



PAINTERS' REGISTRATION  
BOARD

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ANNUAL REPORT  
2005

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24 March 2006

The Hon Michelle Roberts, MLA  
Minister for Consumer and Employment Protection  
13<sup>th</sup> Floor  
Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Dear Minister

On behalf of the Board I hereby submit the Annual Report for the period ending 31 December 2005.

The report, incorporating the Board's annual financial statements, is submitted in accordance with Section 23B of the *Painters' Registration Act 1961* and Section 96 of the *Freedom of Information Act 1992*.

The Audit has been prepared in accordance with Section 23A of the *Painters' Registration Act 1961*.

Yours sincerely

A handwritten signature in black ink, reading "Paul Marsh". The signature is written in a cursive style with a large initial "P" and "M".

Paul Marsh  
CHAIRMAN

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## THE REGISTRAR'S REPORT

### HIGHLIGHTS OF 2005

A high level of demand in the building industry and subsequently the painting industry continued in 2005, with 200 additions to the register of painters.

Throughout the year the Board dealt with 2068 general enquiries, received 67 formal complaints about painting work, and undertook investigations into 106 allegations of breaches against the *Painters' Registration Act 1961* (the PR Act). As a result, the Board initiated 15 prosecutions for offences against the PR Act, issued 16 orders for unsatisfactory painting work, and referred one matter to the State Administrative Tribunal (the SAT).



The Board's painting inspectorate continued to promote awareness of the Board's role and monitor the industry, through carrying out over 2000 random site visits across the Perth metropolitan area and regional Western Australia.

### Impact of the Establishment of the State Administrative Tribunal

On 1 January 2005 the PR Act was amended as a result of the establishment of the SAT, effected by the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*.

The enactment of the new legislation has the following consequences on the functions of the Board:

- the Board no longer holds disciplinary inquiries under the Act and all disciplinary matters previously decided by the Board are now referred to the SAT;
- the Board investigates allegations against registered painters for referral and presentation to SAT;
- the Board no longer cancels or suspends the registration of painters, except in the event of non-payment of annual registration fees;
- appeals against decisions of the Board in relation to registration matters are heard by the SAT instead of the Local Court.

### Future of the Board

In accordance with the State Government's 'Machinery of Government' reform program, it is intended that staff and the administrative functions of the Board will be amalgamated into the Department of Consumer and Employment Protection (DOCEP).

The amalgamation was to take effect in January 2006, pending the passing of the *Acts Amendment (Licensing Boards and Consumer Protection) Bill*, however DOCEP has recently indicated that this should now occur in early 2007.

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## **Painting Legislation Reviews**

DOCEP continued the drafting of an Issues Paper as part of its review of the *Painters' Registration Act 1961*, and has advised the Board that it expects to release the paper in the first half of 2006.

## **Challenges Ahead**

Continuing high levels of new building and renovation work will require the Board to maintain its vigilance in monitoring compliance and promoting awareness. The Board and I appreciate the work and dedication of its staff and look forward to the challenges that 2006 will bring.

A handwritten signature in black ink, appearing to be 'N. Lilley', written in a cursive style.

**Nigel Lilley**  
**REGISTRAR AND PRINCIPAL OFFICER**

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## THE BOARD

### FUNCTIONS AND POWERS

FOI/2

The Board is established under the *Painters' Registration Act 1961* (the PR Act).

The Board's statutory functions are to:

FOI/5

- provide for the registration of painters in the area specified within the PR Act and the *Painters Registration Board Rules 1962*;
- maintain a register of painters;
- prescribe the course of training and examinations for painters;
- ensure adequate supervision of painting;
- receive complaints against painters in relation to work that is not carried out in a proper and workmanlike manner, and take action pursuant to the PR Act;
- provide the means with which to prosecute persons who do not comply with the requirements of the PR Act, or any lawful direction of the Board; and
- receive fees and penalties from painters and apply them to the payment of the remuneration and costs of carrying out the provisions of the PR Act.

### AREA OF JURISDICTION

FOI/3

The Board's area of jurisdiction encompasses the metropolitan region and most of the South West Land Division of the State, with the exception of the Shires of Mukinbudin, Mt Marshall and Narembeen.

The South West Land Division extends from the Kalbarri area on the West Coast, and through the Hopetoun region on the South Coast. In addition, the Board's area includes specified townsites within the Shires of Coolgardie, Dundas, Esperance, Yilgarn, Laverton, Ravensthorpe and the City of Kalgoorlie/Boulder.

### STRATEGIC OBJECTIVES

FOI/2






The Board's strategic objectives are to ensure that the:

- PR Act is administered in a consistent, reasoned and lawful manner;
- PR Act is administered in a financially responsible manner; and
- Board investigations and prosecutions for offences against the PR Act are conducted in an efficient and consistent manner.

### BOARD COMPOSITION AND PROFILE

FOI/6

Section 7 of the PR Act provides for a Chairperson who is a legal practitioner, and four members to be appointed by the Governor of Western Australia. Members of the Board are nominated by the Minister and in 2005 were as follows:

<b>Board Members</b>				
	<i>Name</i>	<i>Section of PR Act appointed was made</i>	<i>Date appointed</i>	<i>Term expires</i>
<b>Chairperson</b>	<b>Paul Marsh</b> 	7(1)(a): the Chairman of the Builders' Registration Board of Western Australia	Apr. 1992	Mar. 2006
<b>Deputy Chair &amp; Member</b>	<b>Jim Gatt</b> <i>Deputy: William Sashegyi</i> 	7(1)(c): nominated by the WA Chamber of Commerce and Industry	Jan. 1980	Mar. 2006
<b>Member</b>	<b>Terry Parsons</b> <i>Deputy: Jack Mast</i> 	7(1)(b): nominated by the Master Painters, Decorators and Signwriters' Association of Western Australia	Oct. 2003	Dec. 2007
<b>Member</b>	<b>Fred Smith</b> <i>Deputy: Kevin Reynolds</i> 	7(1)(d): nominated by the Operative Painters' and Decorators' Union of Australia (WA)	Aug. 2000	Dec. 2007
<b>Member</b>	<b>Laureen Hackney</b> <i>Deputy: Angela Massie</i> 	7(1)(e): to represent the interests of consumers	Apr. 2004	Mar. 2007



