



Queensland

*Plumbing and Drainage Act 2002*

# Plumbing and Drainage Regulation 2003

Reprinted as in force on 6 July 2012

Reprint No. 3F

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the Office of the Queensland Parliamentary Counsel  
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# Information about this reprint

This regulation is reprinted as at 6 July 2012. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Plumbing and Drainage Regulation 2003

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# Plumbing and Drainage Regulation 2003

[as amended by all amendments that commenced on or before 6 July 2012]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Plumbing and Drainage Regulation 2003*.

### 2 Commencement

This regulation commences on 1 November 2003.

### 3 Definitions

The dictionary in schedule 5 defines particular words used in this regulation.

## Part 2 Licences and equivalence

### 4 Licence required for performing regulated and minor work

A person may perform regulated work or minor work only if the person has a licence to perform the work.

*Editor's note—*

See sections 35 (Work that may be performed under licences) and 119 (Offences by persons not holding appropriate licence) of the Act.

[s 5]

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## **5 Qualifications and practical experience for plumbers and drainers licences—Act, s 37(a)**

- (1) For section 37(a) of the Act, the qualifications and practical experience required for a plumbers licence and for a drainers licence are stated in schedule 1.
- (2) The qualifications and practical experience prescribed for a licence mentioned in schedule 1 apply for a licence that is issued for work that is within the scope of work stated in schedule 1, column 4, for the licence.

## **6 Qualifications and practical experience for restricted licences—Act, s 37(a)**

- (1) For section 37(a) of the Act, the qualifications and practical experience required for particular types of restricted licences are stated in schedule 2.
- (2) The scope of work for a particular type of restricted licence is the scope of work stated for the type of restricted licence in schedule 2, column 4.

## **7 Endorsements on licences**

- (1) For section 37(a) of the Act, the qualifications and practical experience required for particular endorsements on plumbers licences, drainers licences, provisional plumbers licences or provisional drainers licences are stated in schedule 3.
- (2) The scope of work for a particular endorsement is the scope of work stated for the endorsement in schedule 3, column 4.

## **8 Duration of endorsement**

An endorsement on a plumbers licence, drainers licence, provisional plumbers licence or provisional drainers licence remains in force for the period stated in the licence but for no longer than the licence itself remains in force.

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## 9 Referral to registered training organisation

- (1) This section applies, for section 37 of the Act, if—
  - (a) a person applies, or indicates to PIC that the person proposes to apply, to PIC under section 36 of the Act for a licence; and
  - (b) it is, or will be, necessary for deciding the application for PIC to be satisfied a qualification held by the person (the *alternative qualification*) is at least equivalent to a qualification mentioned in schedule 1, column 2, item 1(a) or (b) or item 2(a) or (b).
- (2) PIC may refer the person to a registered training organisation if PIC is satisfied the only practicable way to obtain the necessary information for deciding on the equivalence of the alternative qualification is for the applicant's actual competencies to be assessed.
- (3) If the person is referred, and applies, to a registered training organisation, PIC must take all reasonable steps to ensure the registered training organisation, as soon as practicable after receiving the referral—
  - (a) carries out its assessment of the person's competencies; and
  - (b) advises PIC of the results of its assessment.
- (4) The person must comply with any reasonable requirement of the registered training organisation for its assessment of the person's competencies.

## Part 3 Miscellaneous

### 10 Fees payable to PIC

The fees in schedule 4 are payable to PIC for the matters stated in the schedule.

[s 10A]

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## **10A Waiver of fee for processing an application for a licence**

- (1) This section applies to a relevant person who—
  - (a) is making an application for which an application fee is payable; and
  - (b) has paid the relevant fee at least once in the current financial year.
- (2) Despite section 10 and schedule 4, the fee under schedule 4, item 2 is not payable by the relevant person.

*Example—*

A applies for an endorsement of a particular type on a licence, pays the relevant fee, and that application is granted.

In the current financial year A makes a new application for a different endorsement on the same licence. The fee payable for the new application is only the application fee for an endorsement on a licence.

- (3) In this section—

***application fee*** means a fee under schedule 4, item 1.

***current financial year*** means the financial year in which the relevant person paid the relevant fee.

***relevant fee*** means—

- (a) any fee under schedule 4, item 1; and
- (b) the fee under schedule 4, item 2.

