

National Electrical and Communications Association

Submission

on

Occupational Licensing (Electrical Occupations) National Regulations

and

Occupational Licensing National Law Amendment Bill 2012

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NATIONAL OFFICE

Level 4,
30 Atchison Street,
St Leonards NSW 2065
Locked Bag 1818,
St Leonards NSW 1590

T +61 2 9439 8523
F +61 2 9439 8525
E necanat@neca.asn.au
W www.neca.asn.au
ABN 78 319 016 742

NECA SUBMISSION ON OCCUPATIONAL LICENSING (ELECTRICAL OCCUPATIONS) NATIONAL REGULATIONS AND OCCUPATIONAL LICENSING NATIONAL LAW AMENDMENT BILL 2012

1. ABOUT NECA

The National Electrical and Communications Association (NECA) is the peak industry association representing contractors responsible for the delivery of electrical, voice and data communications systems across Australia. NECA has 5000 businesses as members. Our members combined employ a total of 80,000 workers, with NECA employing directly more than 2,000 apprentices in Group Training Companies.

Member businesses range from very small operations, often comprising a single individual, or one owner with just a few employees, to larger national companies employing many more people. Currently NECA membership profile includes some 1500 businesses employing over five staff, over 100 who employ more than 50 staff and several who employ over one thousand electrical workers.

NECA actively represents the needs and entitlements of contractors within the Australian Government and industry, ensuring members' needs are heard. NECA works to steer the future of the industry on critical issues such as licensing and regulations, training and education, skills and labour shortages, workplace relations and occupational health and safety and all aspects of compliance.

2. OVERVIEW

NECA has made detailed comments on the Consultation Regulation Impact Statement on the proposal for National Licensing for Electrical Occupations. However, the RIS was prepared before the consultation draft of these regulations were finalised and this submission highlights areas of NECA's concerns. Specific comments:

2.1 Clause 5 - Qualifications for Licenses (of National Regulations)

The Consultation draft proposes that there are no qualifications prescribed for an electrical business license. NECA strongly opposes this proposal.

There is currently a wide disparity between requirements for electrical contractor licensing.

Quoting from 3.4.7.3 of the RIS concerning probity "one of the aims of licensing business entities (contractors) is to protect consumers from those who have been involved in the mismanagement of business". This statement is equally applicable to the issue of a contractors' license to people who have no business skills.

NECA strongly supports the adoption of the seven units competency from UEE11 Electrotechology Training Package as proposed by the majority of the electrical advisory committee. These skills may be held in combination by more than one person in a business. NECA also strongly disagrees with the statement in the RIS that there is strong case for not specifying additional qualification requirements for electrical contractors.

In addition, public liability insurance is a requirement in the majority of states and territories under current electrical contractor licensing. NECA strongly supports the continued requirement under a National Licensing Scheme for compulsory public liability insurance. Whilst public liability insurance is not consumer insurance it does per se have benefits that will assist consumers in cases of damage and inadvertent incidents. No business should be able to operate without such insurance.

2.2 Section 9 – Exemptions of National Law Amendment Bill 2012

Section 9. of the Law can be read to imply that a person is exempt from holding an electrical contractors' license as referred to in Section 7 if that person is the holder of a "prescribed authority" and contracts with an electrician (non-contractor license holder) to undertake regulated electrical work.

This interpretation of this section would allow a licensed building contractor to subcontract to the holder of a non-business electrical license to undertake electrical work on a building site or elsewhere.

NECA strongly objects to this provision and has made detailed reference to it in the comment on the Regulation Impact Statement.

A person or individual who does not hold an electrical contractors business license should only be able to subcontract to the holder of an electrical business contractors' license to undertake regulated electrical work. Such sub-contracting should not be able to be undertaken by the holder of an occupational electricians' license (non-business).