

Hon. Mr. Rhodes.

PLUMBERS REGISTRATION.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Registration of Plumbers.

Title.

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

1. This Act may be cited as the Plumbers Registration Act, 1912, and shall come into operation on the first day of April, nineteen hundred and *thirteen*.

Short Title.

2. In this Act, if not inconsistent with the context,—

Interpretation.

10 ~~“Advisory Committee” means any of the Plumbers’ Advisory Committees constituted under this Act:~~

“Board” means the Plumbers’ Board of New Zealand constituted under this Act:

15 “Chief Health Officer” means the Chief Health Officer appointed under the Public Health Act, 1908, or any person for the time being appointed by the Minister as the deputy of the Chief Health Officer for the purposes of this Act:

20 “Journeyman Plumber” means any person who is and has for at least seven years at any time been employed by a ~~master plumber~~ engaged in the trade of plumbing, whether as a journeyman or master plumber:

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“Master plumber” means any person who has been engaged for not less than seven years in the trade of plumbing, and who employs one or more journeymen plumbers :

“Registered plumber” means a person registered under this Act : 5

“Registration” and “registered” respectively mean registration under this Act and registered under this Act :

“Sanitary plumbing” means and includes—

(i.) The fixing, repairing, or disconnecting of any bath, sink, *washtubs*, water-closet, or other sanitary fitting or appliance, or of any fittings or accessories connected therewith ; 10

(ii.) The fixing, repairing, removing, or disconnecting of any trap, waste or soil pipe, ventilation pipe or shaft, or overflow-pipe connected with or accessory to any sanitary fitting or appliance, or drain or sewer ; 15

(iii.) The fixing, repairing, removing, or disconnecting of any water-supply pipes to any sanitary fitting or appliance ; and 20

(iv.) Generally, all plumbing-work in connection with any sanitary fitting or appliance.

Plumbers' Board.

3. (1.) There is hereby established a Board, to be called the Plumbers' Board of New Zealand, which shall consist of the following members, namely :— 25

(a.) The Chief Health Officer for the time being, who shall be the Chairman of the Board ;

(b.) The Inspector-General of Schools for the time being ;

(c.) A person for the time being holding in New Zealand the position of Engineer to a Borough Council or [Drainage Board *who shall be appointed by the Governor* ; 30

(d.) Two persons being respectively a master plumber and a journeyman plumber *who shall be elected by their respective federated associations.* 35

Struck out.

(e.) Four persons to be nominated by the Plumbers' Advisory Committees of Auckland, Wellington, Christchurch, and Dunedin respectively. 35

(2.) The members of the Board referred to in paragraphs (c), (d), and (e) of the *last preceding* subsection shall be appointed by the Governor. 40

(3.) Except as hereinafter provided, every person so appointed shall hold office for a period of three years from the date of his appointment, and unless he is reappointed shall, on the expiration of that period, cease to be a member of the Board. 45

(4.) Notwithstanding anything in the *last preceding* subsection, the Governor may, if he thinks fit, remove from office any member of the Board for such cause as he thinks fit.

(5.) Every member of the Board who without the consent of the Board fails to attend four successive meetings thereof shall thereupon cease to be a member. 50

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(6.) If any member of the Board resigns his position by writing under his hand addressed to the Chairman he shall thereupon cease to be a member of the Board.

5 (7.) If any member of the Board dies, or in any other manner ceases to be a member of the Board, the Governor may appoint another qualified person in his stead, who, in accordance with the terms of his appointment, shall hold office, either for the residue of the period for which his predecessor was appointed, 10 or for a term of three years, as to the Governor seems fit.

New.

(2.) With respect to the members appointed or elected under paragraphs (c) and (d) of the *last preceding* subsection the following provisions shall apply:—

15 (a.) Appointments shall be made and elections held in the manner prescribed by regulations;

(b.) The names of the persons from time to time appointed or elected shall be gazetted;

20 (c.) The members so appointed or elected shall hold office for a term of *three* years from the date of the publication of the *Gazette* notifying their appointment or election;

(d.) If any such member dies, or by writing addressed to the Chairman resigns his office, or fails without the consent of the Board to attend four consecutive meetings of the Board, his office shall become vacant, and the Governor may appoint some other qualified person in his stead, who shall hold office for the residue of the period during which the vacating member would have held it if the vacancy had not occurred.

30 4. (1.) The Board shall meet for the conduct of its business at such times and places as may from time to time be fixed by the Board by rules to be made by it in that behalf. Meetings of Board.

(2.) Notice of the time and place of every such meeting, signed by the Chairman, shall be sent to every member of the Board at least seven clear days before the time appointed for that meeting.

35 (3.) The Board may regulate its own procedure in such manner as it thinks fit.

40 5. If at any meeting of the Board the Chairman is not present, the Board shall appoint some member present to act as Chairman in respect of that meeting, and the person so appointed shall have and may exercise all the powers and functions of the Chairman for the purposes of that meeting. In absence of Chief Health Officer, Board may appoint Chairman.

6. (1.) At any meeting of the Board ~~five~~ *three* members shall form a quorum. Quorum.

