- (1) An application for the issue of a licence is to be made in a form approved by the Board.
- (2) An applicant must provide the Board with any other information that the Board reasonably requires for the proper consideration of the application.

16. False or misleading information

An applicant must not, in or in relation to an application, give information that the applicant knows to be false or misleading in a material particular.

Penalty: \$2 000.

17. Issue of licence

The Board may issue a licence on receipt of the licence fee if the Board is satisfied that the applicant —

- (a) is a fit and proper person to hold the licence; and
- (b) has complied with the requirements set out in Schedule 3 in respect of the licence.

18. Refusal of licence

If the Board refuses to issue a licence, the Board is to give written notice to the applicant setting out the decision and the reasons for the decision not later than 14 days after the decision is made.

19. Conditions of licence

- (1) A licence may be issued subject to such conditions as the Board thinks fit and specifies in the licence.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 3** Licensing**r. 20**

- (2) The Board may, at any time, by notice in writing given to the licensee, change or remove a condition of the licence or add a new condition to the licence.
- (3) A licensee must not contravene a condition of his or her licence.
Penalty: \$5 000.

20. Renewal of licence

- (1) The Board is to issue a notice of renewal to each licensee not later than 15 June in each year specifying —
 - (a) the amount of the renewal fee for the licence held by the licensee; and
 - (b) the manner in which it is to be paid.
- (2) The Board is to renew a licence on receipt of the renewal fee.
- (3) The renewal fee for a licence is payable not later than 30 June, or within such further period as the Board, in a particular case, allows.

21. Duration of licence

A licence remains in force, subject to these regulations —

- (a) until 30 June immediately following the date of issue of the licence; and
- (b) if renewed, until 30 June in the year immediately following the year in which it is renewed.

22. Duplicate licence

If the Board is satisfied that a licence has been lost or destroyed the Board may issue a duplicate licence on payment of the fee set out in item 5 of Schedule 1.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Licensing

Part 3

r. 23**23. Providing licence to another person**

A licensee must not —

- (a) dispose of his or her licence to another person; or
- (b) permit another person to use his or her licence.

Penalty: \$5 000.

24. Requirement to display licence

The holder of a plumber's licence must ensure that the licence is conspicuously displayed at his or her principal place of business.

Penalty: \$2 000.

25. Licence number to appear in advertising

The holder of a plumber's licence must ensure that the number of the licence appears in any advertisement relating to his or her plumbing business.

Penalty: \$2 000.

26. Licence not transferable

A licence is not transferable.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 4** Disciplinary proceedings**r. 27**

Part 4 — Disciplinary proceedings**27. Disciplinary matters**

For the purposes of this Part, each of the following is a disciplinary matter —

- (a) the licence was obtained by fraud or misrepresentation;
- (b) the licensee no longer meets the requirement described in regulation 17(a);
- (c) the licensee has been convicted of an offence against these regulations or another written law relating to plumbing work;
- (d) the licensee has contravened or failed to comply with a term or condition of his or her licence;
- (e) the licensee has contravened or failed to comply with —
 - (i) any of the requirements referred to in by-law 7.1 or 16.1 of the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*;
 - (ii) by-law 7.2, 7.3 or 16.2 of the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*;
 - (iii) by-law 58(3) or 58(4) of the *Country Areas Water Supply By-laws 1957*; or
 - (iv) by-law 8A(3) of the *Country Towns Sewerage By-laws 1952*,and the nature of the contravention or failure to comply is such as to indicate that action against the licensee under regulation 34(1) may be appropriate;
- (f) the licensee is guilty of fraudulent conduct in relation to the carrying out of plumbing work;

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Disciplinary proceedings **Part 4**

r. 28

- (g) the licensee has failed to comply with an order made by the Building Disputes Committee under section 12A of the *Builders' Registration Act 1939* or section 17 of the *Home Building Contracts Act 1991* in respect of plumbing work carried out by the licensee.

28. Complaints

Any person may make a written complaint to the Board that a disciplinary matter exists or has occurred in respect of a licensee.

29. Decision to conduct inquiry

- (1) If the Board —
 - (a) receives a complaint under regulation 28; or
 - (b) is of the opinion that there is cause to inquire into whether or not a disciplinary matter exists or has occurred in respect of a licensee,

the Board may decide to conduct an inquiry.

- (2) Before making a decision under subregulation (1) the Board may undertake such investigation as it considers appropriate.