## MEETINGS

Painters' Registration Board Rule 4 requires the Board to formally meet at least once a month. During the reporting period the Board met on 12 occasions. Attendance was as follows:

	<i>No. of meetings</i>	<i>Attended as Deputy</i>
Paul Marsh	12	
Jim Gatt	10	
Laureen Hackney	9	
Angela Massie		3
Fred Smith	10	
Terry Parsons	12	

## STAFFING

FOI/4

Section 9 of the PR Act provides that the Board shall appoint a Registrar who shall be the Registrar of the Builders' Registration Board (the BRB), and may appoint other officers as it considers necessary to carry out the provisions of the PR Act.

As at 31 December 2005, the Board had 4 permanent full-time positions which comprise of the inspectorate. Other than the inspectorate, staffing needs are met by employees of the BRB on a recoup basis.

The BRB's Registrar, Deputy Registrar, registrations and support staff spend part of their time on Painters' Registration Board duties. The Organisational Chart is at Appendix B.

## CORPORATE INFORMATION

### CODES OF CONDUCT AND ETHICS

The Board and its officers are required under the *Public Sector Management Act 1994* to adhere to the West Australian Public Sector Code of Ethics, which sets out the values and behaviour expected of individuals. The Board observes this Code of Ethics and has also adopted a Code of Conduct that was prepared for Board Members.

In addition, the Board has devised a Code of Conduct for its staff, to more clearly relate the broad principles and values outlined in the Code of Ethics to the everyday behaviour of Board officers.

### EQUAL EMPLOYMENT OPPORTUNITY

The Board is committed to the promotion of equal employment opportunities (EEO) for all its employees, provides staff development opportunities, maintains staff awareness, and provides general information on EEO principles as part of its staff induction program.

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## **PUBLIC SECTOR STANDARDS FOR HUMAN RESOURCE MANAGEMENT**

In 2005 the Board complied with the Public Sector Standards in Human Resource Management. The processes carried out in relation to the Standards were for Recruitment, Selection and Appointment, and for Performance Management. There were no processes carried out in relation to the other Standards for Transfer, Secondment, Redeployment, Termination, Discipline, Temporary Deployment and Grievance Resolution.

There were no claims for breach of standards in relation to the processes carried out for Recruitment, Selection and Appointment, and for Performance Management.

## **CORRUPTION PREVENTION**

To prevent corruption and misconduct the Board undertook the following measures during the reporting period:

- revision of the Board's Staff Code of Conduct;
- the establishment of a gifts and benefits register; and
- the employment of an IT Systems Administrator to the BRB to manage computer security.

## **ELECTORAL ACT 1907**

The *Electoral Act 1907* regulates Parliamentary elections and requires all public agencies to report on its expenditure in relation to:

- Advertising agencies
- Market Research organisations
- Polling organisations
- Direct mail organisations
- Media organisations

In accordance with section 175ZE of the *Electoral Act 1907*, the Board reports that it did not incur such expenditure in 2005.

## **PUBLIC INTEREST DISCLOSURE ACT 2003**

The Board has met all requirements under the *Public Interest Disclosure Act 2003* and reports that no disclosures were received in 2005.

## **STATE RECORDS ACT 2000**

The Board's recordkeeping plan was approved for a period of five years by the State Records Commission on 22 April 2004. State Records Commission Standard 2, Principle 6 - Compliance, requires the Board to include in its Annual Report an appropriate section that addresses compliance with the approved recordkeeping plan.

The Board reports that its recordkeeping plan has been established throughout the organisation, and forms part of the induction for new staff. The Board will evaluate the efficiency and effectiveness of its recordkeeping system not less than once every five years, and its recordkeeping training program from time to time.

It was envisaged that records management procedures would be reviewed, developed and incorporated into a records management procedure manual in 2005, but this has not progressed. Due to the pending amalgamation with DOCEP it is not intended to allocate resources to this project and to progress the development of a records management procedure manual, but to await the amalgamation into DOCEP. Upon amalgamation, the Boards will adopt all of DOCEP's existing policies and procedures, including those relating to records management.

## **OMBUDSMAN**

The State Ombudsman has the jurisdiction to investigate complaints that are made in relation to administrative actions or omissions by the Board.

There were no formal complaints received and investigated by the State Ombudsman during the reporting period.

## **DISABILITY SERVICES**

The Board continues to work within the constraints of the present accommodation at 18 Harvest Terrace, West Perth. A reception area is located on the ground floor, and temporary parking can be provided directly in front of the building to enable wheelchair access. Pamphlets and other written material are provided on request and a range of consumer and industry specific information is available on the Board's website.

## **RECYCLING**

The Board actively encourages all staff to recycle paper and other material. Paper collection bins have been strategically located throughout the building. A local contractor from the City of Perth provides a free service for most of the organisation's recycling needs.

## **FREEDOM OF INFORMATION**

**FOI/1**

In 2005 the Board complied with the *Freedom of Information Act 1992* (FOI Act). Persons seeking information held by the Board were provided with guidance regarding the application process. Staff ensure that information is provided promptly and at the least possible cost to all persons so entitled. Those seeking information that is not routinely available are advised of the provisions of the FOI Act, the application process, and all associated costs. Applications are acknowledged in writing and the parties are notified of a decision within 45 days. A FOI information index is attached at Appendix B.

