

PLUMBERS, GASFITTERS, AND DRAINLAYERS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Plumbers, Gasfitters, and Drainlayers Act 1976.

Clause 1 relates to the Short Title and commencement.

Clause 2 redrafts paragraph (c) of section 3 (1) of the principal Act. The intention is to make it clear that it is only work on connecting pipes on the same premises as the fitting or appliance that is within the definition of the term "sanitary plumbing" and is, therefore, restricted to registered plumbers.

Clause 3 amends section 6 of the principal Act relating to membership of the Plumbers, Gasfitters, and Drainlayers Board. At present, one member is to be a registered drainlayer recommended by the New Zealand Master Drainlayers Association Incorporated. The amendment allows this appointment to be made on the recommendation either of that body or of the Registered Society of Master Drainlayers of New Zealand Incorporated.

Clause 4 amends section 41 of the principal Act, relating to complaints against registered persons. At present, every complaint received by the Registrar (assuming he decides it should be dealt with and not rejected as frivolous or vexatious) must be referred to an investigator. The investigator must examine the complaint and report to the Board, and it is only at that point that the Board becomes seized of the matter.

Under the amendments, the Registrar will refer every complaint to the Board, and it will be for the Board to decide whether to proceed with it right away, or refer it to an investigator for examination.

Clause 5 is consequential upon *clause 4* of this Bill.

Clause 6 simplifies and clarifies section 54 of the principal Act, which authorises a householder in any place specified for the purpose by notice in the *Gazette* to undertake sanitary plumbing in his own house.

Clause 7 provides, in effect, that the Board may authorise any person who, although not registered as a plumber under the principal Act, nevertheless satisfies the Board that he is sufficiently well qualified, to install and maintain sanitary plumbing equipment in industrial or commercial premises. Under any such authority, the person concerned may either do the work himself or arrange for someone else to do it under his supervision.

This exemption is on all fours with that prescribed in respect of gasfitting equipment by section 57 (2) of the principal Act. However, at present an authority under that provision applies only to the performance of the work by the exempted person himself.

Clause 8 of this Bill extends the exemption in respect of gasfitting equipment to allow the exempted person to arrange for someone else to do the work under his supervision.

Hon. Mr Gair

**PLUMBERS, GASFITTERS, AND DRAINLAYERS
AMENDMENT**

ANALYSIS

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1. Short Title and commencement	5. Procedure
2. Meaning of "sanitary plumbing"	6. Exemption for householders
3. Membership of Board	7. Exemption in respect of sanitary plumbing
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A BILL INTITULED

An Act to amend the Plumbers, Gasfitters, and Drainlayers Act 1976

5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

10 1. **Short Title and commencement**—(1) This Act may be cited as the Plumbers, Gasfitters, and Drainlayers Amendment Act 1980, and shall be read together with and deemed part of the Plumbers, Gasfitters, and Drainlayers Act 1976* (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 28th day after the date on which it receives the Governor-General's assent.

*1976, No. 69

No. 52—1

2 *Plumbers, Gasfitters, and Drainlayers Amendment*

2. Meaning of “sanitary plumbing”—Section 3 (1) of the principal Act is hereby amended by repealing paragraphs (c) and (d), and substituting the following paragraph:

“(c) The work of fixing or unfixing any pipe that—

“(i) Supplies or is intended to be a means of supplying water to any sanitary fitting or appliance; and 5

“(ii) Is within the legal boundary of the premises on which that sanitary fitting or appliance is or will be installed,— 10
whether or not that sanitary fitting or appliance is there when the work is done.”

3. Membership of Board—Section 6 (1) (d) of the principal Act is hereby amended by adding the words “or the Registered Society of Master Drainlayers of New Zealand Incorporated” 15

4. Complaints against registered persons—(1) Section 41 of the principal Act is hereby amended by omitting from subsection (4) the words “an investigator”, and substituting the words “the Board”. 20

(2) The said section 41 is hereby further amended by inserting, after subsection (4), the following subsection:

“(4A) Before considering any complaint in accordance with the succeeding provisions of this Part of this Act, the Board may, if it thinks fit, refer the complaint to an investigator.” 25

5. Procedure—(1) Section 43 of the principal Act is hereby amended by omitting from subsection (1) the words “by an investigator”.

(2) The said section 43 is hereby further amended by omitting from subsection (8) the words “referred or made it to the Board”, and substituting the words “was appointed by the Board under section 41 (4A) of this Act to examine the complaint or (if no investigator was so appointed for that purpose) by an investigator appointed by the Board”. 30 35

6. Exemption for householders—Section 54 of the principal Act is hereby amended by repealing subsections (3) to (6), and substituting the following subsections:

“(3) Subsection (1) of this section shall apply to every place that the Minister, after consultation with the local authority, from time to time specifies by notice in the *Gazette*. 40

“(4) Neither the operation of subsection (1) of this section, nor anything in section 56 of this Act, shall prohibit any person from completing any sanitary plumbing that he has lawfully commenced.”

5 **7. Exemption in respect of sanitary plumbing**—The principal Act is hereby amended by inserting, after section 56, the following section:

10 “56A. Notwithstanding anything in this Act, but subject to any regulations made under this Act and to the provisions of any other enactment, any person who satisfies the Board, whether by examination or otherwise, that he is competent to install and maintain particular sanitary plumbing equipment or sanitary plumbing equipment of a particular kind may, either personally or by some other person acting under
15 his supervision,—

20 “(a) Install and maintain in any industrial or commercial premises the equipment or equipment of a kind specified in writing by the Board as equipment of a kind that may be installed and maintained by him; and

 “(b) Fix or unfix pipes for the purposes of such installation and maintenance.”

25 **8. Exemption in respect of gasfitting**—Section 57 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

30 “(2) Notwithstanding anything in this Act, but subject to any regulations made under this Act and to the provisions of any other enactment, any person who satisfies the Board, whether by examination or otherwise, that he is competent to install and maintain particular gasfitting equipment or gasfitting equipment of a particular kind may, either personally or by some other person acting under his supervision,—

35 “(a) Install and maintain in any industrial or commercial premises the equipment or equipment of the kind specified in writing by the Board as equipment of a kind that may be installed and maintained by him; and

 “(b) Fix or unfix pipes for the purposes of such installation and maintenance.”