***relevant person*** means an individual or licensee who may make an application under part 3 of the Act.

## **11 Fee to accompany notice to local government of particular minor work**

- (1) This section applies if—
  - (a) a person who is not a relevant entity gives a local government a notice of minor work under section 87(2) of the Act; and
  - (b) the minor work involves replacing a water heater with a solar or heat pump hot water system.

- (2) The notice must be accompanied by a fee of \$25.
- (3) However, subsection (2) does not apply if the local government has decided by resolution that no fee is required to accompany a notice given by a person who is not a relevant entity for minor work mentioned in subsection (1)(b).

## **Part 4**

# **Transitional provision for Plumbing and Drainage Legislation Amendment Regulation (No. 2) 2009**

### **12 Solar and heat pump hot water system installation endorsement**

- (1) This section applies if—
  - (a) a person does not have an endorsement for solar and heat pump hot water system installation on the person's plumbers licence or provisional plumbers licence; and
  - (b) other than for this section, the person would require the endorsement on the person's licence to carry out particular plumbing work.
- (2) Despite section 7 and schedule 3, item 6, the person may carry out the plumbing work, if the person carries out the work before 31 December 2010.
- (3) Despite the Standard Plumbing and Drainage Regulation, schedule 2, plumbing work carried out under subsection (2) is taken not to be minor work.

# Schedule 1      **Qualifications, practical experience and scope of work for plumbers and drainers licences**

section 5

Licence	Qualifications	Practical experience	Scope of work
Column 1	Column 2	Column 3	Column 4
1 Plumbers licence	(a) the competencies in the plumbing and draining apprenticeship for a plumbers licence and relevant post-trade courses approved by PIC; or (b) a certificate of competency in plumbing approved by PIC; or (c) a foreign licence as a plumber approved by PIC; or (d) a qualification at least equivalent to the qualification mentioned in paragraph (a) or (b) approved by PIC	(a) at least 1 year's practical plumbing experience after successful completion of the plumbing and draining apprenticeship; or (b) practical experience at least equivalent to the practical experience mentioned in paragraph (a)	plumbing work, other than plumbing work for which an endorsement on a plumbers licence is required to perform the work

Licence	Qualifications	Practical experience	Scope of work
Column 1	Column 2	Column 3	Column 4
2 Drainers licence	(a) the competencies in the plumbing and draining apprenticeship for a drainers licence and relevant post-trade courses approved by PIC; or (b) a certificate of competency in draining approved by PIC; or (c) a foreign licence as a drainer approved by PIC; or (d) a qualification at least equivalent to the qualification mentioned in paragraph (a) or (b) approved by PIC	(a) at least 1 year's practical draining experience; or (b) practical experience at least equivalent to the practical experience mentioned in paragraph (a)	drainage work below ground level, other than drainage work for which an endorsement on a drainers licence is required to perform the work

## Schedule 2      Qualifications, practical experience and scope of work for restricted licences

section 6

Restricted licence	Qualifications	Practical experience	Scope of work
Column 1	Column 2	Column 3	Column 4
1 Water plumber—gas	(a) hold, under the <i>Petroleum and Gas (Production and Safety) Act 2004</i> , a gas work licence; and (b) either— (i) successful completion of a course approved by PIC; or (ii) a qualification at least equivalent to the qualification mentioned in subparagraph (i)	no prescribed practical experience	disconnect and connect water plumbing associated with replacing a gas hot water heater

Restricted licence	Qualifications	Practical experience	Scope of work
Column 1	Column 2	Column 3	Column 4
2 Water plumber—electrical	(a) hold, under the <i>Electrical Safety Act 2002</i> , an electrical mechanic licence or an electrical fitter licence; and (b) either— (i) completion of a course approved by PIC; or (ii) a qualification at least equivalent to the qualification mentioned in subparagraph (i)	no prescribed practical experience	disconnect and connect water plumbing associated with replacing an electric resistance hot water heater
3 Water plumber—irrigation	successful completion of a course approved by PIC	practical experience for each of the competencies in a course approved by PIC	water plumbing work restricted to irrigation
4 Water plumber—fire protection (hydrants and hose reels)	(a) relevant competencies in the plumbing and drainage apprenticeship; or (b) the competencies in an apprenticeship in fire protection	no prescribed practical experience	water plumbing work that is installing, maintaining and testing fire hydrants and hose reels
5 Water plumber—fire protection (commercial and industrial)	the competencies in an apprenticeship in fire protection	no prescribed practical experience	water plumbing work that is installing, maintaining and testing commercial and industrial fire sprinkler systems