Applications and enquiries are directed to:

The Legal Officer  
Painters' Registration Board  
Suite 10, 18 Harvest Terrace  
WEST PERTH WA 6005  
Tel: (08) 9476 1200; Fax (08) 9476 1299

## Charges

FOI/7a

The Board's scale of fees and charges for eligible information is set under the FOI Regulations. Apart from the application fee for non-personal information, charges are discretionary and are as follows:

Personal information about the applicant	No fee
Application fee (for non-personal information)	\$30.00
Charge for time dealing with the application (hour/pro rata)	\$30.00
Access time supervised by staff (per hour, or pro rata)	\$30.00
Photocopying staff time (per hour, or pro rata)	\$30.00
Per photocopy	.20
Transcribing from tape, film or computer	Actual Cost
Duplicating a tape, film or computer information	Actual Cost
Delivery, packaging and postage	Actual Cost

*Note: For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.*

## Deposits

Advance deposits may be required based on the estimated charges (25% of cost) and further advance deposit may be required to meet the charges for dealing with the application (75% of cost).

## Access Arrangements

FOI/8

Access to documents is granted through inspection, by providing a copy of a document, an audio or video tape, computer disk, transcript of a recorded inquiry, shorthand or an encoded document from which words can be reproduced. Where the tape is of a hearing or investigation, a transcription only is provided.

## Viewing Documents

Documents are available to be viewed at the Board's office during business hours, with a fee charged for the supervised viewing of non-personal documents.

## Notice of Decision

FOI/7a

As soon as possible, but no later than 45 days after the application is received, the applicant is provided with a notice of decision, which includes the following details:

- the date when the decision was made;
- the name and position of the officer who made the decision;
- if the document was an exempt document, the reasons for classifying the matter exempt; or the fact that access was given to an edited document; and
- information on the right to review, and the procedures to be followed.

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## **Refusal of Access**

Applicants who are dissatisfied with a decision of the Board's officer are entitled to ask for an internal review by the Registrar. Applications have to be received in writing within 30 days of receiving the notice of decision.

All applicants are notified of the outcome of the review within 15 days.

Applicants who disagree with the result can also apply to the Information Commissioner for an external review, the details of which will be passed on to applicants when the internal review decision is issued.

## **Freedom of Information Applications Received in 2005**

There were no FOI applications received during the reporting period.

## **Client Information**

**FOI/7a**

The Board has a number of publications that can be accessed. These include:

- The Board's newsletters 'Painting WA'.
- Prescribed forms used to apply for:
  - o Registration
  - o Lodging complaints
  - o FOI requests
- Internal documents including:
  - o Policy statements
  - o The Board's Prosecution Policy

Information including the Board's prosecution policy, application forms, reports and the register of painters can be downloaded from the Board's internet site.

# **REGISTRATIONS**

## **THE REGISTER OF PAINTERS**

**FOI/7a**

Section 10 of the PR Act requires the Board to compile and keep a register of painters containing the names, addresses and qualifications of painters admitted to the register. The register is open for inspection by any person without fee during the Board's ordinary hours of business, is available for purchase in a printed format, and is available for downloading on the Board's internet site. The site also enables anyone to conduct a quick search of registered painters by name and registration number.

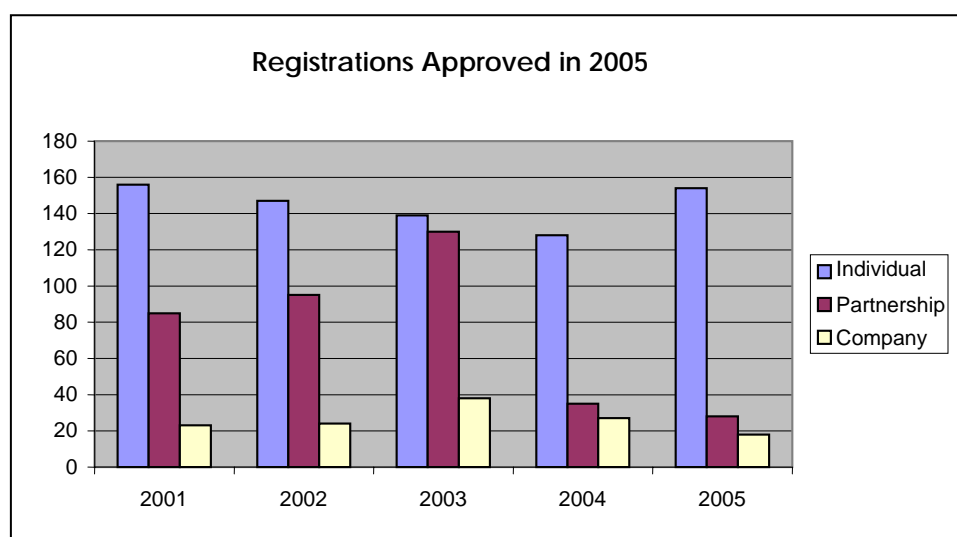
At 31 December 2005 there were 2954 painters registered with the Board, comprising 2267 individuals, 496 partnerships and 191 companies. A comparison of the previous four years is provided in the following table.

Registered Painters					
	2001	2002	2003	2004	2005
Individual	2053	2082	2127	2173	2267
Partnership	405	450	524	518	496
Company	141	154	173	186	191
<b>Total</b>	<b>2599</b>	<b>2686</b>	<b>2824</b>	<b>2877</b>	<b>2954</b>

## APPLICATIONS FOR REGISTRATION

In 2005 the Board received 222 applications for registration. Of those, 200 were approved, 18 were refused and 4 were withdrawn. As at 31 December 2005 there are 26 applications pending.

During the reporting period the Board approved 154 individuals, 28 partnerships and 18 companies. A comparison of approved registrations since 2001 by business category is shown in the following chart.



## RIGHT OF REVIEW OF A BOARD DECISION

Until January 2005, a person who was aggrieved by a Board order or a decision of the Board to refuse, cancel or suspend their registration, or refuse re-registration, could appeal to the Local Court. Since 1 January 2005, persons may apply to the SAT for a review of the decision under section 18(1) of the PR Act.

