
INDUSTRY REGULATION

IS301

Plumbers Licensing Act 1995

**Plumbers Licensing and Plumbing Standards
Amendment Regulations (No. 3) 2019**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Plumbers Licensing and Plumbing Standards Amendment Regulations (No. 3) 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 January 2020.

3. Regulations amended

These regulations amend the *Plumbers Licensing and Plumbing Standards Regulations 2000*.

4. Regulation 3 amended

In regulation 3(1) in the definition of *certificate of compliance* paragraph (a) delete “42, 44” and insert:

42

5. Regulation 39 amended

- (1) In regulation 39(1) in the Penalty delete “subsection:” and insert:

subregulation:

- (2) In regulation 39(2) in the Penalty delete “subsection:” and insert:

subregulation:

- (3) In regulation 39(3) in the Penalty delete “subsection:” and insert:

subregulation:

- (4) In regulation 39(4) in the Penalty delete “subsection:” and insert:

subregulation:

6. Part 5 heading replaced

Delete the heading to Part 5 and insert:

**Part 5 — Notification, certification and records
of plumbing work**

7. Regulation 44 replaced

Delete regulation 44 and insert:

44. Application of Division

This Division does not apply in respect of minor plumbing work that includes a performance solution.

44A. Records of minor plumbing work

- (1) A licensed plumbing contractor or permit holder must keep a record of minor plumbing work completed by or for the contractor or permit holder.

Penalty for this subregulation: a fine of \$5 000.

- (2) A licensed plumbing contractor or permit holder is not required to keep a record of minor plumbing work under subregulation (1) if —

- (a) the minor plumbing work is carried out for another licensed plumbing contractor or permit holder; and
- (b) that other licensed plumbing contractor or permit holder or another contractor or permit holder keeps, or ought to keep, a record of the work under subregulation (1).

- (3) A record required by subregulation (1) must be in the approved form.

Penalty for this subregulation: a fine of \$5 000.

- (4) A record required by subregulation (1) must be kept at the licensed plumbing contractor's or permit holder's principal place of business.
Penalty for this subregulation: a fine of \$5 000.
- (5) A person required by subregulation (1) to keep a record of minor plumbing work must keep the record until the expiry of the period within which a rectification notice may be given in respect of the work under regulation 71(2).
Penalty for this subregulation: a fine of \$5 000.
- (6) A person required by subregulation (1) to keep a record of minor plumbing work must produce the record for inspection upon being requested to do so by —
- (a) the Board; or
 - (b) a plumbing compliance officer.
- Penalty for this subregulation: a fine of \$5 000.
- (7) This regulation does not limit regulation 25B(1).

8. Regulation 45A amended

In regulation 45A(1) delete “an” and insert:

a

9. Regulation 46 amended

In regulation 46 delete “given” and insert:

given, or in a record kept,

10. Regulation 71 amended

Delete regulation 71(2) and insert:

- (2) A rectification notice cannot be given more than 6 years after —
- (a) unless paragraph (b) applies, the day on which —
 - (i) for major plumbing work or plumbing work that includes a performance solution — a certificate of compliance for the plumbing work was given under regulation 42(1) or 45B(1), as the case requires; or

- (ii) for minor plumbing work that does not include a performance solution — the minor plumbing work was completed;
- or
- (b) if 1 or more previous rectification notices have been given in respect of the plumbing work — the day on which the most recent previous rectification notice in respect of the plumbing work was given.

11. Regulation 75 amended

In regulation 75(3) in the Table:

- (a) after “42(1),” insert:

44A(1), (3), (4), (5) or (6),

- (b) delete “44(1), 104(3), 105” and insert:

104(3), 105, 111(3)

12. Regulation 106 amended

- (1) In regulation 106(1)(c) delete “requires.” and insert:

requires (if any).

- (2) In regulation 106(2) delete “44(1), 45A(1) and 45B(1) —” and insert:

45A(1), 45B(1) and 111(3) —

- (3) In regulation 106(3):

- (a) delete “44(1), 45A(1) and 45B(1)” and insert:

45A(1), 45B(1) and 111(3)

- (b) delete “16, 17 or 20.” and insert:

20, 27 or 28.

13. Regulation 111 inserted

At the end of Part 8 insert:

111. Transitional provisions for *Plumbers Licensing and Plumbing Standards Amendment Regulations (No. 3) 2019*

- (1) In this regulation —
former regulation 44 means regulation 44 as in force immediately before 1 January 2020.
- (2) The amendments made by the *Plumbers Licensing and Plumbing Standards Amendment Regulations (No. 3) 2019* regulation 7 apply in relation to minor plumbing work completed on or after 1 January 2020.
- (3) If a certificate under former regulation 44 was not given before 1 January 2020 in relation to any minor plumbing work completed by or for a licensed plumbing contractor or permit holder in a month that ended before 1 January 2020, the contractor or permit holder must —
 - (a) complete a certificate that complies with the requirements of former regulation 44 for all minor plumbing work completed by or for the contractor or permit holder in that month; and
 - (b) give the certificate to the Board within 20 working days after 31 December 2019.

Penalty for this subregulation: a fine of \$2 000.

- (4) On application by a licensed plumbing contractor or permit holder, the Board must refund the fee paid under regulation 106(3) for any unused certificate obtained for the purpose of certifying minor plumbing work under former regulation 44 or this regulation.

14. Schedule 1 amended

- (1) In Schedule 1 delete items 16 and 17.
- (2) In Schedule 1 after item 26 insert:

| | | |
|-----|---|-----------------------|
| 27. | Multi-entry certificate of compliance (regulation 111(3)) — 1 multi-entry certificate | 17.00 |
| 28. | Multi-entry certificate of compliance (regulation 111(3)) — booklet of 2 or more multi-entry certificates | 16.00 per certificate |