Schedule 2

<b>Restricted licence</b>	<b>Qualifications</b>	<b>Practical experience</b>	<b>Scope of work</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
6 Water plumber—fire protection (domestic and residential)	(a) a restricted licence for a— (i) water plumber—fire protection (hydrants and hose reels); or (ii) water plumber—fire protection (commercial and industrial); and (b) successful completion of course approved by PIC	no prescribed practical experience	water plumbing work that is installing, maintaining and testing domestic and residential fire sprinkler systems
7 Drainer—on-site sewerage facility	successful completion of a course approved by PIC	at least 6 months practical experience in the work	maintaining on-site sewerage facilities

## Schedule 3      **Qualifications, practical experience and scope of work for endorsements**

section 7

<b>Endorsement</b>	<b>Qualifications</b>	<b>Practical experience</b>	<b>Scope of work</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
1 Backflow prevention (endorsement on a plumbers licence or provisional plumbers licence)	<p>(a) if the plumbers licence or provisional plumbers licence is not currently endorsed for backflow prevention—successful completion of a course approved by PIC; and</p> <p>(b) if the plumbers licence or provisional plumbers licence is currently endorsed for backflow prevention—successful completion, before the end of each 5 years after the licence was first endorsed, of a test approved by PIC for the relevant competencies</p>	no prescribed practical experience	commission, test and maintain backflow prevention devices

Schedule 3

Endorsement	Qualifications	Practical experience	Scope of work
Column 1	Column 2	Column 3	Column 4
2 Thermostatic mixing valve (endorsement on a plumbers licence or provisional plumbers licence)	successful completion of a course approved by PIC	no prescribed practical experience	commission, test and maintain thermostatic mixing valves
3 On-site sewerage facility maintenance (endorsement on a drainers licence or provisional drainers licence)	successful completion of a course approved by PIC	no prescribed practical experience	maintain on-site sewerage facilities
4 Fire protection—commercial and industrial (endorsement on a plumbers licence or provisional plumbers licence)	(a) successful completion of a plumbing and draining apprenticeship and successful completion of a course approved by PIC; or (b) successful completion of the competencies in an apprenticeship for fire protection	no prescribed practical experience	install, maintain and test commercial and industrial fire sprinkler systems

<b>Endorsement</b>	<b>Qualifications</b>	<b>Practical experience</b>	<b>Scope of work</b>
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
5 Fire protection—domestic and residential (endorsement on a plumbers licence or provisional plumbers licence)	successful completion of a course approved by PIC	no prescribed practical experience	install, maintain and test domestic and residential fire sprinkler systems
6 Solar and heat pump hot water system installation (endorsement on a plumbers licence or provisional plumbers licence)	successful completion of a course approved by PIC	no prescribed practical experience	install, replace, test, repair and maintain solar and heat pump hot water systems

## Schedule 4 Fees

section 10

	\$
1 Application—	
(a) for a plumbers licence or drainers licence (Act, s 36(1)(c)(ii)) . . . . .	113.85
(b) for a restricted licence (Act, s 36(1)(c)(ii)) . . . . .	70.40
(c) for a provisional licence (Act, s 36(1)(c)(ii)) . . . . .	52.80
(d) for an endorsement on a licence (Act, ss 37(a) and 7). . . . .	12.40
(e) to renew a licence, for each year of renewal (Act, s 48(2)(c)(i)). . . . .	60.05
(f) to renew a retired person’s licence, for each year of renewal (Act, s 48(3)) . . . . .	17.60
(g) to restore a licence (Act, s 52(1)(b)(i)) . . . . .	60.05
(h) for a review of licence conditions (Act, s 55(3)(b)) . . . . .	52.80
(i) to replace a licence (Act, s 73(2)(c)) . . . . .	22.75
(j) for an alternative qualification to be assessed for equivalence (s 9) . . . . .	22.75
(k) to renew a licence for a licensee who is an employee of a registered training organisation . . . . .	17.60
2 Cost of processing an application for a licence (Act, s 42(3)) . . . . .	54.85
3 Certified copy of a licence (Act, s 74) . . . . .	22.75

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## Schedule 5      Dictionary

### section 3

***apprenticeship*** see the *Vocational Education, Training and Employment Act 2000*.

***certificate of competency***, for plumbing or drainage, means a certificate in plumbing or drainage that is in force and recognised under the Australia-New Zealand Reciprocity Association Agreement.