From 1 January 2005 to 31 December 2005 there were 35 applications made to the SAT (see Appendix D).

## COMPLIANCE

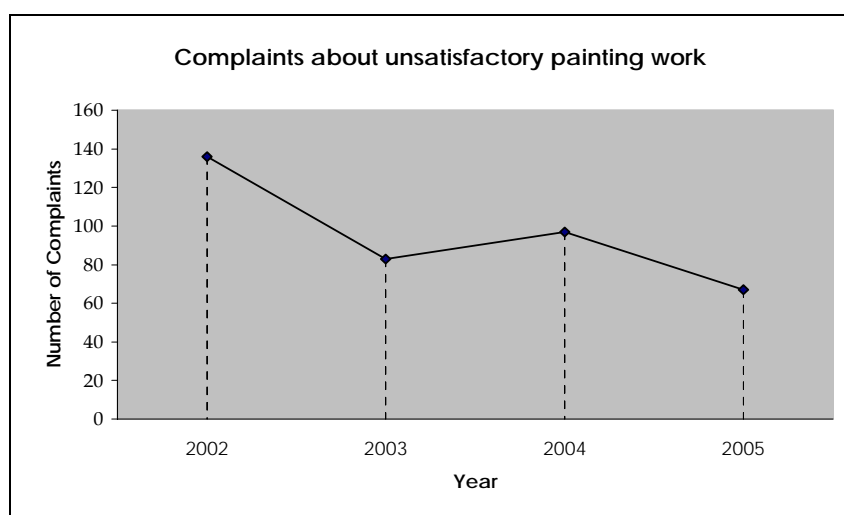
Until the SAT was established on 1 January 2005, it was a statutory function of the Board to ensure compliance with the provisions of the PR Act by taking disciplinary action against registered painters under section 16 of the PR Act.

The Board maintains an active compliance role by conducting investigations into painters, and may refer matters to the SAT in cases which may warrant the suspension or cancellation of a painter's registration. The Board also has the jurisdiction to issue orders to remedy and pay for unsatisfactory painting work, and the Registrar may initiate prosecution action through the courts in accordance with the Board's prosecution policy.

## COMPLAINTS

The Board received 67 formal complaints in 2005 about unsatisfactory painting work. Of these, 21 were referred to a Board hearing for determination. The remainder were resolved between the parties, which is often facilitated by the Board's painting inspectors providing technical advice and evaluations of painting work to the parties subject to the complaint.

As illustrated in the graph below, there has been a continuing downward trend in complaints since 2002, which appears to be a direct result of Board initiatives to improve awareness of the existence and requirements of the PR Act and the promotion of the Board's activities, such as regular newspaper advertisements about the requirements to use a registered painter if the value of the work is valued over \$200, and the introduction of the PRB newsletter.



## ORDERS MADE BY THE BOARD

Section 16D of the PR Act provides that where the Board is satisfied that any painting has not been carried out in a proper and workmanlike manner on any building or other structure, the Board may order the painter to either remedy the work or pay the owner of the building such costs of having the work remedied by someone else.

In 2005 the Board made a total of 16 orders to the value of \$60,812, against painters to remedy unsatisfactory painting work or pay the owner for the costs of rectification. A breakdown of the orders made from 2002 to 2005 is provided in the following tables.

Number of Orders Made by the Board				
	2002	2003	2004	2005
Orders to Remedy	4	1	2	1
Orders to Pay	24	16	10	15*
<b>TOTAL</b>	<b>28</b>	<b>17</b>	<b>12</b>	<b>16</b>

\* During the reporting period Orders to Pay were made against 5 unregistered and 10 registered painters.

Value of Orders Made by the Board				
	2002	2003	2004	2005
Value of Orders	\$62,476	\$31,589	\$47,056	\$60,812

Prior to making an order to remedy or pay, the Board must give the painter notice of the allegations and afford an opportunity to respond at a hearing. In 2005 the Board held 12 such hearings.

## INVESTIGATIONS

In 2005 the Board investigated 106 allegations of breaches against the PR Act. Of those investigations, 5 are pending and 15 were prosecuted pursuant to section 4(1) and 16G of the PR Act, with no further action being taken against the remainder for reasons such as:

- No breach detected
- Unable to locate defendant
- Charges withdrawn
- Insufficient evidence

Investigations undertaken		
Number	Nature*	
101	s. 4(1)	Unregistered painting
3	s. 4A	Assuming title of registered painter
2	s. 25	Transferring/Assigning registration (licence lending)

\* Breach of *Painters' Registration Act 1961*

At 31 December 2005, there are 5 investigations in progress and 9 matters awaiting investigation.

Investigations in progress / awaiting investigation		
Number	Nature*	
13	s. 4(1)	Unregistered painting
1	s. 4A	Assuming title of registered painter



## PROSECUTIONS

FOI/7a

Pursuant to section 4(1) of the PR Act, and the Board's prosecution policy, the Board commenced 15 prosecutions in 2005 for unregistered painting, details of which are provided in Appendix E.

## REFERRALS TO THE STATE ADMINISTRATIVE TRIBUNAL

Pursuant to section 16 (1) of the *Painters' Registration Act 1961*, the Board may allege to the SAT that disciplinary action should be taken against a registered painter for a reason described in subsection (2).

In 2005 the Board referred one matter to the SAT pursuant to section 16(1) of the PR Act.

Matters referred to SAT under section 16(1) of the PR Act		
<i>Name</i>	<i>Allegation</i>	<i>Outcome</i>
Warrzone Pty Ltd	No nominated supervisor Section 16(1)(e)	Registration Cancelled

## INSPECTIONS

In 2005 the Board's Painting Inspectors conducted 2060 random site visits to promote awareness of the Board and monitor the industry. Such inspections have been recognised as a valuable service provided by the Board, as it increases awareness of compliance requirements with the PR Act and reduces the likelihood of unregistered painting being carried out. These visits also assist Inspectors to keep up-to-date with the latest products, technology, and application techniques operating in the market place.