45 (2.) Every question before the Board shall be determined by a majority of the votes of the members present at the meeting of the Board.

50 (3.) The Chairman of the Board shall have a deliberative vote, and, in the case of an equality of votes, shall have a casting vote also.

*Struck out.*Plumbers' Advisory
Committees.

7. (1.) There shall be established in each of the cities of Auckland, Wellington, Christchurch, and Dunedin respectively a Plumbers' Advisory Committee, which shall consist of the following persons, namely—

- (a.) A person for the time being holding in New Zealand the position of Engineer to a Borough Council or Drainage Board;
- (b.) A District Health Officer appointed under the Public Health Act, 1908;
- (c.) A person holding the position of Director of a Technical School;
- (d.) A master plumber; and
- (e.) A journeyman plumber.

(2.) The members of the Advisory Committees shall from time to time be appointed by the Governor.

(3.) Except so far as is provided by regulations made under section *nineteen* hereof, an Advisory Committee may regulate its own procedure in such manner as it thinks fit.

Qualifications of
persons entitled to
registration as
plumbers under this
Act.

8. (1.) Every person shall be entitled to registration as a plumber under this Act who satisfies the Board that he is—

(a.) The holder of a certificate that he has passed such examinations in sanitary plumbing, both practical and theoretical, as may be approved or prescribed by ~~regulations in that behalf made under this Act~~ *the Board*; or

(b.) At the time of the commencement of this Act, the holder of a certificate or license as a master plumber or journeyman plumber issued by the Drainage Boards of *Auckland*, Christchurch, or Dunedin, or issued under ~~such any~~ municipal by-laws applicable to the licensing of plumbers ~~as may be approved by the Board in accordance with regulations under this Act~~, or who satisfies the Board, ~~in the manner to be prescribed by regulations under this Act~~, that he is fully competent to perform the duties of a sanitary plumber:

Provided that application for registration under this paragraph shall be made within ~~three~~ *six* months from the coming into operation of this Act or the time of the making of such regulations, as the case may be:

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Provided further that no such application shall be considered by the Board until it has been referred for report to and has been favourably reported on by the Advisory Committee of the district in which the applicant resides or carries on business.

(2.) The Chief Health Officer shall, in making entries in the Register of Plumbers hereinafter referred to, distinguish between persons registered under paragraph (a) and those registered under paragraph (b) of this section.

Register of
Plumbers.

9. (1.) The Board shall, on being satisfied that any person is entitled to registration under this Act, cause the name of that person to be entered in a book to be kept by the Chief Health Officer at his office and called the "Register of Plumbers of New Zealand."

(2.) Such register shall at all reasonable times be open to inspection by the public.

10. The Chief Health Officer shall, on application in that behalf made to him at any time by any registered plumber, issue
5 to such person a certificate of registration.

Certificates of registration.

11. The Chief Health Officer shall in the month of January next succeeding the coming into force of this Act cause a list of registered plumbers, arranged in alphabetical order of ~~the surnames of those registered~~ *their surnames*, to be sent to the Minister of Public
10 Health, who shall forthwith cause the ~~said list~~ *same* to be published in the *Gazette*.

List of registered plumbers to be gazetted.

12. Prior to the month of January ~~of~~ *in* every succeeding year, the Chief Health Officer shall forward to every person whose name appears in the register, a copy of the form set forth in the Schedule
15 hereto, and shall cause to be sent to the Minister of Public Health a list of those registered persons who signify on such form a desire to have their names published in the *Gazette* as registered plumbers, and every such list shall thereupon be published by the Minister in the *Gazette*.

Annual list to be prepared and gazetted.

20 13. A copy of the *Gazette* containing any such list shall be evidence that the persons therein named are registered under this Act, and the absence of the name of any person from such list shall be evidence that he is not so registered :

Gazette to be evidence.

25 Provided that a certificate under the hand of the Chief Health Officer of the entry of the name of any person in the register shall be evidence that the said person is registered under this Act.

30 14. A copy of the list last published as aforesaid shall be *sent to and* kept at the office of every local authority or Drainage Board having jurisdiction within such districts as may be from time to time prescribed by the Board under the provisions of paragraph (f) of section *nineteen* hereof, *and shall be open to inspection by any person during office hours*.

Copy of list to be kept at office of local authorities.

35 15. Any person aggrieved by ~~the refusal~~ *any decision* of the Board *refusing* to cause his name to be entered in the register, or by any decision of the Board ~~to remove~~ *removing* his name from the register, may within three months after such refusal *or removal* appeal, in the prescribed manner, to a Magistrate and two assessors, who may make such order as they think just, and such order shall have effect
40 accordingly. One of the assessors shall be appointed by the Board, and the other shall be appointed by the appellant.

Appeals from refusal of Board to register.

45 16. No registered ~~master~~ plumber shall be required to pass any examination, ~~and no registered journeyman plumber shall be required to pass any examination~~ or to pay any license-fee under any by-law made by any local authority or Drainage Board.

Registered plumbers not to be required to pass examination prescribed by local authority.

Struck out.