30. Notice of inquiry

- (1) If the Board decides to conduct an inquiry, the Board is to give the licensee to whom the matter relates —
 - (a) at least 14 days' notice in writing of the time and place at which the inquiry is to be held; and
 - (b) sufficient details of the matter to enable the licensee to prepare his or her case.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 4** Disciplinary proceedings**r. 31**

- (2) For the purposes of subregulation (1) it is sufficient if notice is sent by registered post to the address of the licensee that appears in the register.
- (3) If a person to whom notice has been given under subregulation (1) does not attend at the time and place fixed by the notice, the Board may conduct an inquiry in the absence of the person.

31. Procedure and evidence

- (1) In conducting an inquiry the Board —
 - (a) is to afford the licensee a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions (whether written or oral) to the Board;
 - (b) is to act according to equity and good conscience and the substantial merits of the case without regard to technicalities and legal forms and with as much speed as possible; and
 - (c) is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks fit.
- (2) The Board may appoint a legal practitioner to appear in an inquiry to assist the Board.
- (3) Subject to this Part the Board may determine its own procedure.

32. Representation before the Board

A licensee may —

- (a) appear in person before the Board; or
- (b) be represented by —
 - (i) a legal practitioner; or
 - (ii) a person approved by the Board.

Water Services Coordination (Plumbers Licensing) Regulations 2000
Disciplinary proceedings **Part 4**

r. 33

33. Powers on inquiry

- (1) For the purpose of conducting an inquiry the Board may —
 - (a) by notice in writing require a person —
 - (i) to attend before the Board at a time and place specified in the notice; or
 - (ii) to produce a document that is in the possession or under the control of the person and is relevant to the inquiry;
 - (b) inspect a document produced before it, retain the document for such reasonable period as is required, and make copies of the document or any of its contents;
 - (c) require a person to swear to answer truly any relevant question put to the person by the Board or a person appearing before the Board; and
 - (d) require a person attending before the Board (whether voluntarily or in response to a notice under paragraph (a)) to answer any relevant question put to the person by the Board or by another person appearing before the Board.
- (2) For the purposes of subregulation (1)(c) the chairperson may administer an oath or affirmation.

34. Disciplinary powers

- (1) If, at the conclusion of an inquiry, the Board determines that a disciplinary matter exists or has occurred in respect of a licensee, the Board may do any one or more of the following —
 - (a) decline to take any action under this subregulation;
 - (b) reprimand the licensee;
 - (c) order the licensee to undertake further training as specified by the Board;

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 4** Disciplinary proceedings**r. 35**

- (d) change or remove a condition of the licence or add a new condition to the licence;
 - (e) order the licensee to pay to the Board a penalty not exceeding \$5 000;
 - (f) suspend the licence for such period as the Board thinks fit;
 - (g) cancel the licence.
- (2) If the Board decides to take action under subregulation (1), the Board is to give written notice of the decision to the licensee setting out —
- (a) the grounds on which the decision was based; and
 - (b) the reasons for the decision.
- (3) The notice under subregulation (2) is to be given not later than 14 days after the decision is made.

35. Order in respect of costs

- (1) The Board may, in addition to or instead of taking action under regulation 34(1), order the licensee to pay such amount, not exceeding \$5 000, in respect of costs of, or arising from, the inquiry, as the Board thinks fit.
- (2) Without limiting subregulation (1), costs incurred by the Board in obtaining independent advice for the purposes of the inquiry are to be regarded as costs arising from the inquiry.
- (3) Subregulation (1) does not apply unless there has been a finding that a disciplinary matter exists or has occurred in respect of the licensee.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Disciplinary proceedings

Part 4**r. 36****36. Recovery of amounts**

The Board may recover —

- (a) any monetary penalty ordered to be paid under regulation 34(1)(e); or
- (b) any amount ordered to be paid under regulation 35(1),

in a court of competent jurisdiction as a debt due to the State.

37. Failure to attend, take oath etc.

- (1) A person must not, without lawful excuse, refuse or fail to attend before the Board or produce a document as required by a notice under regulation 33(1)(a).

Penalty: \$5 000.

- (2) A person must not, without lawful excuse, refuse or fail to be sworn or to make an affirmation when required to do so under regulation 33(1)(c).

Penalty: \$5 000.

- (3) A person must not, without lawful excuse, refuse or fail to answer a question when required to do so under regulation 33(1)(d).

Penalty: \$5 000.

38. Refusal to answer, etc. on ground of self-incrimination

An individual is not excused from complying with a requirement under regulation 33(1) on the ground that the answer to a question or the production of a document might incriminate the individual or render the individual liable to a penalty, but neither —

- (a) an answer given by the individual that was given to comply with the requirement; nor

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 4** Disciplinary proceedings**r. 39**

- (b) the fact that a document produced by the individual to comply with the requirement was produced,

is admissible in evidence in any civil or criminal proceedings against the individual other than proceedings for perjury or for an offence against regulation 39.

