



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI

**TOURISM BRANCH,  
LABOUR, SCIENCE  
AND ENTERPRISE**



# Summary of submissions

## Freedom Camping Regulations Discussion Document

**9 November 2022**

## Executive summary

The Ministry of Business, Innovation & Employment (MBIE) consulted on a set of options for the following matters proposed to be prescribed in regulations to support the Self-Contained Motor Vehicles Legislation Bill (Bill):

- the technical requirements that vehicles must meet in order to be certified self-contained
- criteria for approval as a self-containment certification authority and vehicle inspector competency requirements
- format of self-containment Certificate and Warrant
- infringement offence fees and fines
- exclusions from regulatory requirements
- a Self-Containment Certification Monitoring Levy and an Application Fee for approval as a self-containment Certification Authority.

Public consultation on the freedom camping Regulations was undertaken from 8 September 2022 for a period of four weeks. MBIE held three forums to provide an overview of the Regulations Discussion Document and answer questions. A total of 122 complete submissions were received - 83 from individual submitters and 39 from businesses or organisations (including local/central government). Eleven local government bodies and one central government body submitted on the Regulations.

Across all submissions, there was generally a preference for the most effective, practical option(s) which imposed the lowest costs across the entire freedom camping system. In particular, there was a clear consensus that:

- light-touch performance-based technical requirements are preferred over a prescriptive approach to setting technical requirements
- a robust approach to certification authority approval criteria and vehicle inspector competency requirements, with multiple pathways, is preferred instead of more rigorous and prescriptive options
- requiring vehicle inspectors to be knowledgeable rather than requiring them to have a trade qualification or be subject to an independent assessment of their background and conduct is preferred
- continuing to record the details of a vehicle's self-containment facilities on the self-containment certificate is preferred, rather than a simplified certificate
- tiered approach to the level of infringement fees at a maximum of \$800, rather than a maximum of \$1,000, is preferred
- in the case of an administrative error on the part of the Plumbers, Gasfitters and Drainlayers Board or a certification authority, or on issues on fairness, submitters prefer that the Registrar of self-contained vehicles can grant a refund.

On several other issues, respondent views were more mixed. A majority of individual submitters disagree with the option to deem certifying plumbers as certification authorities and vehicle inspectors under regulations. Many had concerns about the experience level among plumbers to certify vehicles as self-contained and their capacity to complete the work. Businesses and organisations were much more supportive of this approach, noting that it would widen the pool

of certification authorities and vehicle inspectors to better ensure vehicle owners have access to a certifier.

A similar pattern was observed on the issue of generic identifiers (the current blue sticker) and whether there should be any exclusions to the new regulatory requirements. Individual submitters were more supportive of keeping the generic identifier, while many organisations (including local authorities charged with enforcing the new regime on local authority land) believed they were not useful and served to undermine the integrity of the self-containment standard.

On the issue of exclusions, again, there was a view from organisations that the new regime should be as simple and easy to manage as possible, and adding exclusions would simply cause confusion amongst the public and make it difficult to enforce. In comparison, the majority of individual submitters supported exempting smaller vehicles from the regulatory requirements, commenting that a 'one size fits all' approach to the requirements is not appropriate.

Finally, on the issue of levies and fees, there was not clear support for one option over another. A significant portion of individual submitters disagreed with all of the levy amounts, but supported the lowest amount over the others. This likely reflects their self interest in not having to pay more, rather than necessarily a reflection that the level of service provided by the regulator to educate, inform and support self-containment across the system be at the lowest level described. However, some businesses and organisations supported the higher levy options in acknowledgement of the lowest option not being enough to cover implementation costs.

Many individual submitters expressed general disagreement with the freedom camping reforms regarding the fixed toilet requirements, the effect on people experiencing homelessness and the liability of rental companies for infringement fees, for example. Submitters were encouraged to make a submission to Select Committee if they had comments relating to the Bill rather than the Regulations.