50 17. (1.) Every local authority, Drainage Board, or District Health Officer shall, within one month after becoming aware of any faulty or negligent or unlawful workmanship on the part of any registered plumber, inform the Advisory Committee of the district in writing of the matter.

Faulty workmanship to be reported by local authority to Advisory Committee.

(2.) Upon receipt of such information the Advisory Committee shall inquire into the subject-matter thereof and shall report to the

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Board the result of its inquiry. The Board may cause such further inquiry to be made as it thinks fit, and may direct that the name of the person to whose workmanship the inquiry relates shall be removed from the register for such period as the Board thinks fit.

Independent
inquiry by Advisory
Committee.

18. An Advisory Committee may of its own motion make or cause to be made such inquiry as it thinks fit with respect to the workmanship of any registered plumber. In the event of any faulty or negligent or unlawful workmanship being disclosed, it shall report the same to the Board, and the Board may thereupon deal with the matter in the same manner as if it had been referred to the Board under the *last preceding* section.

Regulations.

19. The Governor may from time to time by Order in Council make regulations prescribing—

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(a.) The districts in which the Advisory Committees shall respectively have control;

(b.) The procedure and conduct of business by the Advisory Committees;

(c.) The subjects in which candidates for examinations under this Act may be examined;

(d.) The fee (not exceeding *five* shillings in each case) to be charged for registration and for the annual publication in the *Gazette* of the name of any registered person, or for any certificate of registration, and the fee (not exceeding *one* pound) to be charged for examination or re-examination;

(e.) The form of certificate of having passed any examination under this Act and the form of certificate of registration;

(f.) The districts or localities within which, after six months from the date of the coming into force ~~of this Act~~ *within the district or locality of any such regulation*, all sanitary plumbing shall be done by a person registered under this Act:

Provided that no regulation shall be made under this paragraph without the consent of the ~~Advisory Committee~~ *Board* concerned;

(g.) The manner of conducting appeals from decisions of the Board under this Act; and

(h.) Generally, for any other matter which is deemed by the Board necessary or expedient to give effect to this Act.

Conduct of
examinations.

20. With respect to examinations prescribed by regulations under this Act, the following provisions shall apply:—

(a.) The Board ~~may~~ *shall* direct, control, and conduct all such examinations, or may make such other arrangements for the holding of examinations as it thinks fit, and may grant or refuse certificates of having passed such examinations:

Provided that no examination shall be regarded as sufficient for the purposes of registration under paragraph (a) of section *eight* hereof, unless it is at least equivalent to the plumbers' examination in Grade II of the City and Guilds of London Institute.

(b.) No such certificate shall be granted unless the candidate produces evidence to the satisfaction of the Board that he has ~~attained the age of twenty one years, and has served~~ an apprenticeship of at least six years, or has been engaged in the plumbing trade for not less than seven years.

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(c.) No candidate shall be eligible for examination until he has attained the age of eighteen years.

(d.) A rejected candidate may, on payment of the prescribed fee, present himself for re-examination after the expiration of six months from the date of his rejection.

21. All moneys recovered or received by or on behalf of the Board in the administration of this Act shall be paid into the Public Account as part of the Consolidated Fund.

Moneys received under Act payable into Public Account.

22. All expenses incurred by or on behalf of the Board shall be payable out of moneys from time to time appropriated by Parliament for that purpose.

Expenses of administration.

23. (1.) Every person who does, or employs or permits any person to do, any sanitary plumbing in breach of this Act or of any regulations made thereunder, shall be liable to a fine not exceeding *ten* pounds.

Penalties for breaches of Act.

(2.) Every person is liable to a fine not exceeding *twenty* pounds who, not being registered, engages in the trade of sanitary plumbing contrary to any regulations made under this Act, or who takes or uses or exhibits the name or title or description of a registered plumber (either alone or in combination with any other word or words), or any name, title, or sign calculated to induce the belief that he is registered.

24. Nothing in this Act shall interfere with the business or trade of—

Application of Act limited.

(a.) Any person or plumber other than a person registered under this Act whose work is confined to plumbing other than sanitary plumbing; or

(b.) Any person or plumber other than a person registered under this Act whose work is conducted outside any district or locality defined by regulations made under paragraph (f) of section *nineteen* hereof.

25. The Board may from time to time, with the consent of the Governor in Council, make arrangements with the Government of any part of the British Dominions for the reciprocal recognition of certificates and registration.

Provisions as to reciprocity.

Schedule.

SCHEDULE.

PLUMBERS REGISTRATION ACT, 1912.

Notice of Desire to have Name published in Gazette.

To the Chief Health Officer,
Plumbers' Board of New Zealand,
Wellington.

I, [*Name in full*], a person registered under the Plumbers Registration Act, 1912, hereby give you notice of desire to have my name published in the *Gazette*, as a registered plumber.

I hereby declare as follows :—

1. My registered number is
 2. My postal address is
 3. I intend to work in and in the vicinity of [*Name of locality*].
 4. I was first registered on the day of , 191 , and have since worked as a registered plumber at [*Name of locality*].
- Dated at the above address, this day of , 191.

A.B.