39. False statements

A person must not make a statement to the Board during an inquiry that the person knows to be false or misleading in a material particular.

Penalty: \$5 000.

40. Misbehaviour

A person must not —

- (a) misbehave before the Board;
- (b) wilfully insult the Board or a member; or
- (c) interrupt the proceedings of an inquiry.

Penalty: \$3 000.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Miscellaneous

Part 5**r. 41****Part 5 — Miscellaneous****41. Appeal against certain decisions of Board**

- (1) This regulation applies to a decision of the Board —
 - (a) to refuse to issue a licence;
 - (b) to impose a condition on a licence;
 - (c) to change, remove or add a condition to a licence; or
 - (d) to take action against the person under regulation 34(1).
- (2) A person who is aggrieved by a decision to which this regulation applies may appeal against the decision to —
 - (a) the Local Court nearest to the place where the person resides; or
 - (b) any other Local Court agreed by the person and the Board to be a suitable venue.
- (3) An appeal is commenced by the appellant lodging at the Local Court a notice of appeal setting out the grounds of appeal within 28 days after the appellant receives notice of the decision.
- (4) The appellant must give a copy of the notice of appeal to the Board within 7 days after lodgment of the notice.
- (5) The operation of the decision appealed against is not affected by an appeal unless, on application made by the appellant, the court otherwise orders.

42. Determination of appeal

- (1) An appeal is to be in the nature of a rehearing unless the court otherwise orders.
- (2) The appeal proceedings are to be conducted in the manner prescribed by the rules of court, or if no such rules of court are prescribed, in such manner as the court determines.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 5** Miscellaneous**r. 43**

- (3) The court may determine an appeal by —
 - (a) allowing or dismissing the appeal; and
 - (b) affirming, varying or quashing the decision to which the appeal relates, or substituting its own decision for the decision appealed against.
- (4) The court may make any incidental order including an order as to costs.
- (5) The determination of the court on an appeal is final and effect is to be given to the decision.

43. Register to be kept

- (1) The Board is to keep a register of licences in such form as the Board determines.
- (2) The register is to be available for public inspection at the office of the Board during normal office hours.
- (3) A person may obtain from the Board a copy of the register on payment of the fee set out in item 6 of Schedule 1.
- (4) A person may obtain from the Board an extract from the register relating to a particular licence on payment of the fee set out in item 7 of Schedule 1.

44. Content of register

The register is to contain the following information in respect of each licence —

- (a) the class of licence;
- (b) the full name of the licensee and his or her residential or business address;
- (c) the licence number;
- (d) the day on which the licence was issued;

Water Services Coordination (Plumbers Licensing) Regulations 2000

Miscellaneous

Part 5**r. 45**

(e) the terms and conditions of the licence.

45. Changes to register

The Board may make such amendments, additions and corrections to the register as are necessary to ensure that the register is an accurate record of the information it contains.

46. Notification of change of address

A licensee must notify the Board of a change in the licensee's residential or business address no later than 14 days after the change occurs.

Penalty: \$1 000.

47. Evidentiary provision

- (1) In proceedings for an offence against these regulations a certificate in accordance with subregulation (2) purporting to be signed by the chairperson is, without proof of the chairperson's appointment or signature, evidence of the facts stated in the certificate.
- (2) A certificate may state any of the following —
 - (a) that a licence is or was, or is not or was not, held by a person;
 - (b) the terms and conditions of a licence;
 - (c) that a licence is or was, or is not or was not, in force;
 - (d) the day or days on which, or period during which, anything referred to in paragraph (a), (b) or (c) applied.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 6** Transitional provisions**r. 48**

Part 6 — Transitional provisions**48. Definitions**

In this Part —

“**application**” means an application made but not determined before commencement;

“**authorisation**” means an authorisation to work under the direction and supervision of the holder of a water supply and sanitary plumber’s licence or the holder of a water supply plumber’s licence, as the case may be;

“**commencement**” means the commencement of these regulations;

“**Country Areas By-laws**” means the *Country Areas Water Supply By-laws 1957*;

“**Country Towns By-laws**” means the *Country Towns Sewerage By-laws 1952*;

“**Metropolitan By-laws**” means the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

49. Licences and authorisations under Metropolitan By-laws

- (1) On and after commencement a water supply and sanitary plumber’s licence in force under the Metropolitan By-laws immediately before commencement is to be regarded as a plumber’s licence in respect of water supply plumbing, sanitary plumbing and drainage plumbing.
- (2) On and after commencement a water supply plumber’s licence in force under the Metropolitan By-laws immediately before commencement is to be regarded as a plumber’s licence in respect of water supply plumbing.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Transitional provisions

Part 6**r. 50**

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- (3) On and after commencement a drainage plumber's licence in force under the Metropolitan By-laws immediately before commencement is to be regarded as a plumber's licence in respect of drainage plumbing.
 - (4) On and after commencement an authorisation in force under the Metropolitan By-laws immediately before commencement is to be regarded as a tradesperson's licence.
 - (5) Subregulation (4) does not apply to an authorisation held by an apprentice.

