

28 November 2008

Better Regulation Office  
GPO Box 5341  
SYDNEY NSW 2001

By email: [tradelicences@dpc.nsw.gov.au](mailto:tradelicences@dpc.nsw.gov.au)

Dear Sir

The Australian Manufacturing Workers Union (AMWU) appreciates the opportunity to make this submission to the Better Regulation Office regarding the review of licensed occupations in NSW.

Our submission specifically refers to the occupations of Lift Mechanic and Motor Vehicle Repairer, as these are the occupations within our industry coverage. The general position of the AMWU towards occupational licensing is the same across both of these occupations. However, the specifics of each licensing arrangement will be dealt with later in this submission.

### ***Occupational Licensing***

The AMWU supports a system of regulation that provides consumers with certainty about the quality and safety of work being performed. Our position on this is based on the following principles:

- A trade certificate, awarded by an appropriate authority upon completion of an appropriate apprenticeship or recognition of an overseas qualification, should be adequate evidence of a person's competence to perform work to the standard required.
- Where an occupational license is required only to prove the existence of a trade certificate, it does not add to certainty in respect of a person's competence to perform the work to the standard required.
- Occupational licensing is useful only where the license requirements include things which are beyond the scope of the trade qualification which is the basis of the person's competence.
- Occupational licensing for the purposes of establishing that a person is a 'fit and proper' person or that the person is not prohibited for reasons of previous inappropriate behaviour, or for other consumer protection reasons, may be appropriate in regulating the behaviour of certain persons in the public interest.

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- The AMWU's experience of occupational licensing suggests that it is more often the case that it is the work that is licensed rather than the occupation.

### ***Lift mechanic***

The AMWU represents approximately 150 workers in the Lift Mechanic occupation across NSW.

In our discussions with various stakeholders in this industry, it would appear that the level of understanding regarding the operation of the licensing regime is low.

It is the position of the AMWU that in the Lift Mechanic occupation, a trade certificate is sufficient proof of an individual's capacity to complete the work to the required standard. The licensing arrangements provide no additional, or better, guarantee of quality of work than can be ascertained from the training necessary to gain the trade certificate.

It is our view that the trade certificate of a person engaged as a Lift Mechanic should suffice for the purpose of permitting the certifying person's competence to perform the work.

### ***Motor Vehicle Repairer***

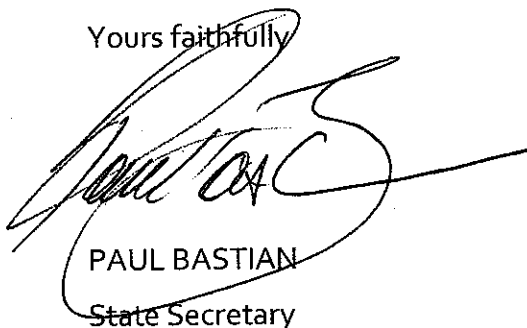
The AMWU represents approximately 2000 workers in the vehicle industry across NSW. A significant proportion of these workers will be employed as motor vehicle repairers.

It appears to the AMWU that the licensing regime in relation to motor vehicle repairs is essentially a consumer protection regime that has little to do with the skills of the persons engaged in the work.

The AMWU strongly supports effective regulation of consumer rights in this area but believes that greater attention should be paid to the skills of the individuals engaged in this work.

The AMWU believes that the net effect of the current licensing regime is to drive down the skill level of persons engaged in this work by the fragmentation of the work into narrow specialisations that each require licensing yet do not appear to require certified levels of skill.

Yours faithfully



PAUL BASTIAN  
State Secretary