***competencies***, for a particular licence or endorsement, means the competencies decided by a registered training organisation, and approved by the TERC, for the licence or endorsement.

***foreign licence*** means a licence issued by a foreign licensing authority that is in force and recognised under the Australia-New Zealand Reciprocity Association Agreement.

***PIC*** means the Plumbing Industry Council.

***plumbing and draining apprenticeship*** means employment based training in plumbing and draining that is declared by the TERC to be an apprenticeship under the *Vocational Education, Training and Employment Act 2000*.

***registered training organisation*** see the *Vocational Education, Training and Employment Act 2000*.

***TERC*** means the Training and Employment Recognition Council established under the *Vocational Education, Training and Employment Act 2000*.

# Endnotes

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## 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 6 July 2012. Future amendments of the Plumbing and Drainage Regulation 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

## 3 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 November 2003	
1A	2004 SL No. 117	2 July 2004	
1B	2005 SL No. 199	12 August 2005	
1C	2005 SL No. 323	16 December 2005	
1D	2006 SL No. 186	21 July 2006	R1D withdrawn, see R2
2	—	21 July 2006	
2A	2007 SL No. 150	29 June 2007	
2B	2007 SL No. 328	1 January 2008	
2C	2008 SL No. 227	18 July 2008	
2D	2009 SL No. 92	1 July 2009	
2E	2009 SL No. 153	17 July 2009	
3	2009 SL No. 192	11 September 2009	
3A	2009 SL No. 262	1 December 2009	
3B	2010 SL No. 148	25 June 2010	
3C	2010 SL No. 148	1 July 2010	
3D	2011 SL No. 88	1 July 2011	
3E	2011 SL No. 265	9 December 2011	
3F	2012 SL No. 97	6 July 2012	

## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Plumbing and Drainage Regulation 2003 SL No. 266**

made by the Governor in Council on 30 October 2003

notfd gaz 31 October 2003 pp 691–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 November 2003 (see s 2)

exp 1 September 2014 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

**Plumbing and Drainage Amendment Regulation (No. 1) 2004 SL No. 117**

notfd gaz 2 July 2004 pp 705–7  
commenced on date of notification

**Plumbing and Drainage Amendment Regulation (No. 1) 2005 SL No. 199**

notfd gaz 12 August 2005 pp 1297–1303  
commenced on date of notification

**Plumbing and Drainage Legislation Amendment Regulation (No. 1) 2005 SL No. 323  
pts 1–2**

notfd gaz 16 December 2005 pp 1490–6  
commenced on date of notification (see s 2(a))

**Building and Other Legislation Amendment Regulation (No. 1) 2006 SL No. 186 pts  
1, 4**

notfd gaz 21 July 2006 pp 1382–3  
commenced on date of notification

**Building and Other Legislation Amendment Regulation (No. 2) 2007 SL No. 150 pts  
1, 4**

notfd gaz 29 June 2007 pp 1157–65  
commenced on date of notification

**Plumbing and Drainage and Other Legislation Amendment Regulation (No. 1) 2007  
SL No. 328 pts 1, 3**

notfd gaz 14 December 2007 pp 2131–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2008 (see s 2)

**Building and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 227 pts  
1, 4**

notfd gaz 18 July 2008 pp 1710–12  
commenced on date of notification

**Building and Other Legislation Amendment Regulation (No. 2) 2009 SL No. 92 pts 1,  
4**

notfd gaz 19 June 2009 pp 707–11  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2009 (see s 2)

**Plumbing and Drainage Legislation Amendment Regulation (No. 1) 2009 SL No. 153  
pts 1–2**

notfd gaz 17 July 2009 pp 1103–4  
commenced on date of notification

**Plumbing and Drainage Legislation Amendment Regulation (No. 2) 2009 SL No. 192  
pts 1–2**

notfd gaz 11 September 2009 pp 148–9  
commenced on date of notification

**Building and Other Legislation Amendment Regulation (No. 3) 2009 SL No. 262 pts 1, 3**

notfd gaz 20 November 2009 pp 900–3  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 December 2009 (see s 2)

