

Media Release

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Government of South Australia

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Light pole complaint leads to disqualification

The District Court handed down disciplinary penalties against Livia Walencykiewicz and Edmund Walencykiewicz.

The Office of Consumer and Business Affairs (OCBA) became aware of the unlicensed activity of Lesae Pty Ltd (now in liquidation), of which Livia Walencykiewicz, was the company director. This resulted from the company's involvement in the installation of light poles at Robe Terrace Medindie. Edmund Walencykiewicz performed electrical work and at the Assembly of God Church in Paradise, without being registered as an electrical worker.

The Court disqualified Livia Walencykiewicz from being licensed or registered as a worker under the *Plumbers, Gas Fitters and Electricians Act 1995*, prohibited her from being employed in the business of an electrical contractor and prohibited her from being a director of a body corporate that is an electrical contractor, all until further order. Livia was also disqualified from being licensed under the *Building Work Contractors Act 1995*, prohibited from being employed or otherwise engaged in the business of a building work contractor and prohibited from being the director of a body corporate that is a building work contractor, until further order.

Mr Edmund Walencykiewicz was also disqualified from being licensed or registered as an electrician, and prohibited from being a director of a body corporate that is an electrical contractor, all until further order.

The Commissioner for Consumer Affairs, Mark Bodycoat, said that disciplinary action was necessary to ensure that the Walencykiewiczs' did not continue to operate as contractors, as directors of contractors, or perform work without a licence or registration.

"All contractors working in the South Australian building industry are required to be appropriately licensed. So are many tradespeople, such as plumbers, gas fitters and electricians. This helps to ensure they can work competently and safely."

In November 2004 Lesae Pty Ltd and Livia were convicted and fined for carrying on business as an electrical and building work contractor without the appropriate licence. Lesae Pty Ltd is now in liquidation. Edmund was convicted of aiding and abetting Lesae Pty Ltd to trade unlicensed and was ordered to perform community service.

Lesae Pty Ltd was also prosecuted under the *Occupational Health, Safety and Welfare Act*, over an industrial accident that occurred when installing street lighting on Robe Tce. A contractor was killed in that accident, and another was injured.

"This highlights the risks associated with unlicensed activity. There is a safety risk to the public and to the operators. If a business or person works unlicensed, they risk being caught and facing disciplinary action, because of the risks they pose."

To find a licensed tradesperson or to verify someone's licence details, consumers are encouraged to visit the Licensing Public Register at www.ocba.sa.gov.au or telephone 8204 9696.