

## Registration policy

*Version 4.0 effective from 1 January 2019*

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## Purpose

1. This policy sets out the Plumbers, Gasfitters, and Drainlayers Board's obligations and approach to the registration of plumbers, gasfitters, and drainlayers.

## Legislation and relevant policies

2. The following legislation, or any legislation replacing it, is relevant to this policy:
  - a. the Plumbers, Gasfitters, and Drainlayers Act 2006
  - b. the Plumbers, Gasfitters and Drainlayers (Plumbing Registration and Licensing) Notice 2016
  - c. the Plumbers, Gasfitters and Drainlayers (Gasfitting Registration and Licensing) Notice 2016
  - d. the Plumbers, Gasfitters and Drainlayers (Drainlaying Registration and Licensing) Notice 2016
  - e. the Plumbers, Gasfitters and Drainlayers (Fees, and Disciplinary and Prosecution Levy) Notice 2018
  - f. the Trans-Tasman Mutual Recognition Act 1997.
3. This policy must be read in conjunction with the following Board policies:
  - a. Decision-making
  - b. Delegations
  - c. Fit and proper person
  - d. Issuing provisional licences to overseas qualified practitioners
  - e. Licensing
  - f. Register of plumbers, gasfitters, and drainlayers
  - g. Sections 12 – 27 exemptions
  - h. Section 52 exemptions
  - i. Supervision
  - j. Waiver or refund of fee or disciplinary levy.

## Definitions

4. In this policy, unless the context otherwise requires:
  - a. **Act** means the Plumbers, Gasfitters, and Drainlayers Act 2006
  - b. **applicant** means a person applying for registration as a journeyman, tradesman, or certifying plumber, gasfitter, or drainlayer
  - c. **application** means an application for registration
  - d. **Board** means the Plumbers, Gasfitters, and Drainlayers Board
  - e. **fees notice** means the Plumbers, Gasfitters and Drainlayers (Fees, and Disciplinary and Prosecution Levy) Notice 2018
  - f. **former Act** means the Plumbers, Gasfitters, and Drainlayers Act 1976
  - g. **Gazette notices** means the Plumbers, Gasfitters and Drainlayers (Plumbing Registration and Licensing) Notice 2016, the Plumbers, Gasfitters and Drainlayers (Gasfitting Registration and Licensing) Notice 2016, and the Plumbers, Gasfitters and Drainlayers (Drainlaying Registration and Licensing) Notice 2016

- h. **minimum standards for registration** means the minimum standards for registration prescribed in the *Gazette* notices
- i. **practising licence** means a practising licence issued or renewed under sections 47 and 51 of the Act
- j. **registered person** means a person who is registered by the Board in the journeyman, tradesman, or certifying class as a plumber, gasfitter or drainlayer under section 41 of the Act
- k. **Registrar** means the Registrar of the Plumbers, Gasfitters, and Drainlayers
- l. **trade** means sanitary plumbing, gasfitting or drainlaying.

### **Guiding principles**

- 5. All people doing or assisting in doing sanitary plumbing, gasfitting and drainlaying must be registered and licensed, or otherwise authorised.
- 6. A person must be registered and licensed in each trade they wish to practice in.
- 7. An applicant is entitled to be registered where the Board is satisfied that they have met all registration requirements.

### **Board delegation of registration responsibilities to Registrar**

- 8. The Board has delegated the exercise of its registration responsibilities to the Registrar.

### **Requirements for registration**

- 9. To be registered, the applicant must have satisfied the Board that they:
  - a. have complied with the application requirements
  - b. meet the applicable minimum standards for registration
  - c. are not precluded from being registered by an order of the Board following disciplinary action taken against them
  - d. are a fit and proper person to be registered
  - e. have paid the prescribed fee.

### **Applying for registration**

- 10. An application must be:
  - a. sent or delivered to the Registrar
  - b. in the form required by the Board
  - c. completed in full and accompanied by any information and documentation required by the Board
  - d. accompanied by the required fee.
- 11. An applicant may apply for registration and a practising licence at the same time. However, the Board only considers a practising licence application once registration is approved.

### **When the Board accepts an application for processing**

12. Unless the applicant has applied to waive the fee, the Board accepts an application for processing only once it has received the prescribed fee.

### **Required registration application form**

13. Registration forms for each trade are available on the Board's website<sup>1</sup>.
14. A person must complete a separate application form for each trade they are applying to be registered in.

### **Information required for a New Zealand-trained applicant**

15. An application from a New Zealand-trained applicant must be completed in full, and either accompanied by certified copies of the following documents:
  - a. their Board examination results prior to 2005 if registering in the certifying
  - b. if registering in the tradesman class either their:
    - i National Certificate, or
    - ii Board examination results prior to 2005.
  - c. if registered in the journeymen class, either their:
    - i NZQA National Certificate; or
    - ii NZQA Results Pass of 3<sup>rd</sup> block course; or
    - iii NZQA Practice Trade Certificate.