**Building and Other Legislation Amendment Regulation (No. 3) 2010 SL No. 148 pts 1, 3**

notfd gaz 25 June 2010 pp 823–30  
 ss 1–2 commenced on date of notification  
 s 10 commenced 1 July 2010 (see s 2)  
 remaining provisions commenced on date of notification

**Building and Other Legislation Amendment Regulation (No. 2) 2011 SL No. 88 pts 1, 3**

notfd gaz 17 June 2011 pp 430–4  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2011 (see s 2)

**Building and Other Legislation Amendment Regulation (No. 4) 2011 SL No. 265 s 1, pt 4**

notfd gaz 9 December 2011 pp 729–35  
 commenced on date of notification

**Housing and Public Works Legislation Amendment Regulation (No. 1) 2012 SL No. 97 pts 1, 7**

notfd gaz 6 July 2012 pp 759–60  
 commenced on date of notification

## 6 List of annotations

**Endorsements on licences**

s 7 amd 2009 SL No. 192 s 3

**Duration of endorsement**

s 8 amd 2009 SL No. 192 s 4

**Referral to registered training organisation**

s 9 amd 2010 SL No. 148 s 7

**Fees payable to PIC**

prov hdg sub 2009 SL No. 192 s 5  
 amd 2011 SL No. 88 s 6  
 s 10 amd 2010 SL No. 148 s 7(1)

**Waiver of fee for processing an application for a licence**

s 10A ins 2010 SL No. 148 s 8

**Fee to accompany notice to local government of particular minor work**

s 11 ins 2009 SL No. 192 s 6

**PART 4—TRANSITIONAL PROVISION FOR PLUMBING AND DRAINAGE  
LEGISLATION AMENDMENT REGULATION (No. 2) 2009**

**pt 4 (s 12)** ins 2009 SL No. 192 s 6

**SCHEDULE 1—QUALIFICATIONS, PRACTICAL EXPERIENCE AND SCOPE  
OF WORK FOR PLUMBERS AND DRAINERS LICENCES**

amd 2005 SL No. 323 s 4; 2010 SL No. 148 s 7(1); 2011 SL No. 88 s 7

**SCHEDULE 2—QUALIFICATIONS, PRACTICAL EXPERIENCE AND SCOPE  
OF WORK FOR RESTRICTED LICENCES**

amd 2010 SL No. 148 ss 7(1), 9; 2011 SL No. 88 s 8; 2011 SL No. 265 s 18

**SCHEDULE 3—QUALIFICATIONS, PRACTICAL EXPERIENCE AND SCOPE  
OF WORK FOR ENDORSEMENTS**

amd 2007 SL No. 328 s 17; 2009 SL No. 153 s 3; 2009 SL No. 192 s 7; 2009  
SL No. 262 s 14; 2010 SL No. 148 s 7(1); 2011 SL No. 88 s 9; 2011 SL No.  
265 s 19

**SCHEDULE 4—FEES**

sub 2004 SL No. 117 s 3; 2005 SL No. 199 s 3

amd 2005 SL No. 323 s 5

sub 2006 SL No. 186 s 7; 2007 SL No. 150 s 7; 2008 SL No. 227 s 15; 2009  
SL No. 92 s 8

amd 2009 SL No. 153 s 4

sub 2010 SL No. 148 s 10; 2011 SL No. 88 s 10; 2012 SL No. 97 s 13

**SCHEDULE 5—DICTIONARY**

def “**apprenticeship**” amd 2005 SL No. 323 s 6(3)

def “**competencies**” amd 2010 SL No. 148 s 11(3)

def “**council**” sub 2005 SL No. 323 s 6(1)–(2)

om 2010 SL No. 148 s 11(1)

def “**PIC**” ins 2010 SL No. 148 s 11(2)

def “**plumbing and draining apprenticeship**” amd 2005 SL No. 323 s 6(4);  
2010 SL No. 148 s 11(3)

def “**registered training organisation**” amd 2005 SL No. 323 s 6(5)

def “**TERC**” ins 2010 SL No. 148 s 11(2)