## GENERAL ENQUIRIES

In 2005 the Board dealt with 2068 general telephone enquiries. Of these, 166 were from registered painters requesting the Board to undertake an inspection of their work to enable them to resolve a technical difficulty.

## EDUCATION AND AWARENESS

In 2005 the Board continued its activities in the promotion of information covering the requirements of the PR Act and other matters of interest to painters and consumers.

### AWARENESS

To raise industry and community awareness the Board's activities included participation at industry and consumer expos, providing guest speakers for industry meetings, speaking to students undertaking the *Certificate IV of Painters' Registration* at TAFE, and conducting workshops in regional areas.

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## SPONSORSHIPS AND AWARDS

In 2005 the Board sponsored the:

- Master Painters Association Awards for Excellence; and
- Swan TAFE Award for Best Graduating Student in the Certificate IV of Painters' Registration.

Board staff also participated in the following industry and consumer Expos:

- Dulux Painters Expo
- Spring Home Show
- WA on Show

## RE-ACCREDITATION OF THE CERTIFICATE IV OF PAINTERS' REGISTRATION

Section 13 of the PR Act requires that the Board prescribe a course of training and examinations. The Training Accreditation Council requires that all training courses funded against TAFE college profiles be reviewed on a regular basis to ensure they remain relevant and meet industry requirements. The Board's prescribed course, the *Certificate IV of Painters' Registration*, is currently being reviewed. All modules will be written in competency based format, with the view to the revised course being re-accredited by the second semester of 2006.

## STAFF TRAINING

In 2005 all of the Board's painting inspectors completed the *Certificate IV in Government Statutory Compliance*. Staff training in the use of the Synergy IT system also continued to feature predominantly in 2005, however the emphasis moved away from external training provision to in-house training.

## NEW WEBSITE

During the reporting period the Board approved the allocation of resources to the development and implementation of a new PRB website. In 2006 the successful tenderer will commence work on the project, with completion likely by May.

As part of the implementation of the new website all of the Board's publications and forms will be reviewed and developed.

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## FINANCIAL REPORT

### Financial Statements

Section 23A of the PR Act requires that the accounts and financial statements of the Board shall be audited at the expense of the Board by an auditor appointed by the Board with prior approval of the Minister.

Rix Levy Fowler was appointed and approved to audit the 2005 accounts.

Section 23B of the PR Act requires that the Board shall, on or before 31 March in each reporting year, make and submit to the Minister an annual report of its proceedings for the preceding year ending on December 31, together with a copy of the financial statements and the auditors report.

### Board Statement on its Finances

In 2005 the Board reviewed the level of registration and other fees as part of its budget process and sought the Minister's approval for increases. As a consequence, increases in fees were implemented from 1 July 2005.

The financial outcome for 2005 is an operating deficit of \$12,845.



**Paul Marsh**  
**CHAIRMAN**



**Nigel Lilley**  
**REGISTRAR**

## Appendix A

# **AUDITED FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 2005**

## INDEX OF FINANCIAL REPORT For the Year Ended 31 December 2005

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**STATEMENT OF THE REGISTRAR  
FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005**

In the opinion of the Registrar of the Board the financial report as set out on pages 24 to 32:

1. Presents fairly the financial position of the Painters' Registration Board as at 31 December 2005 and its performance for the 12 month period ended on that date in accordance with the accounting policies described in *Note 1* to the Financial Statements.
2. The report has been properly prepared by a competent person.
3.
  - a) The Board has kept such accounting records as to correctly record and explain the transactions and financial position of the Board.
  - b) The Board has kept its accounting records in such a manner as would enable true and fair accounts of the Board to be prepared from time to time.

At the date of this statement, there are reasonable grounds to believe that the Board can meet its debts as and when they fall due.



**Nigel Lilley**

**REGISTRAR**

Dated this 24th day of March 2006.



**Rix Levy Fowler**  
CHARTERED BUSINESS ADVISORS

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Partners  
Phillip Rix FCA  
Jon Carcich CA  
George Lazarou CA  
Ranko Matic CA

BUSINESS ADDRESS  
Level 1,  
12 Kings Park Road,  
West Perth WA 6005

POSTAL ADDRESS  
PO Box 44  
West Perth WA 6872

Ph: 08 9226 4500  
Fax: 08 9226 4300  
[www.rixlevyfowler.com.au](http://www.rixlevyfowler.com.au)

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## **INDEPENDENT AUDIT REPORT TO THE MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005**

### **Scope**

We have audited the financial report, being a special purpose financial report comprising the Income Statement, Balance Sheet, Statement of Cash Flows, and notes to and forming part of the Financial Statements of the Painters' Registration Board for the financial year ended 31 December 2005. The Members of the Board are responsible for the financial report and have determined that the accounting policies used and described in Note 1 to the financial statements which form part of the financial report are appropriate to meet the requirements of Section 23(1) of the Painters' Registration Act 1961 (as amended). We have conducted an independent audit of this financial report in order to express an opinion on it to the Minister. No opinion is expressed as to whether the accounting policies used are appropriate to the needs of the members.

The financial report has been prepared for the purpose of fulfilling the requirements of the Painters' Registration Act 1961 (as amended). We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with the accounting policies described in Note 1 so as to present a view which is consistent with our understanding of the Board's financial position, and performance as represented by the results of its operations and its cash flows. These policies do not require the application of all Accounting Standards and other mandatory professional reporting requirements in Australia.

The audit opinion expressed in this report has been formed on the above basis.

### **Audit Opinion**

In our opinion the financial report presents fairly in accordance with the requirements of section 23(1) of the Painters' Registration Act 1961 (as amended) and the accounting policies described in Note 1 to the financial statements, the financial position of Painters' Registration Board as at 31 December 2005 and the results of its operations for the year then ended.

