

Industry Bulletin 160

Plumbing regulation reforms effective immediately

This industry bulletin is to alert the plumbing and building industries of amendments to the Plumbers Licensing and Plumbing Standards Regulations 2000 (the Regulations). The changes as introduced by the Commerce Regulations Amendment (Plumbing) Regulations 2024 (Amendment Regulations) come into effect in two stages:

- **Stage one – 10 February 2024**
- **Stage two – 10 February 2025**

This bulletin outlines stage one changes and a new bulletin will be released at a later date addressing stage two amendments.

Stage one amendments

Terms used

The defined terms in regulation 3 have been modernised, and where appropriate updated to align with the latest versions of the Plumbing Code of Australia (PCA) and relevant Australian Standards.

Minor plumbing work

The definition of minor plumbing work is amended to simply state that minor plumbing work means – ‘the testing, maintenance, repair or replacement of existing water supply plumbing or sanitary plumbing or drainage plumbing’, other than the replacement of a ‘water heater’ or a ‘testable backflow prevention device’.

Replacement of a water heater or a testable backflow prevention device is ‘major plumbing work’.

Testing

‘Testing’ is now defined and makes it clear that the general testing requirements of the plumbing standards, and the testing of backflow prevention devices, in accordance with AS/NZS 2845.3 and temperature control devices in accordance with AS 4032.3, is regulated plumbing work that must be carried out by a suitably qualified licensed plumber.

Technical terms

Wherever possible technical definitions have been aligned with their meanings in AS/NZS 3500.0 (Plumbing and Drainage – Glossary of terms). Definitions aligning with the meanings provided in the Glossary include ‘fixture’, ‘fitting’ and ‘water heater’.

Meaning of apprentice

The definition of an apprentice (regulation 3A) has been amended to include that, a person undertaking an apprenticeship is ‘taken to continue to be an apprentice’ for a two month period following completion of their apprenticeship training contract. This allows time for the apprentice to successfully submit their application to the Plumbers Licensing Board (the Board) for a tradesperson’s licence, while legally being able to continue carrying out plumbing work as an apprentice.

Providing their application is accepted by the Board within the two month period, the person will continue to be considered an apprentice until the Board either issues or refuses to issue a licence.

Definitions of sanitary plumbing work and drainage plumbing work

These definitions have been revised (regulations 4A and 4B) to provide greater clarity on what is considered to be ‘sanitary plumbing work’ and ‘drainage plumbing work’. Additional references to ‘replacement’, ‘connection’, ‘testing’ and ‘commissioning’ have been added to ensure that such work is captured.

The revised definition of ‘drainage plumbing work’ is limited to work carried out ‘below ground level’ (with the exception of waste pipes under DN 65), providing clear delineation between the two work types.

Clear reference is provided to the types of treatment systems that are exempt from the definitions of sanitary plumbing work and drainage plumbing work, ensuring that work on those systems is not unintentionally captured as plumbing work.

Licence or permit requirements for homeowners

Regulation 9 amendments introduce the ability for an owner or occupier of a dwelling, or a person acting without remuneration on their behalf, to legally carry out certain basic plumbing tasks in relation to the dwelling.

Such work is limited to:

- maintenance, repair or replacement of a shower head.
- maintenance or repair of a tap, other than a thermostatic mixing tap.
- replacement of a cistern washer.
- replacement of a water filter cartridge.
- clearing a blocked fixture or waste pipe by using a plunger.

Effect of a restricted plumbing permit

A restricted plumbing permit allows the holder of an electrician's licence or a gas-fitting permit who has completed prescribed plumbing training, to replace a water heater in limited like for like circumstances.

To ensure the continued useability of this permit, the scope of work a permit holder may carry out has been marginally increased (regulation 13D), allowing them to connect or replace an isolating valve and an approved flexible hose assembly – in the course of replacing a water heater.

Requirements and restrictions in relation to advertising

Regulation 25 amendments introduce offences for an unlicensed person to represent, hold out or imply that they hold a licence or permit or to represent, hold out or imply that they are authorised to carry out plumbing work (includes to advertise).

A modified penalty of \$500 has been provided for a person who does not hold a licence or permit – to represent, hold out or imply that they do so.

