National Electrical Contractors Ireland

NECI - Ireland's largest Trade Association For Electrical Contractors

Check our website for updates www.neci.ie

National Electrical Contractors Ireland.
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Ms Geraldine Larkin CEO
The Private Security Authority,
Davis Street,
Tipperary Town,
Tipperary.

Re: Licensing of alarm installations & Proposed Licensing of Installation / Maintenance of CCTV Systems

20th April 2010

Dear Ms Larkin,

Following a meeting with an NECI delegation at your office in 2009, at which our Members' anger, and not to mention the Electrical Contracting industry concerns and dissatisfaction, with the PSA licensing and processes, was comprehensively and logically outlined. Its now abundantly clear to NECI the issues raised have fallen on deaf ears and completely ignored.

NECI say and believe, that the Private Security Authority (PSA) are in direct contravention to an BUNREACHT NA hÉIREANN (The CONSTITUTION OF IRELAND) as per articles cited hereafter.

CONSTITUTION OF IRELAND

Personal Rights

Article 40

3. 1° The State guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen.

   2° The State shall, in particular, by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name, and property rights of every citizen.

DIRECTIVE PRINCIPLES OF SOCIAL POLICY

Article 45

2. The State shall, in particular, direct its policy towards securing:

   i. That the citizens (all of whom, men and women equally, have the right to an adequate means of livelihood) may through their occupations find the means of making reasonable provision for their domestic needs.

   iii. That, especially, the operation of free competition shall not be allowed so to develop as to result in the concentration of the ownership or control of essential commodities in a few individuals to the common detriment.

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3. 1° The State shall favour and, where necessary, supplement private initiative in industry and commerce.

2° The State shall endeavour to secure that private enterprise shall be so conducted as to ensure reasonable efficiency in the production and distribution of goods and as to protect the public against unjust exploitation.

2. Laws enacted before, but expressed to come into force after, the coming into operation of this Constitution, shall, unless otherwise enacted by the Oireachtas, come into force in accordance with the terms thereof.

We also say and believe that the Private Security Authority (PSA) is in direct contravention to the State's own Training Agency Fás and its predecessor ANCO. The current standards-based apprenticeship system *(see attached Trade Electrician Phase 7 on-the job)* issued by the Certification & Standards Department of Fás and the previous block release apprenticeship included in their examinations and syllabus and issued qualifications to qualify electricians to carry out such works .

The PSA's insistence in initiating various licences upon electricians who are already qualified to carry out this work**,** undermines the very qualifications possessed by every electrician who served an apprenticeship in Ireland with either Fás or ANCO, contravening the States' single Training Authority and the entire Apprenticeship system.

Your Mission Statement reads,

*' The Government of Ireland through the Private Security Services Act, 2004 ..... it is the aim of the Authority to use the statutory regulation and enforcement powers provided to it to introduce **positive**, fundamental change in the industry. Our purpose is to instil customer and public confidence in this multi-stranded, multi-faceted business with the introduction, control and management of a comprehensive, **standard driven**, licensing system for all individuals and companies involved in the industry and to do so in a manner that is **sensitive** to the needs of the market.'*

You are in fact acting contrary to key points of your own Mission Statement highlighted above.

Due to the prohibitive financial burden, additional documentation, records and administrative costs incurred by obtaining and maintaining a licence, small to medium-sized Electrical Contractors are now restricted from providing this service, despite the fact that they are qualified and have traditionally carried out this work.

The cost imposed on the small and medium-sized Electrical Contractor has forced many to either break the law of the land or cease from carrying out any Intruder Alarm works and will do likewise for the proposed Access Control and CCTV works, and will only encourage growth of the 'black-market' economy.

As was pointed out to you at the meeting, the existing Installer (Intruder Alarm) licensing system is flawed in many aspects. It was clearly highlighted to you at that meeting, the entire system only aids

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the larger firms, in an **anti-competitive** manner resulting in removing or impeding the smaller Electrical Contractor, who may wish to compete for such works.

NECI believe that a **time-served qualified electrician** is the only competent person who can carry out work with electricity whether high voltage, low voltage or extra low voltage, as is defined in the **ETCI rules and regulations. The ETCI rules and regulations are** the only recognised lawful rules for electrical installation works in Ireland *(see attached*).

Every apprentice electrician in Ireland has been trained according to the ETCI rules and regulations.

Their technical qualifications, issued by either FÁS or ANCO, qualify those who have successfully completed their four year apprenticeship, both on and off the job training and who have passed their junior and senior trades examinations, for operating on electrical works.

The PSA have ignored this fact and set up a licensing system to suit the large alarm companies, many of whom do not employ electricians or indeed employ failed apprentice electricians who possess no qualifications.

The class and type of work has traditionally always been graded by the voltage rating, not by the type of equipment being electrically supplied. An electrician is the most multi-faceted tradesman within the construction sector. Is it your intention to licence each element one by one? If so you would have to initiate in excess of 100 licences.

These regulations only create a prejudiced licensing system, which acts against the small and medium-sized electrical contractor and hinders and stops the smaller firms from carrying out this element of electrical works.

The PSA has <u>no authority</u> to take employment from our Members, who are qualified time-served Electricians, trained and qualified in installing *Intruder Alarms, CCTV, Access Control, Emergency Lighting, and Fire Alarms*, which are just a few of the many facets an Electrician must be competent in.

We represent mainly smaller Electrical Contractors and we are concerned that the current and proposed new requirements for Licensing, is an erosion of the scope of work which can be undertaken by our members.

A change of this magnitude, to the scope of work and to the <u>lowering of the standard</u> of the qualifications of those who can carry it out, must raise grave concerns in relation to **Health and Safety,** not alone to the persons carrying out the works but also to that of the Customer.

No such changes should ever have been made, without a comprehensive discussion and consultation with the Stakeholders of the industry and by initiating a transparent system, whereby a democratic process is put in to place, which is fair and equitable to all those Electrical Contractors who currently and whom for many, many years, have carried out these activities.

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It seems to us that the technical requirements required by your licensing system are far lesser that those already in the remit of a qualified electrician.

We are demanding that Electrical Contractors who are time-served qualified electricians, are automatically licensed to install any *Intruder Alarms, CCTV, Access Control, Emergency Lighting, and Fire Alarms* etc. and **all facets and activities** that they presently are entitled to by virtue of their qualifications, at no extra cost to their business, as is their right and entitlement to do so by virtue of their qualification awarded to them by Fás, ANCO or indentured through their Qualifying Electrical Contractor.

The PSA must desist from implementing this unrealistic, anti-competitive, unconstitutional activity, which will not create jobs, but will in fact reduce the scope of work of the Electrical Contractor and cost more jobs in this industry.

NECI will not tolerate any further dilution of the qualifications of our industry. We look on this process as a direct attack on our qualifications, our livelihoods and our Constitutional right to earn a living and we reserve the right to seek legal advice or retribution through the courts if you do not address this situation with immediate effect.

Yours sincerely,

Denis Judge

Chief Executive Officer

National Electrical Contractors Ireland (NECI)