**Rix Levy Fowler**  
CHARTERED BUSINESS ADVISORS

**Ranko Matic**  
PARTNER

DATED at PERTH this 10<sup>th</sup> day of March 2006

**PAINTERS' REGISTRATION BOARD**  
**INCOME STATEMENT**  
**FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005**

Notes	2005 \$	2004 \$
<b>Income</b>		
Annual registration fees	468,464	445,187
Application fees	21,275	23,335
Certificate fees	2,020	1,920
Interest on investments	43,488	41,884
Publication and photocopy sales	10	36
Prosecutions recoveries	14,190	10,104
Other income	1,265	5
	-----	-----
<b>Total Income</b>	<b>550,712</b>	<b>522,471</b>
	-----	-----
<b>Expenditure</b>		
Administrative expenses	117,000	114,000
Advertising and promotion	4,579	14,683
Annual leave	(1,247)	11,410
Audit	2,500	2,565
Awards	700	0
Bad debts expense	0	1,873
Bank charges	4,147	3,343
Board members' fees	24,073	14,851
Consultant's fees	0	408
Debt recovery services	127	108
Depreciation	15,414	15,015
Doubtful debts	(4,247)	0
Examinations and assessments	5,098	11,618
Fringe benefits tax	3,216	3,243
Insurance premiums	4,529	4,369
Legal expenses	17,064	14,173
Long service leave	(8,988)	3,024
(Profit)/Loss on motor vehicle sales	(48)	0
Motor vehicle expenses	15,156	13,798
Other expenses	2,821	364
Postage and courier charges	1,357	1,517
Printing and stationery	10,100	10,833
Publications	1,145	1,074
Salaries – administration	84,845	82,422

The accompanying notes form part of this financial report.



**PAINTERS' REGISTRATION BOARD**  
**INCOME STATEMENT**  
**FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005**

<b>Notes</b>	<b>2005</b> \$	<b>2004</b> \$
<b>Expenditure (cont...)</b>		
Salaries – inspectors	205,960	156,173
Staff uniforms	918	0
Staff training	5,587	1,068
Superannuation	46,196	33,117
Telephones	3,450	2,338
Travelling and accommodation	2,105	1,637
	-----	-----
<b>Total Expenditure</b>	563,557	519,024
	-----	-----
<b>Operating Surplus (Deficit)</b>	<b>(12,845)</b>	<b>3,447</b>
	=====	=====

The accompanying notes form part of this financial report.

# PAINTERS' REGISTRATION BOARD

## BALANCE SHEET AS AT 31 DECEMBER 2005

	Notes	31 December 2005 \$	31 December 2004 \$
<b>Current assets</b>			
Cash		677,287	699,181
Interest accrued		2,731	4,568
Receivables	2	19,138	9,678
Prepayments		2,299	2,231
<b>Total current assets</b>		<b>701,455</b>	<b>715,658</b>
<b>Non-current assets</b>			
Property, plant & equipment	3	65,225	59,159
<b>Total non-current assets</b>		<b>65,225</b>	<b>59,159</b>
<b>TOTAL ASSETS</b>		<b>766,680</b>	<b>774,817</b>
<b>Current liabilities</b>			
Payables/Accrued Expenses		65,695	47,292
Trust Account		780	780
Registration fees in advance		2,072	320
Provision for Board Superannuation		711	5,924
Provision for employee entitlements		53,680	63,914
<b>Total Liabilities</b>		<b>122,938</b>	<b>118,230</b>
<b>NET ASSETS</b>		<b>643,742</b>	<b>656,587</b>
<b>BOARD FUNDS &amp; RESERVES</b>			
Balance at the beginning of the year		656,587	653,140
Operating Surplus		(12,845)	3,447
<b>TOTAL BOARD FUNDS &amp; RESERVES</b>		<b>643,742</b>	<b>656,587</b>

The accompanying notes form part of this financial report.

# PAINTERS' REGISTRATION BOARD

## CASH FLOW STATEMENT

FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005

	Notes	12 months to 31 December 2005	12 months to 31 December 2004
		\$	\$
<b>Cash flows from operating activities</b>			
Receipts from Registered Painters		492,017	470,948
Prosecution recovery		10,674	10,398
Payments to suppliers and employees		(549,755)	(459,662)
Interest received		45,326	38,508
Other income		1,275	356
		-----	-----
	5(b)	<b>(463)</b>	<b>60,548</b>
<b>Net cash flow provided by operating activities</b>		-----	-----
 <b>Cash flows from investing activities</b>			
Payments on purchase of plant and equipment		(21,431)	(0)
		-----	-----
<b>Net cash used in investing activities</b>		<b>(21,431)</b>	<b>(0)</b>
		-----	-----
 <b>Cash flows from financing activities</b>			
Repayment of related party borrowings		(0)	(0)
		-----	-----
<b>Net cash used in financing activities</b>		<b>(0)</b>	<b>(0)</b>
		-----	-----
 Net increase in cash held		(21,894)	60,548
Cash at the beginning of the financial year		699,181	638,633
		-----	-----
Cash at the end of the financial year	5(a)	<b>677,287</b>	<b>699,181</b>
		-----	-----

The accompanying notes form part of this financial report.

## PAINTERS' REGISTRATION BOARD

### NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005

#### NOTE 1 ACCOUNTING METHODS AND POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Board under the Painters' Registration Act 1961 (as amended). The Members of the Board have determined that the Board is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Painters' Registration Act 1961 (as amended) and the following Australian Accounting Standards:

AASB 101: Presentation of Financial Statements  
AASB 107: Cash Flow Statements  
AASB 108: Accounting Policies, Changes in Accounting Estimates and Errors  
AASB 110: Events after the Balance Sheet Date  
AASB 1031: Materiality

No other Australian Accounting Standards, Urgent Issues Group Interpretations or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

The financial report has been prepared on an accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following specific accounting policies, which, unless otherwise stated, are consistent with the previous year, have been adopted in the preparation of this financial report:

(a) Depreciation

Depreciation is calculated on the diminishing value basis in order to write the assets off over their useful economic life. The rates of depreciation used for each class of assets are:

<u>Class of Asset</u>	<u>Depreciation Rate</u>
Office furniture, fittings and equipment	15%-20%
Motor vehicles	20%

## PAINTERS' REGISTRATION BOARD

### NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005

(b) Income tax

No provision for income tax is necessary as the organisation is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

(c) Employee Entitlements

A liability for annual and long service leave is recognised in respect of services provided up to balance date. No material liability exists for sick leave.