### **Information required for applications under the Trans-Tasman Mutual Recognition Act 1997**

16. An application for registration under the Trans-Tasman Mutual Recognition Act 1997 must:
  - a. be completed in full
  - b. include correct contact details
  - c. be accompanied by certified copies of:
    - i registration certificate
    - ii current licence
    - iii qualification certificate
  - d. be signed by certifying supervisor, if required, and
  - e. be accompanied by a completed declaration of accuracy.

### **Information required for an overseas-trained applicant (other than for application made under the Trans-Tasman Mutual Recognition Act 1997)**

17. An overseas-trained applicant must complete a pre-registration form in full and include the following documentation:

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<sup>1</sup> <http://www.pgdb.co.nz/trade/registration.html>

- a. an assessment from the Skills Organisation identifying what level the applicant's trade qualification is when compared against the New Zealand Certificate in that trade
- b. evidence of good character as set out in the applicable *Gazette* notice
- c. a section 52 exemption notice, if one has been granted
- d. evidence that they have the required number of years' experience for the trade and level which they are wishing to register in as set out in the applicable *Gazette* notice
- e. evidence that they have passed the Board's tradesman level examination (if registering at the tradesman level) or Advanced Proficiency Assessment (if registering at the certifying level).

### **Checking information provided**

18. The Board checks all applications and all information provided with an application, for accuracy, authenticity, and completeness.
19. The Board notifies an applicant of any details missing from their application that would prevent it from being processed and returns the application to the applicant for them to complete it.

### **Fee**

20. The fee for an application is set out in the fees notice.
21. The fee may be paid:
  - a. in cash
  - b. by cheque
  - c. by credit card
  - d. by electronic transfer to the Board's bank account.
22. A separate fee is payable for each trade in which an applicant applies to register.
23. Where an applicant applies for registration at the licensed level, and then at the certifying level during the same licensing year, the full fees for each application must be paid.
24. An applicant can apply in writing to the Registrar to waive of the fee where they have good grounds.<sup>2</sup>

### **Terms and conditions of registration**

25. The Board can impose terms and conditions on any registration either through *Gazette* notices or by written notice to the registered person.

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<sup>2</sup> See Waiver or refund of fee or disciplinary levy policy

### **Considering an application**

26. The Board considers applications for registration fortnightly.
27. Where an applicant has previously had their registration or practising licence cancelled, the Board takes into account the reasons for the cancellation when considering their application.

### **Granting registration**

28. Where the Board is satisfied that a person is entitled to be registered, the applicant is:
  - a. recorded as a registered person on the Board's register
  - b. sent a certificate of registration
  - c. if the applicant does not already have a registration number, issued with a registration number and notified of that number.

### **Declining registration**

29. Where the Board is considering declining an application for registration, before making a final decision the Board can:
  - a. notifies the applicant that it is considering declining their application
  - b. tells the applicant why it is considering declining their application
  - c. gives the applicant 10 working days to provide reasons in writing why it should grant their application.
30. Written reasons can be provided to the Board by letter or email.
31. The Board considers any written reasons it receives from an applicant.
32. After considering the written reasons, the Board grants or declines the application.
33. Where the Board declines an application, the Board notifies the applicant of:
  - a. the Board's decision
  - b. the reasons for the Board's decision
  - c. their right of appeal to a District Court against the Board's decision.

### **Cancelling or suspending registration**

34. The Board can cancel or suspend a person's registration.
35. A person whose registration has been cancelled or suspended is not authorised to do, or assist in doing sanitary plumbing, gasfitting or drainlaying while their registration is cancelled or remains suspended.
36. The Board can cancel a person's registration:

- a. where the person asks the Board in writing to cancel it
  - b. where the Board reasonably believes the person has died
  - c. where the registration was obtained wrongfully
  - d. where an overseas qualification on which their registration was based has been cancelled or suspended, or the person's name has been removed from an overseas register associated with their trade
  - e. following review of the register
  - f. where the Board has ordered cancellation of the registration as a result of disciplinary action.
37. The Board can suspend a person's registration where:
- a. an overseas qualification on which their registration is based has been cancelled or suspended, or their name has been removed from an overseas register associated with their trade
  - b. the Board has ordered suspension of the registration as a result of disciplinary action.
38. When considering cancelling or suspending a person's registration, the Board:
- a. informs the person that it is considering taking such action
  - b. tells the person the reasons why it is considering taking such action
  - c. gives the person a reasonable opportunity to make submissions and meet with the Board to discuss the matter.
39. The Board considers any submission it receives in relation to cancelling or suspending a person's registration.
40. After considering a submission, the Board may cancel or suspend the person's registration, or not cancel or suspend their registration.
41. The Registrar provides a copy of any cancellation or suspension order to the person.
42. An order cancelling or suspending a person's registration has effect from the later of:
- a. the day on which it is given to the person
  - b. any date specified in the order.
43. If a person's registration is cancelled or suspended, their practising licence is also cancelled or suspended.
44. If the person is registered in more than one trade, depending on the circumstances, the Board can cancel or suspend that person's registration in any or all of the trades they are registered in.
45. The cancellation or suspension of a person's registration does not affect the person's liability for any unlawful action or inaction that occurred prior to the cancellation or suspension.

46. At the end of a period of suspension a person's registration and licence become active again. However, if they have entered a new licensing year, they must apply for a new licence in the usual way once their registration becomes active again.