



Representing MPA ACT, MPA NSW, MPA Tasmania, MPA WA,
PIA SA and Territory Construction Association (NT)

National Plumbing Associations Alliance

21 August, 2007

ANI-003

The Secretary of the Committee
House of Representatives
PO Box 6021
PARLIAMENT HOUSE
CANBERRA ACT 2600

Submission No: 9
Date Received: 16-8-07
Secretary: <i>[Signature]</i>

Email: environment.reps@aph.gov.au

Dear Sir/Madam

Re: Inquiry into the regulation of plumbing product quality in Australia

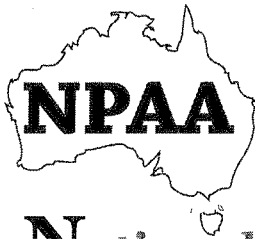
This submission is made on behalf of the National Plumbing Associations Alliance (NPAA), (**see attachment**). NPAA represents the following Associations:-

- Master Plumbers Drainers and Gasfitters Association of the ACT Inc.
- The Master Plumbers and Mechanical Contractors Association of NSW.
- Master Plumbers Association of Tasmania.
- Master Plumbers & Gasfitters Association of WA.
- Plumbing Industry Association SA.
- Territory Construction Association (TCA).

The submission is made on behalf of NPAA by the Master Plumbers and Mechanical Contractors Association of NSW and all correspondence and contact should be addressed to:

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This submission is not confidential information.

INTRODUCTION

The members of the National Plumbing Associations Alliance (NPAA) are Associations in ACT, NSW, SA, WA, TAS and NT who represent licensed plumbing contractors undertaking the supply of plumbing services on a contractual basis directly to consumers, small businesses, builders and corporate clients. NPAA represents in excess of 3,000 sole traders, partnerships and companies who in their own right employ in excess of 12,000 plumbers and staff in the operation of their businesses.

The members of NPAA have as a primary responsibility of their businesses, the protection of the public health of the community and do so through the compliance with State and Territory regulatory procedures governing the provision of safe drinking water supply, sanitary services and products. All individual members of the member Associations of NPAA are licensed by their State jurisdiction to provide plumbing services to the community.

The NPAA submission will address specific terms of reference of the Inquiry as they relate to conventional plumbing practice and the impact of recent Commonwealth legislation, i.e. Water Efficiency Labelling Scheme (WELS) has on the day-to-day operations of plumbing businesses and consumers of plumbing services in general.

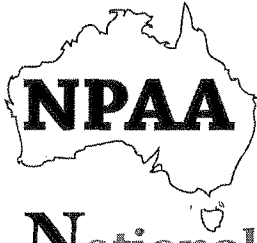
NPAA also makes comment on the disfunctionality of not only plumbing product regulation but plumbing regulation in general as it affects licensing, training and consumers' understanding of the necessity for plumbing regulation, both in wholesale supply and point of sale purchases.

NPAA submits that the current standardisation of product quality certification through the Watermark system, must be primary certification for all plumbing products manufactured, certified and sold in Australia.

In addressing the terms of reference, NPAA makes the following comments:

- **The appropriateness and effectiveness of the current plumbing product quality regulatory arrangements.**





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The plumbing industry as a whole, by the very nature of its role in the protection of public health, is heavily regulated and such regulation is accepted by plumbing contractors as an essential component for the protection of the supply of safe drinking water and sanitary services to the community.

The plumbing industry accepts and fully supports the current methodology of plumbing product control via Australian Standard 4020 – 2005 – Testing of products for use in contact with drinking water. Standards Australia provides the Watermark certification process for products under that Australian Standard and publishes all certified products for installation by plumbers in the Watermark Approved Products List.

State and Territory plumbing regulations requires all plumbing contractors to only use Watermark products as per the Watermark Approved Products List. This independent certification process gives plumbing contractors the assurance of quality certification and product compliance with the Australian Standard.

The value of this process cannot be underestimated in the protection of the public health of the community.

The current system is entirely appropriate in its application and highly desirable in giving an effective national uniformity of quality.

As a certified system, the plumbing contractors can provide by explanation and demonstration to the consumer, that the quality of products being installed meet nationally accredited standards, which in turn provides confidence to the consumer.

The situation is often encountered by plumbing contractors where the consumer has made point-of-sale purchase of products, and in ignorance, not been aware of the need for the product to be “Watermarked”. The fact that this was not made clear to them at the point-of-sale, has left them extremely annoyed and offended by the plumbing contractor when they are told he cannot legally install the product. This is a day-to-day occurrence for contractors and highlights the need for a national consistent regulatory regime, which is backed up by consumer awareness as to what to look for at point-of-sale outlets to ensure their money is spent only on accredited products and not on illegal imports





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sold by unscrupulous traders, who have no interest in the end use of the product or consumer protection.

NPAA submits that the current WELS program and legislation is deficient in that products can be submitted for assessment under the WELS Scheme, without in the first instance being subject to Watermark certification.

The process must be one of unification of the two processes, not segregation of the approval process.

