



# Plumbers, Gasfitters, and Drainlayers Regulations 2010

Anand Satyanand, Governor-General

## Order in Council

At Wellington this 1st day of March 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 172 of the Plumbers, Gasfitters, and Drainlayers Act 2006, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## **Regulations**

- 1 Title**  
These regulations are the Plumbers, Gasfitters, and Drainlayers Regulations 2010.
- 2 Commencement**  
These regulations come into force on 1 April 2010.
- 3 Interpretation**  
In these regulations, **Act** means the Plumbers, Gasfitters, and Drainlayers Act 2006.

*Employer licences in respect of gasfitting*

- 4 Requirements for system of operation of holders of employer licences in respect of gasfitting**
- (1) For the purposes of section 62(1)(a) of the Act, the requirements for the system of operation that must be maintained by the holder of an employer licence are that the holder—
- (a) identifies the gasfitting (**identified gasfitting**) that will be undertaken under the licence; and
  - (b) identifies the skills and training required in order to carry out each kind of identified gasfitting; and
  - (c) has in place procedures for each of the following:
    - (i) carrying out, supervising, and monitoring the identified gasfitting;
    - (ii) investigating injuries caused to persons, and damage caused to property, as a result of carrying out any identified gasfitting;
    - (iii) taking action to prevent, and in response to, injuries to persons or damage to property that re-

- sults from carrying out the identified gasfitting;  
and
- (d) maintains a manual that sets out the matters listed in subclause (2).
- (2) The manual referred to in subclause (1)(d) must set out—
- (a) all the matters referred to in subclause (1)(a) to (c); and
  - (b) the names of every employee of the holder who is to carry out identified gasfitting, along with a description of the identified gasfitting that each employee is trained, and has the skills, to do; and
  - (c) the location and address of each place of work from which the holder operates, and that is intended to be covered by the licence; and
  - (d) a contact person for the licence, who must be an employee of the holder, identified by name or position.

## **5 Certification of system of operation**

For the purposes of section 62(2) of the Act, an approved person may certify a system of operation if the approved person is satisfied that—

- (a) the system of operation is sufficient to ensure that the employer's employees who do, or assist in doing, gasfitting—
  - (i) are competent to carry out the range of work for which they are employed; and
  - (ii) receive the supervision and training necessary to ensure that the work is carried out safely and competently, and that the work complies with the requirements of the Gas Act 1992 and any regulations made under section 54 of that Act; and
- (b) the employer has and maintains a manual referred to in regulation 4(1)(d) that complies with regulation 4(2); and
- (c) the procedures referred to in regulation 4(1)(c) are being followed.

## **6 Approved persons**

- (1) For the purposes of section 62(6)(b) of the Act, the class of persons designated as approved persons is the class of persons

whose names appear on a list, maintained by the Board, of people who—

- (a) hold an audit qualification issued by—
    - (i) a body accredited by the Joint Accreditation System of Australia and New Zealand; or
    - (ii) a body accredited by a signatory to the International Accreditation Forum multilateral recognition arrangement; or
    - (iii) a body approved by or under an international agreement between New Zealand and another country that is not a member of the International Accreditation Forum multilateral recognition arrangement; and
  - (b) satisfy the Board that they are capable of certifying whether or not a system of operation complies with section 62(1)(a) and (b) of the Act.
- (2) The Board may remove from the list the name of any person who the Board is satisfied does not meet the requirements of subclause (1) and must give written notice to the person concerned.
  - (3) Until the date that is 6 months after the date on which this regulation comes into force, the list must include the name of every person who applies (whether before or after this regulation comes into force) to have his or her name on the list and who satisfies paragraph (a) of subclause (1); but after that date, the list may contain only the names of people who satisfy both paragraphs (a) and (b) of subclause (1).

*Register of plumbers, gasfitters, and drainlayers*

**7 Access to register**

The Registrar may refuse access to the register or otherwise suspend the operation of the register, in whole or in part, for any of the following reasons:

- (a) for the maintenance of the register:
- (b) in response to technical difficulties in the maintenance or operation of the register:
- (c) to ensure the security or integrity of the register.

**8 Search criteria for register**

The register may be searched by reference to any, or any combination, of the following criteria:

- (a) the name, or any part of the name, of a person:
- (b) the name of a town or city:
- (c) a New Zealand post code:
- (d) the name of a company or body corporate:
- (e) a unique identifier issued to a registered person by the Registrar:
- (f) a class of registration:
- (g) a licensing class.

*Complaints***9 Form of complaints**

Every complaint made to the Board under section 90 of the Act must be made in writing and be addressed to the Registrar.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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**Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations come into force on 1 April 2010, at the same time as the commencement of the provisions of the Plumbers, Gasfitters, and Drainlayers Act 2006 (the **Act**) that are not yet in force.

The Act regulates, and ensures the competence of, persons engaged in the provision of sanitary plumbing, gasfitting, and drainlaying services.

These regulations prescribe requirements in relation to the system of operation to be maintained by employer licence holders. They also designate a class of persons as approved persons for the purposes of certifying systems of operation. *Regulation 5* prescribes the manner in which an approved person may certify a system of operation.

*Regulation 7* sets out the circumstances in which the Registrar may suspend access to the register of plumbers, gasfitters, and drainlayers, and *regulation 8* prescribes search criteria for the register.

*Regulation 9* prescribes the manner in which complaints may be made to the Registrar.

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These regulations are administered by the Department of Building and Housing.

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