A modified penalty of \$500 has been provided for a person who is not authorised to carry out plumbing work of a particular kind – to represent, hold out or imply that they are authorised to carry out the work.

Record keeping for persons under general direction and control or supervision

An additional requirement (regulation 25B) for licensed plumbing contractors (LPC) to record 'details of any training undertaken by persons on the register that relates to plumbing work' is included, to assist LPCs in demonstrating general direction and control over persons working on their behalf.

Definition of disciplinary matters in relation to general direction and control and supervision requirements

Regulation 27 sets out the matters which may be considered by the Board as a 'disciplinary matter', in relation to licensees and permit holders.

Failing to properly exercise general direction and control or supervise when required to do so or failing to work under general direction and control or supervision when required to do so, are disciplinary matters.

Regulation 27(h) outlines the circumstances under which failure to exercise general direction and control or supervision may be considered a disciplinary matter. This provision has been amended to make these requirements clearer.

Building and Energy intends to publish a guidance note to assist LPCs and tradespersons to understand their general direction and control and supervision responsibilities under the Regulations.

Basic plumbing work in remote Aboriginal communities

Qualified environmental health workers (EHWs), engaged by a service provider contracted to the Health Department, and who have completed prescribed plumbing training are authorised carry out certain basic plumbing tasks on designated remote Aboriginal communities.

Following a review of Part 4A of the Regulations the scope of work under regulation 37 which may be performed by an authorised EHW has been marginally increased.

The record keeping requirements for service providers in respect to the EHws they engage has also been increased, aligning with LPC's record keeping requirements for persons working under their general direction and control.

Certificate of compliance

On completion of major plumbing work the Regulations require an LPC to give the Board a certificate of compliance (COC) and provide a copy of the COC to the owner of the place where the work was carried out.

In the case of plumbing work that relates to building work carried out under a building permit, it is impractical for an LPC to give a copy of the COC to an owner. Regulation 42 and 45B amendments provide that in the case of plumbing work, which is part of building work, the copy of the COC is to be given to the builder.

Register of licences and permits

Regulations 102, 103 and 105 require the Board to maintain a register of the licences and permits on issue, containing relevant details relating to licensees or permit holders. The content requirements for the register are amended to include a licensee or permit holder's 'email address' as a detail that must be provided and maintained on the register.

Licensees and permit holders must notify the Board within 14 days if there is a change to their details. These details, when changed, now include a change to a licensee or permit holder's 'name' and 'email address' as changes the Board must be notified of.

Fees for plumbing work carried out under a performance solution

Division 2 – Compliance fees, of schedule 1 of the Regulations sets out the fees an LPC must pay when lodging notices to the Board to commence plumbing work. When a notice of intention (NOI) to commence plumbing work that includes a performance solution is lodged, a fee of \$810 applies.

This fee has been reviewed, resulting in a lesser fee of \$270 being applied when lodging an NOI for plumbing work which includes a performance solution in relation to a Class 1 or 10 building.

The \$810 fee continues to apply to all other building classes. 'Part A6 – Building classification' of the PCA provides definitions for classes of buildings.

Licence or permit requirements

Tradesperson's licence (drainage plumbing)

Clause 4 of schedule 3 of the regulations sets out the requirements to obtain a 'tradesperson's licence (drainage plumbing)'. An applicant for this licence type must hold a Certificate II in Drainage.

Clause 4 is amended to clarify that the Certificate II in Drainage must be obtained as part of an apprenticeship or traineeship, to ensure that applicants for the licence have obtained on-the-job experience.

Restricted plumbing permit

Clause 7 of the schedule sets out the requirements to obtain a 'restricted plumbing permit'.

Applicants for a 'restricted plumbing permit' must hold either an electrician's licence or a gas-fitting permit and a statement of attainment in a prescribed course of plumbing training that relates to the replacement of water heaters.

The prescribed course that an applicant must attain in order to apply for the permit has been changed to a nationally recognised unit of training – 'CPCPWT3022, Install and commission water heating systems and adjust controls and devices'.

The [latest version of the Regulations](#) and a [comparative version](#) showing the stage one amendments in a tracked changed format can be found on the WA Legislation website.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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