- **Trade implications of controlling plumbing product quality.**

NPAA submits that the current conflict that exists when products can be WELS certified, whilst not being Watermarked is somewhat a CATCH 22 position for both the plumbing contractor and the consumer.

Both the Watermark certification and WELS certification set out to provide a necessary level of safeguarding to both the plumbing contractor and the consumer. There is no requirement for Watermark in point-of-sale legislation, whereas at the point-of-sale WELS compliance is required.

The consumer believes that the WELS certification gives security of the product, whereas the plumbing contractor cannot install the product if it does not have Watermark certification.

There needs to be a unification of the two certification processes that gives the consumer the level of protection and security that the product they have purchased is not only water efficient and satisfies their requirements but is fit-for-purpose and certified for installation.

It is an absolute backward step for both the plumbing industry and the consumer whilst ever the certification processes do not compliment each other.

The bringing together of the two certification systems would bring about the following:

- Provide uniformity of certification at the point-of-sale
- Remove the uncertainty of compliance for the consumer.





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- Harmonise the product regulatory process across Australia.
- Provide certainty of certification for manufacturers.
- Protect consumers from illegal imports and rogue traders.
- Provide plumbing contractors with demonstrable evidence of compliance for the consumer.

Unification of the certification processes needs to be fully supported by an educational program for consumers as to what certification they need to be looking for when they make purchases of plumbing products. Such a program would have significant community benefit and help rid the Australian market of the large amount of imported product currently on the market, that does not comply with Australian Standards.

- **Potential improvements to the plumbing quality regulatory system.**

NPAA submits that as there is a need to unify the plumbing product regulatory system, the same applies to the general regulation of plumbing across Australia.

There have been in recent times efforts by the Commonwealth Government through the COAG process to harmonise licensing of plumbers across Australia. NPAA submits that it is best described as an absolute failure both in process and outcome.

The COAG process for the harmonisation of plumbing licensing identified that there is in order of 170 nomenclatures for the licensing of plumbers across Australia. At the end of the COAG process, the outcome was a recognition matrix that identified the recognition of each of these nomenclatures by each of the other State and Territory Regulators for licensing. By any measure it could not be described as a harmonisation, but as a formidable defence of the status quo. Too hard, too difficult and more importantly, not in the bureaucratic interest to in some way reduce the classification of licensing titles.

Australia has a modern, mobile society where effort and hard work brings rewards.





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NPAA submits that there is an urgent need to address the need for greater uniformity in the areas of product certification, plumbing regulation, training uniformity, licensing uniformity and consumer awareness that permits appropriate trained and qualified plumbers and plumbing contractors the flexibility and mobility to relocate to another State or Territory, without the need to re-educate or qualify themselves in their trade in the new jurisdiction.

The need for such urgency in adoption of uniformity is best exemplified by the following:-

LICENSING Approximately 170 nomenclatures for plumbing practice.

REGULATION

- National Plumbing Code, similar to the Australian Building Code has not been adopted by all States and Territories.
- Individual State and Territory Codes of Practice remain.

TRAINING

- Plumbing and Services Training Package is the endorsed National qualification.
- No consistency in delivery hours across the country.
- No consistency in the number of streams from the package delivered.

CONSUMER AWARENESS OF PLUMBING REGULATION

- States and Territories have different approaches to Plumbing Regulation. Some States have Plumbing Licensing Boards, some States have the regulatory affairs embedded in Consumer Affairs type Departments.
- Lack of consistency of approach to advise consumers.
- Advice can be consumer rights orientated, but not supported by regulatory advice.
- The requirement to use only licensed contractors is somewhat inconsistent and disjointed.





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In the interests of mobility of skilled workers across Australia, there needs to be a change in the philosophy of a system that produces somewhat disjointed and non-uniformly trained and licensed plumbers who find the system highly inflexible when they try to move from State to State. This is not in any way a benefit to these skilled workers in a time of high skills shortages and more often than not, is an encouragement for the use of non-qualified persons in what is a highly skilled occupation. The outcome being poor quality or illegal work, the result of which adds to the risk of the health and safety of the community through the outbreak of disease etc.

Whilst this view may be perceived as altruistic, the simple fact is that history shows that without safe drinking water and sanitary services, the health of the community is placed at great risk.

- **The appropriate level of government to administer plumbing product quality regulation, that is, the States (as is now) or the Commonwealth?**

As outlined above, NPAA submits that there needs to be a national approach to not only plumbing product regulation, but plumbing regulation in general. To achieve national consistency, regulation must be under the Commonwealth, mandated in Commonwealth legislation with regulation and control supported and implemented by each State and Territory jurisdiction. National consistency cannot be achieved, nor delivered whilst ever individual jurisdictions control the legislation for the provision of regulatory control.

In conclusion, the NPAA wishes to express its appreciation to the Inquiry for the invitation to make this submission and wishes to indicate that it is prepared to appear before the Inquiry should that be requested.

Yours sincerely

Paul Naylor
General Manager
MASTER PLUMBERS AND MECHANICAL CONTRACTORS ASSOCIATION
OF NSW

On behalf of the National Plumbing Associations Alliance