#### NOTE 2 RECEIVABLES

	31 December 2005	31 December
2004		
	\$	\$
Registration fees	3,196	2,414
Prosecutions	14,301	10,785
	-----	-----
	17,497	13,199
Less: Provision for doubtful debts	(3,820)	(8,068)
	-----	-----
	13,677	5,131
Net GST refundable	5,461	4,547
	-----	-----
	<b>19,138</b>	<b>9,678</b>
	-----	-----

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**PAINTERS' REGISTRATION BOARD**

**NOTES TO AND FORMING PART OF THE FINANCIAL REPORT  
FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005**

**NOTE 3      PROPERTY, PLANT & EQUIPMENT**

	<b>31 December 2005</b>	<b>31 December 2004</b>
	<b>\$</b>	<b>\$</b>
Office furniture, fittings and equipment – Cost	1,736	1,736
Less: Accumulated depreciation	(1,107)	(951)
	-----	-----
	<b>629</b>	<b>785</b>
	-----	-----
Motor vehicles – Cost	76,750	81,007
Less: Accumulated depreciation	(12,154)	(22,633)
	-----	-----
	<b>64,596</b>	<b>58,374</b>
	-----	-----
<b>Total property, plant and equipment</b>	-----	-----
	<b>65,225</b>	<b>59,159</b>
	-----	-----

**PAINTERS' REGISTRATION BOARD****NOTES TO AND FORMING PART OF THE FINANCIAL REPORT  
FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005****NOTE 4 ADMINISTRATION EXPENSES**

Administration expenses relates to charges from the Builders' Registration Board of WA for the use of premises, staff and equipment provided and financed by the Builders' Registration Board of WA, and consists of the following:

	<b>31 December 2005</b>	<b>31 December 2004</b>
	<b>\$</b>	<b>\$</b>
Office expenses	9,300	9,000
Postage	1,000	1,000
Printing and stationery	1,600	1,500
Machine hire	2,900	2,800
Rent	14,100	13,700
Repairs and maintenance	300	300
Salary – Administration	82,400	80,300
Telephone	3,600	3,600
Motor vehicle expenses	1,800	1,800
	<b>117,000</b>	<b>114,000</b>

The recharge was reviewed in 2004 and an annual recharge of \$117,000 was applied from 1 January 2005.

## PAINTERS' REGISTRATION BOARD

### NOTES TO AND FORMING PART OF THE FINANCIAL REPORT FOR THE PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005

#### NOTE 5 CASH FLOW INFORMATION

(a) Reconciliation of cash

For the purposes of the statement of cash flows, cash includes cash on hand and in banks, net of outstanding bank overdrafts, and short term money market balances. Cash at the end of the financial year is reconciled to the related items in the balance sheet as follows:

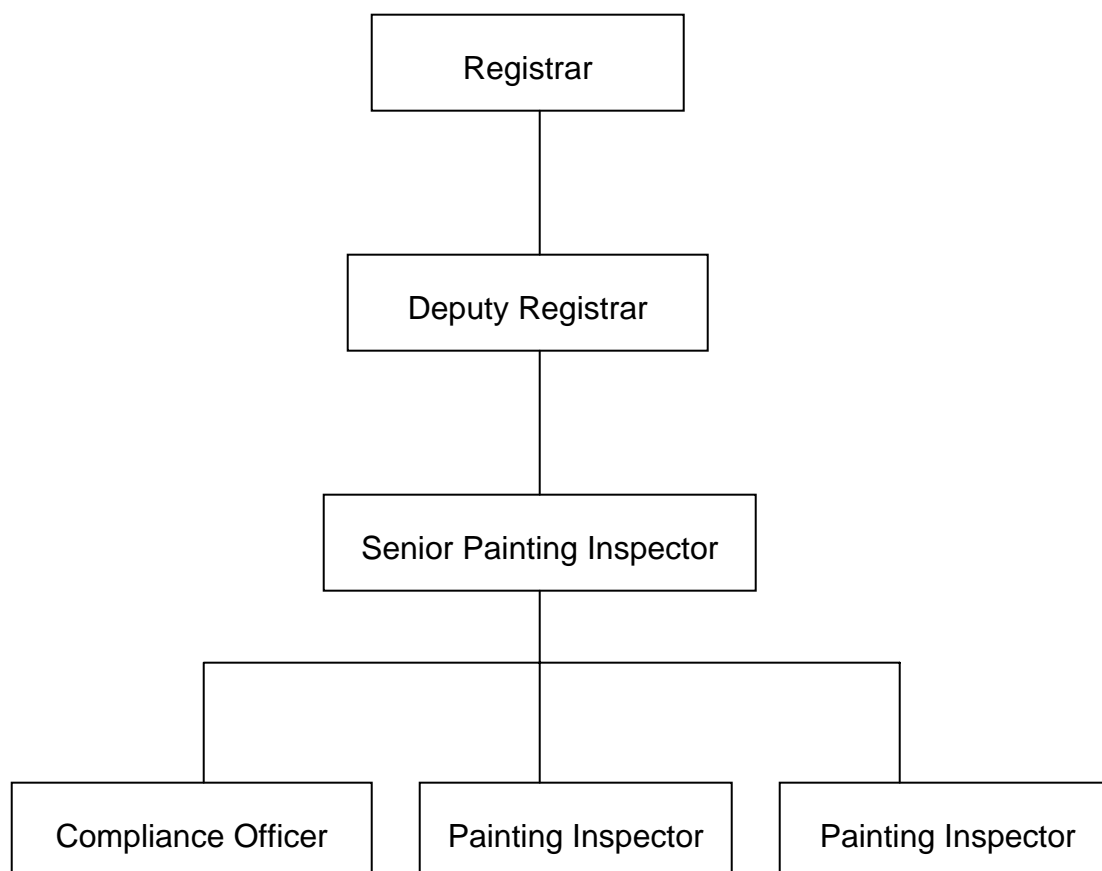
	31 December 2005	31 December 2004
	\$	\$
Cash on hand	800	550
Cash at bank – General Account	43,115	101,756
Cash on short term deposits	633,372	596,875
	-----	-----
	<b>677,287</b>	<b>699,181</b>
	-----	-----

