



Plumbers Licensing Board Policy

Applications for the renewal of a provisional tradesperson's licence

OBJECTIVE

The objective of this policy is to guide members of the Plumbers Licensing Board (the Board) in making appropriate, consistent and legally valid decisions on applications for the renewal of a provisional tradesperson's licence .

SCOPE

This policy applies to all provisional licence renewal applications made under regulation 19A of the Plumbers Licensing and Plumbing Standards Regulations 2000 (the Regulations) and accepted for processing by the Board.

The policy does not limit or inhibit the Board's discretion in taking a decision outside these principles and in accordance with the Plumbing Regulations, based on the individual circumstances of an applicant.

GLOSSARY OF TERMS USED IN THIS POLICY

Provisional licence	A provisional licence refers to a provisional tradesperson's licence.
Insufficient progress	Insufficient progress refers to a situation where a provisional licence holder has not completed the prescribed training to attain a tradesperson's licence during the first term of their licence, and there are no evident extenuating circumstances to explain the non-completion of the training.
Extenuating circumstance	Extenuating circumstance means a valid reason for the non-completion of training, in accordance with the Regulations and this policy.

CONTEXT

The holder of a provisional licence may apply under regulation 19A of the Regulations for a once-only renewal of their licence.

If the renewal application is complete and has been accepted for processing, it is referred to the Board for assessment.

If the renewal is granted by the Board, the renewed licence will be valid for a further 12 months only.

Any subsequent renewal or re-issue applications will not be accepted.

Regulation 20 of the Regulations

Regulation 20 sets out the circumstances in which the Board may renew a provisional licence.

Under regulations 20(3) and 20(5), the Board can refuse to renew a *provisional tradesperson's licence* if it considers that, during the previous licence period, the applicant made insufficient progress towards attaining a Certificate III in Plumbing or an equivalent qualification as determined by the Board.

This policy sets out how the Board will satisfy itself as to whether an applicant for the renewal of a provisional licence has made sufficient progress towards attaining the required training qualification.

POLICY PRINCIPLES

Lodging a provisional licence renewal application

In making its determination, the Board will consider whether any extenuating circumstances exist that might explain why the provisional licence holder did not attain the requisite qualifications during the previous licence period.

Extenuating circumstances may include, but are not limited to:

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

In considering whether an extenuating circumstance exists, the Board 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 to which the extenuating circumstance limited the applicant's ability to undertake the prescribed training;
- efforts made by the applicant to undertake the prescribed training prior to the extenuating circumstance occurring; and
- the amount of training remaining for the course to be completed.

An extenuating circumstance does not include situations where:

- there has been no impediment preventing the applicant from completing the prescribed training; or
- the applicant has not understood that they were required to complete the prescribed training.

If the Board is not satisfied that the applicant made sufficient progress towards attaining the required qualification during the previous licence period, renewal will not be granted.

Notification of refusal

Where a provisional licence renewal application is refused, the Board will inform the applicant in writing, and provide the reasons for the refusal, within 14 days of the decision being made.

The renewal fee will not be refunded.

Implications of a provisional licence renewal application not being approved

If a provisional licence renewal application is not granted by the Board, the licence holder is not permitted to carry out any plumbing work after the date of expiry of their provisional licence, regardless of whether supervision is provided.

In addition, under regulation 21(4) of the Plumbing Regulations, the licence holder must return the provisional licence and the identification card to the Board within 7 days of the expiry of the provisional licence.

Re-issues will not be granted if the applicant has previously had a renewal application refused by the Board.

POLICY IMPLEMENTATION

For first-time applications for the renewal or re-issue of a provisional licence, departmental officers with powers delegated by the Board will present recommendations to the Board based on this policy.

For all subsequent renewal or re-issue applications, departmental officers with powers delegated by the Board will refuse to accept the renewal or re-issue application.

GOVERNANCE

Resolved by the Board	Meeting Date 26 February 2024	Item Number 4.1
Chairperson	Signature <i>Rebecca Johnston</i>	Date 26 February 2024
Review Date	February 2026	