



## **Plumbers Licensing Board Policy**

### **Acceptance of a provisional licence renewal application**

#### **OBJECTIVE**

The objective of this policy is to guide members of the Plumbers Licensing Board (PLB), officers with powers delegated by the PLB and other Departmental officers in making appropriate, consistent and legally valid decisions on the approval or refusal of a provisional licence renewal application.

#### **SCOPE**

This policy applies to all:

- provisional licence renewal applications made under regulation 20 of the Plumbers Licensing and Plumbing Standards Regulations 2000 (the regulations); and
- provisional licence applications made under regulation 15 of the regulations where the applicant has previously held a provisional licence of that class.

This policy does not constrain the PLB's capacity to depart from this policy as appropriate in the circumstances for any particular provisional licence renewal application.

#### **CONTEXT**

Under regulation 20(4) of the regulations, the PLB can renew a provisional licence only once.

Under regulation 20(5A), the PLB may refuse to renew a provisional tradesperson's licence if it considers that, during the previous licence period, the applicant made insufficient progress towards attaining the qualification referred to in Schedule 3 clause 3(b)(i) or (ii).

Under regulation 20(5B), the PLB may refuse to renew a provisional tradesperson's licence (drainage plumbing) if it considers that, during the previous licence period, the applicant made insufficient progress towards attaining the qualification referred to in Schedule 3 clause 4(b)(i) or (ii).

Under regulation 20(5), for the purpose of considering insufficient progress in regulations 20(5A) and 20(5B), renewal of a provisional licence includes a reference to the issue of that licence following the expiry of a previously-held licence of the same type.

#### **TERMS USED**

Provisional licence	A provisional licence refers to both a provisional tradesperson's licence and a provisional tradesperson's licence (drainage plumbing).
Insufficient progress	Refers to a situation where a provisional licensee has not completed the prescribed training to attain a tradesperson's licence or tradesperson's (drainage plumbing) licence during the first term of their licence and there are no extenuating circumstances evident for the non-completion of training.
First-time provisional licence renewal application	includes an application for the renewal of a provisional licence under Regulation 20 or an application for a provisional licence under regulation 15 where the applicant has held that type of licence for only one period of twelve months previously in accordance with

regulation 21(1A)(a) of the regulations.

Extenuating  
circumstance

Extenuating circumstance is a valid reason for the non-completion of training in accordance with this policy.

## **POLICY PRINCIPLES**

### **Lodging a provisional licence renewal application**

The regulations in no way prevent the lodgement of a provisional licence renewal application. It is the responsibility of the PLB and Departmental officers to determine the merits of any application.

### **First-time provisional licence renewal applications**

Applications for a first-time provisional licence renewal must be referred to the PLB for it to determine whether the applicant has made sufficient progress towards attaining the qualification detailed in Schedule 3 of the regulations necessary to attain either a tradesperson's licence or tradesperson's licence (drainage plumbing).

### **Acceptable extenuating circumstances**

Extenuating circumstances may include, but are not limited to:

- lack of availability of required training;
- illness resulting in a person being incapacitated;
- death or serious illness of a family member;
- person being detained beyond their control;
- mental or physical illness;
- disorder or disability; and
- natural or man-made disaster.

In considering whether an extenuating circumstance exists, the PLB may take into account:

- the timing of the extenuating circumstance and whether the applicant could have completed the prescribed training prior to the extenuating circumstance occurring;
- the degree that the event limited the ability for the applicant to perform the prescribed training; and
- the amount of training remaining for the course to be completed.

Extenuating circumstances do not include where:

- there has been no impediment to the applicant to complete the prescribed training;
- the applicant not understanding that they were required to complete the prescribed training; or
- the PLB is of the view that the applicant had made insufficient efforts to undertake the prescribed training prior to the extenuating circumstance.

### **Second provisional licence renewal applications**

A second provisional licence renewal application, which includes an application for a provisional licence where the applicant has held a licence of that class for two periods previously, is to be refused.



### Notification of refusal and refund of fees

Where a provisional licence renewal application is refused, the renewal fee no longer applies and is refunded. The applicant is then informed of the reason for the refusal in writing within 14 days of the decision being made.

Where an application for a provisional licence is made under Regulation 15, but is found to be a renewal application under regulation 20(5), and that application is refused; refund of fees and notice of refusal should be given in accordance with Regulation 18.

### Implications of a provisional licence renewal application not being approved

If a provisional licence renewal application is not approved by the Board, the licensee is deemed to no longer hold a licence from the date of expiry of their initial licence. The applicant may no longer perform the plumbing work specified by their licence, regardless of whether supervision is provided.

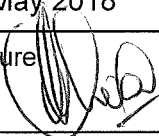
### POLICY IMPLEMENTATION

For first-time provisional licence renewal applications, Departmental officers reporting to the PLB will present recommendations based on this policy.

For subsequent renewal applications, Departmental officers with powers delegated by the PLB will refuse the renewal application.

Departmental officers will include reference to this policy and the appropriate regulations when sending out a notice of renewal to a provisional licence holder as per regulation 20.

### GOVERNANCE

Resolved by the PLB	Meeting Date 28 May 2018	Item Number 5.1.1
Chairperson	Signature 	Date 28/5/2018
Keywords	Provisional licence, renewal	
Next review	June 2020	