(b) Reconciliation of net cash flow from operating activities to operating surplus/(deficit)

	31 December 2005	31 December 2004
	\$	\$
Operating surplus/(deficit) for the period	(12,845)	3,447
Non cash flows in operating surplus/(deficit):		
- (profit)/loss on sale of motor vehicles	(48)	0
- depreciation	15,414	15,015
- bad debts and doubtful debts	(4,247)	0
- provision for board superannuation	0	(1,076)
Net movement in assets and liabilities:		
- (increase)/decrease in receivables	(4,988)	(2,732)
- (increase)/decrease in prepayments	(68)	(92)
- (increase)/decrease in accrued interest	1,837	(3,374)
-(increase)/decrease in undeposited funds	(160)	0
-increase/(decrease) in sundry creditors	52,602	(3,575)
-increase/(decrease) in accrued expenses	(34,424)	38,181
-increase/(decrease) in fees in advance	1,912	320
-increase/(decrease) in provision for employee entitlements	(10,235)	14,434
-increase/(decrease) in provision for board superannuation	(5,213)	0
<b>Net cash provided by operating activities</b>	<b>(463)</b>	<b>(60,548)</b>



## Organisational Chart



## Appendix C

INFORMATION STATEMENT: FREEDOM OF INFORMATION INDEX		
	Page	Reference
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Mission and Objectives	7	FOI/2
Legislation administered	7	FOI/3
Organisational structure	9	FOI/4
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Operation of FOI: How applications are dealt with	12	FOI/8

## Appendix D

Applications made to the State Administrative Tribunal under Section 18 of the *Painters' Registration Act 1961* seeking a review of a decision of the Board refusing, cancelling, suspending registration, or refusing re-registration.

Name	Date	Outcome
A.I.Kukulj & J.J.Kukulj	28/02/2005	Registration reinstated
BATHER, Tim	03/02/2005	Registration reinstated
BEARD, Ashley	29/03/2005	Registration reinstated
BELL, Graeme	25/02/05	Outstanding
BRANDENBURG, Guy	11/02/2005	Registration reinstated
CATS, Cornilus	16/02/2005	Registration reinstated
CAWLEY, James	31/01/2005	Registration reinstated
Cleanwalls Pty Ltd	15/02/2005	Registration reinstated
CONWAY, Bryan	11/03/2005	Registration reinstated
CURREN, Michael	03/03/2005	Registration reinstated
DENNY, Albert	16/02/2005	Registration reinstated
DIX, Craig	21/03/2005	Registration reinstated
DIXON, Andrew	29/03/2005	Registration reinstated
FLOYD, Jeffrey	03/03/2005	Registration reinstated
GENTILLI, John	25/02/2005	Outstanding
HANRAHAN, Kelvin	04/02/2005	Registration reinstated
HANTKE, Scott	28/04/2005	Outstanding
Heathridge Painting Service	11/03/2005	Registration reinstated
HIGGINS, Murray	22/03/2005	Registration reinstated
KERRISON, Nicholas	08/03/2005	Registration reinstated
KUKULJ, Joseph	28/02/2005	Registration reinstated
KYLE, Michael	02/02/2005	Registration reinstated
LEE, Darren	09/03/2005	Outstanding
LENNOX, William	15/02/2005	Registration suspended
LOUIS, Joseph	22/03/2005	Registration Cancelled
NEELING, Johannes	27/01/2005	Registration reinstated
NESBIT, John	31/03/2005	Outstanding
ONCU, Omer	18/02/2005	Registration reinstated
One2 Pty Ltd	23/03/2005	Registration reinstated
SKIPWORTH, Jeffrey	20/07/2005	Registration reinstated
SMITH, Craig	31/03/2005	Re-registration refused
STEEL, James	21/04/05	Outstanding
STOHS, Jan	10/08/05	Outstanding
WILSON, Barry	10/02/2005	Outstanding
WYLES, Murray	10/03/2005	Registration reinstated

## Appendix E

### PROSECUTIONS

In 2005 the Board commenced the following prosecutions pursuant to section 4(1) and 16G of the *Painters' Registration Act 1961*.

Name	Section	Fine	Costs
Allutech Coatings Pty Ltd	4(1)	\$200	\$269
ASLETT, Anthony	4(1)	\$800	\$437
BAYLEY, Lyn Elizabeth	4(1)	\$100	\$223
BAYLEY, William Stanley	4(1)	\$300	\$223
CJ & M Maquire Pty Ltd	16G	\$150	\$342
DANN, Mark	4(1)	\$250	\$306
HALL, Ronald Victor	4(1)	\$250	\$325
HRVATIN, Srecko Serge	4(1)	\$1000	\$309
NEWBLE, Kevin	4(1)	\$500	\$150
PLEWRIGHT, Glen	4(1)	\$300	\$300
ROBINSON, Jason	4(1)	\$750	\$150
ROBINSON, Trevor Thomas	4(1)	\$750	\$150
SABINE, Glen	16G	\$500	\$329
SABINE, Glen	4(1)	\$1000	\$306
WARRILOW, Darren	4(1)	\$750	\$150

