



ASSURANCE
Fair Trading Act 1987
Section 79

Assurance to the Commissioner for Consumer Affairs given for the purposes of s79 of the *Fair Trading Act 1987* by:

Slater Plumbing Pty Ltd (ACN 612 014 356) and Matthew Slater

PERSONS GIVING THIS ASSURANCE

1. This Assurance is given to the Commissioner for Consumer Affairs ("the Commissioner") by Slater Plumbing Pty Ltd (ACN 612 014 356) in the State of South Australia and Matthew Slater for the purposes of section 79 of the *Fair Trading Act 1987* (SA).

BACKGROUND

2. Slater Plumbing Pty Ltd (ACN 612 014 356) ("Slater Plumbing") is a proprietary company limited by shares.
3. Mr Matthew Slater ("Mr Slater") is the sole director of Slater Plumbing.
4. Slater Plumbing does not hold a plumbing, gas fitting or Electrical contractor's licence pursuant to the Act.
5. Mr Slater is the holder of restricted plumbing worker's registration, restricted gas fitting worker's registration and restricted electrical worker's registration PGE 194613 pursuant to the *Plumbing, Gas Fitters and Electricians Act 1995* ("the Act").
6. Section 14 of the Act defines the classes of registration under the Act. A plumbing worker's registration authorises a person to act as a plumbing worker; a gas fitting worker's registration authorises a person to act as a gas fitting worker; and an electrical worker's registration authorises a person to act as an electrical worker. Restricted registrations limit the work that may be carried out by a plumbing, gas fitting or electrical worker.
7. Mr Slater's plumbing worker registration is restricted in that it is limited to:
 - 7.1. Can perform any plumbing work under the direction of an appropriately registered plumbing worker.
8. Mr Slater's gas fitting worker registration is restricted in that it is limited to:
 - 8.1. Work under technical direction of gas fitting worker limited to install and commission domestic, commercial and industrial gas appliances and equipment.
9. Mr Slater's electrical worker registration is restricted in that it is limited to:
 - 9.1. Service and replacement of single phase 240V water heaters (rated up to 4.8kw or 450L) & associated components.

CONDUCT OF CONCERN

10. Between 1 February 2019 and 28 February 2019 Slater Plumbing carried on business as a gas fitting contractor by contracting for the installation of gas pipes in a food caravan.
11. Between 22 April 2016 and 31 July 2019 Slater Plumbing advertised or held itself out as being entitled to carry on business as a plumbing contractor by advertising for plumbing work when it was not licensed to do so under the Act.
12. By performing the work referred to in paragraph 10 Mr Slater has also acted outside the scope of his restricted gas fitting worker's registration.

CONTRAVENTIONS

13. The Commissioner considers and Slater Plumbing and Mr Slater acknowledge, that it is likely that Slater Plumbing has:
 - 13.1. Carried on business as a gas fitting contractor without authorisation by licence in contravention of section 6(1)(a) of the *Plumbing, Gas Fitters and Electricians Act 1995*;
 - 13.2. Advertised or otherwise held itself out as being entitled to carry on business as a plumbing contractor in contravention of section 6(1)(b) of the *Plumbing, Gas Fitters and Electricians Act 1995*.
14. The Commissioner considers and Mr Slater acknowledges, that it is likely that Mr Slater has:
 - 14.1. Acted as a gas fitter worker without authorisation by registration in contravention of section 13 of the *Plumbing, Gas Fitters and Electricians Act 1995*;
 - 14.2. Aided, abetted, counselled or procured Slater Plumbing to carry on business as a gas fitting contractor without authorisation by licence in contravention of section 6(1)(a) of the *Plumbing, Gas Fitters and Electricians Act 1995* and section 267 of the *Criminal Law Consolidation Act 1935*;
 - 14.3. Aided, abetted, counselled or procured Slater Plumbing to carry on business as a plumbing contractor without authorisation by licence in contravention of section 6(1)(b) of the *Plumbing, Gas Fitters and Electricians Act 1995* and section 267 of the *Criminal Law Consolidation Act 1935*.

COMMENCEMENT OF ASSURANCE

15. This Assurance comes into effect when:
 - 15.1. The Assurance is executed Slater Plumbing;
 - 15.2. The Assurance is executed by Mr Slater; and
 - 15.3. The Commissioner for Consumer Affairs accepts the Assurance so executed.

ASSURANCE BY SLATER PLUMBING PTY LTD AND MR SLATER FOR THE PURPOSES OF SECTION 79 OF THE FAIR TRADING ACT 1987

16. In response to the concerns raised by CBS on behalf of the Commissioner for Consumer Affairs, Slater Plumbing and Mr Slater hereby provide an Assurance to the Commissioner that:

- 16.1. Slater Plumbing will not carry on business as a gas fitting contractor except as authorised to do so by licence.
- 16.2. Slater Plumbing will not advertise or otherwise hold itself out as being entitled to carry on business as a plumbing contractor unless authorised to carry on business as a plumbing contractor by licence.
- 16.3. Mr Slater will not act as a gas fitting worker except as authorised by registration.
- 16.4. Mr Slater will not aid, abet, counsel or procure Slater Plumbing to carry on business as a gas fitting contractor except as authorised to do so by licence.
- 16.5. Mr Slater will not aid, abet, counsel or procure Slater Plumbing to advertise or hold itself out as being entitled to carry on business as a plumbing contractor unless authorised to carry on business as such a contractor by licence.

ACKNOWLEDGMENTS

17. Slater Plumbing and Mr Slater acknowledge that:

- 17.1. It is an offence to breach an Assurance, as set out in section 81 of the *Fair Trading Act 1987*.
- 17.2. CBS will make this Assurance publicly available including by publishing it on CBS' public register of undertakings on its website;
- 17.3. CBS may, from time to time, make public reference to the Assurance including in news media statements and in CBS publications; and
- 17.4. This Assurance in no way derogates from the rights and remedies available to any other person arising from the alleged conduct.
- 17.5. This Assurance may be produced to any Court in respect of any proceedings alleging any future contraventions of the *Fair Trading Act 1987* or a related Act.

EXECUTED BY Slater Plumbing Pty Ltd pursuant to section 127(1) of the *Corporations Act 2001 (Cth)* and Matthew Slater in his personal capacity for the purposes of this Assurance



Mr Matthew Slater

Director of Slater Plumbing Pty Ltd

Date: 19/8/2019

Accepted by the Commissioner for Consumer Affairs (SA) pursuant to s79 of the *Fair Trading Act 1987*



Commissioner for Consumer Affairs (SA)

Date: 23/8/19