

Policy

PLUMBERS LICENSING BOARD

Refunds of Plumbers' Fees

Purpose

The purpose of this policy is to guide members of the Plumbers Licensing Board (Board) and departmental officers delegated by the Board in making appropriate, consistent and legally valid decisions when processing refunds under the *Plumbers Licensing and Plumbing Standards Regulations 2000* (Regulations).

The policy does not limit or inhibit the Board's discretion in taking a decision outside these principles and in accordance with the general refund of fees provision in regulation 109A of the Regulations, based on the individual circumstances of the applicant.

Scope

This policy covers the following:

1. refunds of licence and permit fees in accordance with regulations 18 and 26B of the Regulations;
2. refunds of fees paid for drainage plumbing diagrams if the diagram is unavailable or unusable in accordance with regulation 45E(3) of the Regulations; and
3. refunds of unspecified fees when considered appropriate by the Board in accordance with regulation 109A of the Regulations.

Definitions

Drainage plumbing diagram (DPD)	A diagram of drainage plumbing work that a licensed plumbing contractor must submit to the Board in the approved form upon completion of major drainage plumbing work.
Installation fees	Fees permitted to be charged under regulation 45 of the Regulations in relation to the installation of plumbing fixtures.
Licence fee	A fee permitted to be charged under regulation 15 of the Regulations for the issue or re-issue of a licence under regulation 17 of the Regulations.
Major plumbing work	Plumbing work that is not minor plumbing work e.g. new installations and water heater replacements.

Permit fee	A fee permitted to be charged under regulation 15 of the Regulations for the issue or re-issue of a permit under regulation 17 of the Regulations.
Renewal fee	A fee that is permitted to be charged under regulation 19A of the Regulations for the renewal of a licence or permit.

Licence and Permit Fees

Under regulations 18 and 26B of the Regulations, the Board can refund the licence and permit fees in certain circumstances.

For renewals, the Board may return the renewal fee if it refuses to accept the application because it is either incomplete (regulations 19A(4) and 19A(5)) or the photograph supplied with the application is not compliant (regulation 19A(3)).

Refunds under regulation 18

Under regulation 18, if the Board decides it will not issue a licence or permit to an applicant, the Board is to refund any licence or permit fee paid by the applicant.

Refunds under regulation 26B

Regulation 26B permits the Board to issue refunds to a licensee or permit holder in the following circumstances:

1. If a licence or permit is surrendered to the Board under regulation 26A and the holder makes an application for a refund of the fee last paid for the licence or permit (see also the section below on surrendered licences and permits).
2. If the Board issues a plumbing contractor's licence to the holder of a current tradesperson's licence or tradesperson's licence (drainage plumbing).
3. If the Board issues a tradesperson's licence to the holder of a current provisional tradesperson's licence.

In each of the above situations, the Board is permitted to determine the appropriate amount to be refunded. Under this policy, the amount the Board determines appropriate is to be calculated as follows:

$$\begin{array}{r}
 \text{(A) Full amount of the licence or permit} \\
 \text{fee paid for the licence or permit that is} \\
 \text{being surrendered or exchanged (\$)} \\
 \hline
 \text{(B) Number of months covered by the} \\
 \text{licence or permit that is being} \\
 \text{surrendered or exchanged (\$)}
 \end{array}
 \times
 \begin{array}{l}
 \text{(C) Number of whole months left on the} \\
 \text{licence or permit that is being} \\
 \text{surrendered or exchanged}
 \end{array}$$

Surrendered licences and permits

Under regulation 26A of the Regulations, if a licensee or permit holder wishes to surrender their licence or permit, they must notify the Board in writing specifying the date on which the

licence or permit is to be surrendered. This date must be on or after the date the notification is given to the Board.

If the holder of the licence or permit that is to be surrendered wishes to request a refund of the unused portion of the licence or permit fee under regulation 26B, this request must be included in the written notice of surrender given to the Board.

Any refund will relate to the period between the date of issue of the licence or permit and the surrender date nominated by the holder in the written notice given under regulation 26A.

This means the value of (C) in the refund calculation shown above will be the number of whole months starting from the first day of the month immediately following the surrender date. For example, if the surrender date is 15 March 2024, the number of whole months will be calculated starting from 1 April 2024.

The surrendered licence or permit must be returned to the Board on or before the notified surrender date.

Automatic refunds of licence or permit fees

The following refunds are automatic and do not require the applicant to request or apply for a return of fees:

Circumstance	Detail
Renewal application lapsed	Requested additional information not provided to enable the Board to accept a renewal application for processing.
Refusal of an application for a licence or permit under regulation 18 of the Regulations	If the Board decides it will not issue a licence or permit to an applicant, the Board is to refund any licence or permit fee paid by the applicant.

Compliance and Administrative Fees

Fees for notices of intention and certificates of compliance

Fees paid for purchasing notices of intention (NOIs) and certificates of compliance (COCs) cannot be refunded, except in circumstances where an administrative error has resulted in an overpayment. For example:

1. If an NOI has been submitted twice by the same licensed plumbing contractor (LPC) for the same job in error, the Board may refund the NOI fee.
2. If an NOI plus a lodgement fee for a performance solution has been submitted in error, the Board may refund the NOI fee and the lodgement fee.
3. If an NOI for work that is not captured under the Regulations has been submitted in error, the Board may refund the NOI fee.

Installation fees

Installation fees cannot be refunded, except in circumstances where an overpayment has occurred as a result of a genuine administrative or accounting error. For example:

1. If a LPC has paid installation fees upon submission of the NOI but the plumbing work is to be carried out is not of a type for which installation fees are payable, the Board may refund those installation fees.
2. If a LPC has paid installation fees twice for the same job in error, the Board may refund the overpaid fees.

Fees for copies of drainage plumbing diagrams

Regulation 45E(3) of the Regulations requires the Board to refund to an applicant the fee paid to obtain a copy of a drainage plumbing diagram (DPD) if the diagram is unavailable or if the layout of the drainage plumbing cannot be determined from the copy of the DPD.

Applications for a refund must be accompanied by a copy of the DPD that was purchased (if any) and the receipt that was issued at the time the request for the DPD was submitted.

General Refund of Fees

Under regulation 109A, the Board may, on application of a person who has paid a fee under the Regulations, refund all or part of the fee if the Board considers it appropriate to do so. The Board may require the applicant to provide any information the Board considers necessary for the purpose of determining the application.

Policy Principles and Implementation

The Board's assessment of refunds under the Regulations will be conducted as set out in this policy document.

Departmental officers delegated by the Board will assess refunds in a manner that conforms to this policy.

Governance

Plumbers Licensing Board Approval	
Meeting date: 26 August 2024	Item number: 4.2
Chairperson signature:	<i>Rebecca Johnston</i>
Next review:	August 2026