50. Licences under Country Areas By-laws

On and after commencement a water supply plumber's licence in force under the Country Areas By-laws immediately before commencement is to be regarded as a plumber's licence in respect of water supply plumbing.

51. Licences and authorisations under Country Towns By-laws

- (1) On and after commencement a water supply and sanitary plumber's licence in force under the Country Towns By-laws immediately before commencement is to be regarded as a plumber's licence in respect of water supply plumbing, sanitary plumbing and drainage plumbing.
- (2) On and after commencement a drainage plumber's licence in force under the Country Towns By-laws immediately before commencement is to be regarded as a plumber's licence in respect of drainage plumbing.
- (3) On and after commencement an authorisation in force under the Country Towns By-laws immediately before commencement is to be regarded as a tradesperson's licence.
- (4) Subregulation (3) does not apply to an authorisation held by an apprentice.

Water Services Coordination (Plumbers Licensing) Regulations 2000**Part 6** Transitional provisions**r. 52**

52. Applications for licences or authorisations

- (1) On and after commencement an application (the “**initial application**”) for a water supply and sanitary plumber’s licence, a water supply plumber’s licence or a drainage plumber’s licence under the Metropolitan By-laws, the Country Areas By-laws or the Country Towns By-laws is to be regarded as an application for the licence that under this Part corresponds to the licence the subject of the initial application.
- (2) On and after commencement an application for an authorisation under the Metropolitan By-laws or the Country Towns By-laws is to be regarded as an application for a tradesperson’s licence.
- (3) Subregulation (2) does not apply to an application for an authorisation by an apprentice.

53. First renewal of licences

Regulation 20(1) applies in relation to the first renewal of licences after commencement as if “not later than 15 June in each year” were replaced with “as soon as practicable after the commencement of these regulations”.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Fees Schedule 1**Schedule 1 — Fees**

[rr. 3, 22, 43]

Description of fee	Amount (\$)
1. Issue of plumber's licence	
6 months or more	200.00
less than 6 months	100.00
2. Issue of tradesperson's licence	
6 months or more	75.00
less than 6 months	37.50
3. Renewal of plumber's licence	200.00
4. Renewal of tradesperson's licence	75.00
5. Duplicate licence	20.00
6. Copy of register	50.00
7. Extract from register	20.00

Water Services Coordination (Plumbers Licensing) Regulations 2000**Schedule 2** Constitution and proceedings

Schedule 2 — Constitution and proceedings

[r. 8]

1. Definition

In this Schedule —

“**meeting**” means a meeting of the Board.

2. Term of office

Subject to clause 3, a member holds office for such term, not exceeding 3 years, as is specified in the member’s instrument of appointment, and is eligible for reappointment.

3. Resignation, removal, etc.

(1) The office of a member becomes vacant if the member —

- (a) resigns the office by written notice delivered to the Minister;
- (b) becomes ineligible to hold office as a member;
- (c) is an insolvent under administration, as that term is defined in the Corporations Law; or
- (d) is removed from office by the Minister under subclause (2).

(2) The Minister may remove a member from office if the Minister is satisfied that the member —

- (a) has neglected the member’s duty;
- (b) has misbehaved;
- (c) is incompetent;
- (d) is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of the member’s functions; or
- (e) has been absent, without leave and reasonable excuse, from 3 consecutive meetings of which the member has had notice.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Constitution and proceedings Schedule 2

4. Alternate members

- (1) The Minister may appoint a person (an “**alternate member**”) to act temporarily in the place of a member, other than the chairperson, when the member is unable to act because of illness, absence or other cause.
- (2) In appointing an alternate member, the Minister is, as far as is practicable, to follow the procedure that applied under regulation 5 in relation to the appointment of the member in whose place the alternate member is to act.
- (3) While acting in accordance with the appointment the alternate member is to be taken to be a member.
- (4) The appointment of an alternate member may be terminated at any time by the Minister.
- (5) An act or omission of an alternate member cannot be questioned on the ground that the occasion for the appointment or acting had not arisen or had ceased.

