

14 March 2022

NSW Fair Trading
Policy Department
60 Station Street East
Parramatta NSW 2150

Comments re Proposed Changes to the Motor Dealer & Repairers Act 2013 - Qualified Locksmiths Undertaking Automotive Locksmithing Activities

The Master Locksmiths Association of Australasia Ltd (MLAA) fully supports licencing for both businesses and individuals engaged in the repair of motor vehicles. We also support the requirement for all individuals undertaking such repairs to be suitably qualified.

Automotive “repair” work has been an activity undertaken by locksmiths for decades, and it is certainly something the majority of our Business Members in New South Wales (and throughout Australia and New Zealand) still do on regular basis. Motor vehicles have changed significantly, but the training undertaken at TAFE level and also provided by reputable industry suppliers has ensured locksmiths still have the required skills to work on most modern vehicles.

We recognise that locksmiths engaging in automotive repair work should already be licenced. Perhaps they have flown under the radar for many years and not come to the attention of Fair Trading due to a lack of consumer complaints? We also recognise that the consumer must ultimately be protected from unqualified tradespersons.

The reality is that very few locksmiths hold and Motor Vehicle Tradesperson Certificate (MVTC) and very few locksmith businesses hold a Motor Vehicle Repairer Licence (MVRL). We believe that while most of our Business Members (locksmith businesses) would meet the requirements to hold a MVRL, they are unlikely to employ a person who holds a MVTC to undertake the activities, and as the Cert III in Locksmithing is not currently considered a suitable qualification for the granting of a MVTC, their tradespersons are not able to obtain a MVTC without undertaking further training.

The Association would like to see the Cert III in Locksmithing (MEM30819) added to the list of acceptable qualifications for the issuing of a MVTC. The MEM30819 Training Package undertaken by locksmiths as part of a 4-year Apprenticeship includes several automotive units, as well as units that cover the cutting of keys and assembly and testing of lock mechanisms.

The following Units of Competency in the MEM30819 training package specifically cover automotive locksmithing:

- MEM20010 – Gain entry and reinstate automotive locking systems
- MEM20012 – Service and repair mechanical automotive locking systems
- MEM20013 – Service automotive transponder systems

There are two other Units of Competency that support locksmiths undertaking automotive work:

- MEM20001 – Produce keys
- MEM20002 – Assemble and test lock mechanisms

MEM20001 and MEM20002 cover a wide range of keys and locks, not just automotive locks. The skills acquired are very much applicable to the automotive repair sector. The principles around producing keys and assembling and testing lock mechanisms are very similar for all types of keys and locks. Locksmiths must be able to identify numerous types of keys and locks, cut keys to code using sophisticated key cutting equipment and industry recognized software, read and recognize the cuts on a key, read and recognise the wafers within a lock assembly, and more.

Our concern, and that of our Business Members, is that locksmiths will soon be unable to undertake something that have done professionally and competently for many years without risking a substantial fine for working as an unlicensed operator. Our Business Members accept that their tradespersons need to obtain a MVTC, however, they feel they should not be forced to undertake another trade qualification when their existing qualification includes training in the type of motor vehicle repairs regularly carried out by locksmiths. Even if they wanted to undertake additional training to get the required Cert II, there is nothing available unless they effectively “re-Apprentice” under a suitably qualified “automotive” tradesperson.

As mentioned in the opening paragraph, the Association and its Business Members fully support the licencing of anyone engaged in automotive repair work. Our Business Members currently need to hold a Master Licence with the Security Licencing & Enforcement Directorate (SLED) for their business, and all individuals engaged in security work must hold an Individual Security Licence.

The Association also understands the importance of consumers being protected from unqualified operators and unscrupulous operators, as well as the importance of the Motor Dealers and Repairers Compensation Fund.

The Association believes locksmiths with a Cert III in Locksmithing should be able to obtain a Motor Vehicle Repairers Certificate, however, they should also be limited in the motor vehicle repair activities they can undertake.

The Association believes these activities should be limited to the following activities:

- Gain entry to a vehicle using bypass methods
- Gain entry to a vehicle using lock manipulation techniques (e.g., opening a door lock open using picking and decoding tools)
- Produce a physical key for a motor vehicle
- Cut and program a key for a motor vehicle via On-board Diagnostics (OBD)
- Cut and program a key for a motor vehicle using Electrically Erasable Programmable Read-Only Memory (EEPROM) techniques
- Program a transponder or proximity key for a motor vehicle under a “lost key” scenario via On-board Diagnostics (OBD)
- Program a transponder or proximity key for a motor vehicle under a “lost key” scenario using EPROM techniques
- Program a remote for a motor vehicle
- Service, repair or replace physical locks on a motor vehicle, including ignition locks, door lock and boot locks
- Rekey or recode physical locks on a motor vehicle, including ignition locks, door locks and boot locks

This model has been successfully used in the State of Western Australia for several years. Any person working on a motor vehicle (basically touching the vehicle, not over the counter activities such as key cloning) must hold a Motor Vehicle Repairers Certificate (MVRC). The Department of Mines, Industry Regulation & Safety (DMIRS) is the department responsible for issuing the MVRL. The DMIRS accepts the current Cert III in Locksmithing as a suitable qualification for the issuing of a MVRC.

The Association is requesting that NSW Fair Trading give due consideration to allowing locksmiths with a Cert III in Locksmithing to be able to obtain a Motor Vehicle Tradesperson Certificate. We believe by restricting automotive locksmithing activities undertaken by locksmiths to the above-listed activities, consumers can be confident that a locksmith with a MVTC is suitably skilled, and they are adequately protected.

Your sincerely,



Peter Johnson
Chief Executive