

Plumbers, Gasfitters, and Drainlayers Board (Drainlaying Registration and Licensing) Supervision Amendment Notice 2016

The Plumbers, Gasfitters, and Drainlayers Board, under sections 28, 30, and 139 of the Plumbers, Gasfitters, and Drainlayers Act 2006 (“Act”), having been guided by the principles set out in section 32 of the Act, issues the following notice to amend the Plumbers, Gasfitters and Drainlayers Board (Drainlaying Registration and Licensing) Notice 2010, published in the [New Zealand Gazette, 21 October 2010, No. 143, page 3605](#).

Notice

1. Title—This notice is the Plumbers, Gasfitters, and Drainlayers Board (Drainlaying Registration and Licensing) Supervision Amendment Notice 2016.

2. Commencement—This notice comes into force on **1 May 2016**.

3. Principal notice—This notice amends the Plumbers, Gasfitters and Drainlayers Board (Drainlaying Registration and Licensing) Notice 2010 (“principal notice”).

4. Purpose—The purpose of this notice is:

- (a) to revoke the supervision requirements in the principal notice and replace them with new supervision requirements.

5. Interpretation—(1) In this notice, unless the context otherwise requires:

board means the Plumbers, Gasfitters, and Drainlayers Board.

(2) Any term or expression that is defined in the Act that is used but not defined in this notice has the same meaning as in the Act.

6. Schedule amended

Paragraph 1 replaced

(1) Paragraph 1 of the principal notice is revoked and the following paragraph substituted:

“1. Authorised work

A certifying drainlayer, who holds a current certifying drainlayer practising licence issued by the board:

- (a) may carry out drainlaying (as defined in the Act);
- (b) must supervise drainlaying undertaken by the following people:
 - (i) licensed drainlayers;
 - (ii) holders of provisional licences to do drainlaying (“provisional licensees”);
 - (iii) trainee drainlayers who hold limited certificates to undertake drainlaying (“trainee drainlayers”);
 - (iv) persons carrying out drainlaying pursuant to section 25 of the Act (“exempt persons”);
- (c) may test drainlaying work; and
- (d) must, where verification is required, verify drainlaying.”

Subheading inserted

(2) After the heading “**3. Terms and conditions of licence**”, the subheading “Continued professional development” is inserted.

Paragraphs 3(3) to (12) revoked

(3) Paragraphs 3(3) to (12) of the principal notice are revoked.

Subheading inserted

(4) After paragraph 3(2), the subheading “Licence card” is inserted.

New paragraphs 3(3) to (13) inserted

(5) After the subheading “Licence card”, the following paragraphs and subheading are inserted:

“(3) At all times when undertaking drainlaying work, certifying drainlayers must be able to produce, on demand, a current certifying drainlayer licence card issued by the board.

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(4) A certifying drainlayer must pay the prescribed fee for, and notify the board of the name, address and telephone number of, every exempt person working under their supervision.

(5) A certifying drainlayer must notify the board in writing if their supervision of any person ceases.

- (6) A certifying drainlayer remains responsible for all work undertaken by a person under their supervision until the board has received written notification from them that they are no longer supervising that person.
- (7) A certifying drainlayer must ensure that drainlaying undertaken by persons under their supervision:
- (a) is performed competently;
 - (b) is subject to appropriate safety measures; and
 - (c) complies with the requirements of the relevant regulations, including those regulations made under the Building Act 2004.
- (8) A certifying drainlayer must ensure that all persons under their supervision:
- (a) are competent to perform the tasks they undertake;
 - (b) are adequately supervised while carrying out drainlaying work;
 - (c) comply with the relevant regulations, including the regulations made under the Building Act 2004; and
 - (d) can produce their authorisation card issued by the board on demand.
- (9) A certifying drainlayer may nominate another currently licensed certifying drainlayer or licensed drainlayer (“nominated person”) to provide physical supervision of any person working under their supervision.
- (10) A certifying drainlayer remains responsible at all times for all aspects of the work done by a person under their supervision even where they have nominated another certifying drainlayer or licensed drainlayer to provide physical supervision of that work.
- (11) A certifying drainlayer who is nominated to provide physical supervision of a person must promptly notify that person’s supervising certifying drainlayer of any concerns they have about the competency of the work done by that person or the safety measures in place in respect of the work done by that person.
- (12) A certifying drainlayer must ensure that, during the first 12 months of holding a limited certificate and carrying out drainlaying, a trainee drainlayer under their supervision works at all times in their presence or in the presence of a nominated person.
- (13) A certifying drainlayer must ensure that, during the first 24 months of carrying out drainlaying under an exemption under section 25 of the Act, an exempt person working under their supervision works at all times in their presence or the presence of a nominated person.”

Paragraph 6 replaced

- (6) Paragraph 6 is revoked and the following paragraph is substituted:

“6. Authorised work

A licensed drainlayer, who holds a current licensed drainlayer practising licence issued by the board:

- (a) may carry out drainlaying work under the supervision of a certifying drainlayer;
- (b) may physically supervise drainlaying work undertaken by a person under supervision as a nominated person; and
- (c) may test drainlaying work.”

Subheading inserted

- (7) After the heading **“8. Terms and conditions of licence”**, the subheading “Continued professional development” is inserted.

Paragraphs 8(3) to (10) revoked

- (8) Paragraphs 8(3) to (10) of the principal notice are revoked.

Subheading inserted

- (9) After paragraph 8(2), the subheading “Licence card” is inserted.

New paragraphs 8(3) to (6) inserted

- (10) After the subheading “Licence card”, the following paragraphs and subheading are inserted:

“(3) At all times when undertaking drainlaying work, licensed drainlayers must be able to produce, on demand, a current licensed drainlayer licence card issued by the board.

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(4) A licensed drainlayer must work at all times under the supervision of a certifying drainlayer.

(5) A licensed drainlayer must notify the board of the name and registration number of their supervising certifying drainlayer.

(6) A licensed drainlayer who is nominated to provide physical supervision of a person must promptly notify that person’s supervising certifying drainlayer of any concerns they have about the competency of the work

done by that person or the safety measures in place in respect of the work done by that person.”

Paragraph 11(3) replaced

(11) Paragraph 11(3) of the principal notice is revoked and the following paragraph is substituted:

“(3) Where the term “verify” is used it refers to formal verification for the purposes of any Act or regulations that apply to that work.”

Dated at Wellington this 31st day of March 2016.

WILLIAM HENRY MARTIN SAWYERS, Registrar, Plumbers, Gasfitters, and Drainlayers Board.

Explanatory note

This note is for explanatory purposes only.

This notice changes the supervision requirements for certifying drainlayers and licensed drainlayers.

In prescribing the matters set out in this notice, and in accordance with the provisions set out in sections 32, 33, and 34 of the Plumbers, Gasfitters, and Drainlayers Act 2006, the board has:

- been guided by the principles in section 32;
- consulted in accordance with section 33(1); and
- sought the approval of the Minister in accordance with section 34(1).

Issued under sections 28 and 30 of the Plumbers, Gasfitters, and Drainlayers Act 2006.

Date of notification in the *New Zealand Gazette*: 31 March 2016.

This notice is administered by the Plumbers, Gasfitters, and Drainlayers Board.

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