5. Leave of absence

The Board may grant leave of absence to a member on the terms and conditions that it thinks fit.

6. General procedure

- (1) The chairperson, or in the absence of the chairperson the deputy chairperson, is to preside at all meetings at which he or she is present.
- (2) If both the chairperson and the deputy chairperson are absent from a meeting, the members present are to appoint one of their number to preside.
- (3) The procedure for the calling of meetings and for the conduct of business at meetings is, subject to these regulations, to be determined by the Board.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Schedule 2 Constitution and proceedings

7. Quorum

A quorum for a meeting is 6 members.

8. Voting

- (1) At a meeting each member present has a deliberative vote.
- (2) If the votes of the members present at a meeting are equally divided, the chairperson, deputy chairperson or other member presiding is to have a casting vote.
- (3) A decision supported by a majority of the votes cast at a meeting at which a quorum is present is the decision of the Board.

9. Resolutions may be passed without meeting

A resolution in writing signed by each member, or assented to by each member by letter, facsimile transmission or other written means, has the same effect as if it had been passed at a meeting.

10. Holding meetings remotely

The presence of a member at a meeting need not be by attendance in person but may be by that member and each other member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

Water Services Coordination (Plumbers Licensing) Regulations 2000

Requirements for licence **Schedule 3**

Schedule 3 — Requirements for licence

[r. 17(b)]

1. Definitions

In this Schedule —

“**approved**” means approved by the Board;

“**recognised**” means recognised by the Australia-New Zealand Reciprocity Association;

“**registered training provider**” has the same meaning as it has in the *Vocational Education and Training Act 1996*.

2. Plumber’s licence

The requirements for a plumber’s licence are that —

(a) the applicant holds —

(i) a Statement of Competency as a water supply plumber, sanitary plumber or drainer issued by a registered training provider; or

(ii) an equivalent Western Australian qualification as determined by the Board;

or

(b) the applicant —

(i) holds a recognised qualification in plumbing work at independent certifier’s level;

(ii) provides evidence to the satisfaction of the Board of at least 6 years’ practical experience in plumbing work; and

(iii) if the recognised qualification referred to in subparagraph (i) was not obtained in Australia or New Zealand —

(I) holds a tradesperson’s licence and has done so for at least 3 months; or

Water Services Coordination (Plumbers Licensing) Regulations 2000**Schedule 3** Requirements for licence

- (II) has completed to the satisfaction of the Board an approved familiarisation programme in relation to plumbing work in this State.

3. Tradesperson's licence

The requirements for a tradesperson's licence are that —

- (a) the applicant holds —
 - (i) a Trade Certificate in Plumbing and Gasfitting issued by the Director of Industrial Training; or
 - (ii) an equivalent Western Australian qualification as determined by the Board;
 - (b) the applicant —
 - (i) holds a recognised qualification in plumbing work at registration level; and
 - (ii) provides evidence to the satisfaction of the Board of at least 4 years' practical experience in plumbing work;
- or
- (c) the applicant —
 - (i) has passed a practical test in plumbing work conducted by an approved person or body; and
 - (ii) provides evidence to the satisfaction of the Board of at least 4 years' practical experience in plumbing work.

By Command of the Administrator,

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

Water Services Coordination (Plumbers Licensing) Regulations 2000**Defined Terms****Defined Terms**

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined Term	Provision(s)
alternate member	Schedule 2 clause 4
apparatus for the treatment of sewage	4(2)
application	48
apprentice	3
approved	Schedule 3 clause 1
authorisation	48
authorised work	12(2)
CEPU	5(1)
chairperson	3
commencement.....	48
Country Areas By-laws	48
Country Towns By-laws.....	48
court.....	3
deputy chairperson	3
disciplinary matter	3
drainage plumbing	3
exempt work	3
fittings.....	4(2)
fixtures.....	4(2)
initial application.....	52(1)
inquiry	3
legal practitioner.....	3
licence.....	3
licence fee.....	3
licensee	3
meeting	Schedule 2 clause 1
member.....	3
Metropolitan By-laws.....	48
metropolitan region	5(1)
MPMSA	5(1)
pipe.....	4(2)
plumber's licence	3
recognised.....	Schedule 3 clause 1
register	3
registered training provider	Schedule 3 clause 1
renewal fee	3

Water Services Coordination (Plumbers Licensing) Regulations 2000**Defined Terms**

Defined Term	Provision(s)
sanitary plumbing	3
sewer	4(2)
tradesperson's licence.....	3
waste.....	4(2)
wastewater.....	4(2)
water supply plumbing	3