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# Introduction

## ***Background***

The Self-Contained Motor Vehicles Legislation Bill (Bill) defines freedom camping as staying for free in a vehicle or tent, within 200 metres of where you can drive, the coast, or a Great Walks Track. Such camping is a small but highly visible part of both domestic and international tourism. Freedom campers travel widely, spending money in New Zealand communities, and some contribute in other ways, such as participating in the seasonal workforce and volunteering. In 2019, international visitors who freedom camped at some point during their trip spent an estimated \$645 million<sup>1</sup>. That year, an estimated 245,000 people freedom-camped, 63% of whom were international visitors.

The actions of some vehicle-based freedom campers are adversely impacting the natural environment and communities. Steadily increasing numbers of freedom campers over recent years have generated concern from communities about freedom campers' cumulative impact on the environment and the cost of hosting them. Of particular concern are freedom campers who stay in cars, or vans with sleeping platforms, that are not self-contained.

## ***Freedom camping reforms***

The Government introduced the Self-Contained Motor Vehicles Legislation Bill (Bill) to Parliament on 25 August 2022. The purpose of this Bill is to improve the sustainability of freedom camping in New Zealand, protect the natural environment and local communities' enjoyment of it, and support people to freedom camp responsibly in self-contained vehicles.

To fully implement the freedom camping changes, the Bill requires regulations to be made. Regulations will set out the technical detail to underpin the law and implement the Government's freedom camping reforms, including the technical requirements that vehicles must meet to be certified as self-contained, fees and levies, and infringement fee levels.

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<sup>1</sup> 'Responsible Camping Research 2019/20' by Fresh Info - commissioned by MBIE.

# The consultation process

## *What we consulted on*

A Regulations Discussion Document was publicly released by MBIE on 8 September 2022. It contains a set of options for the following matters proposed to be prescribed in regulations:

- the technical requirements that vehicles must meet in order to be certified self-contained
- criteria for approval as a self-containment certification authority and vehicle inspector competency requirements
- format of self-containment Certificate and Warrant
- infringement offence fees and fines
- exclusions from regulatory requirements
- a Self-Containment Certification Monitoring Levy and an Application Fee for approval as a self-containment Certification Authority.

Prior to the release of the Discussion Document, MBIE established a cross-sector Technical Advisory Group to help with the development of some of the proposals. The Group is made up of a range of key stakeholders impacted by the Regulations, including issuing authorities, Taituarā (representing local government), vehicle associations, camping organisations and regulators, for example. We thank the group members for their time and willingness to provide constructive feedback.

Public consultation on the freedom camping Regulations was undertaken from 8 September 2022 for a period of four weeks. The purpose was to understand how the options presented in the Discussion Document would impact individuals and organisations throughout Aotearoa New Zealand. Submissions could be made via online survey or written submission.

The options were discussed at Tourism Industry Aotearoa's Responsible Camping Forum, which brings together representatives from across the tourism industry and local government to discuss freedom camping regulations and to answer questions.

We also hosted two public webinars to provide context and information for the public about the proposed freedom camping Regulation changes and an opportunity to answer questions.

## *Who submitted*

We received a total of 122 complete submissions on the Regulations<sup>2</sup>, 83 from individual submitters and 39 from businesses or organisations. Eleven local government bodies and one central government body submitted on the Regulations.

A breakdown of submitter type by category is below.

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<sup>2</sup> The survey attracted 202 responses, 122 of which we considered complete. This is explained further in the methodology section.

Table 1: Breakdown of submitter by category

Submitter type:	Count
Individual	79
Business (tourism)	15
Local Government (or related entity)	11
Self-containment testing officer	7
Industry peak body	5
Business (vehicle)	4
Camping organisation	4
Self-containment issuing authority	2
Business (other)	1
Central government	1
Not-for-profit or club	1
Iwi, hapū or Māori organisation	0
<b>Total</b>	<b>130</b>

Submitters self-identified the category that best describes their role (**Table 1**). Submitters that selected 'other' were then grouped into existing or new categories where they fit best<sup>3</sup>.

Because individuals could select more than one category to describe themselves, there were 130 responses to this question from 122 submitters (**Table 1**). For example, some submitters selected that 'individual' and 'self-containment testing officer' best describes their role(s).

Two organisations currently undertaking self-containment certification submitted on the Regulations: the New Zealand Motor Caravan Association and New Zealand Lifestyle Camping Limited. Their key views have been incorporated where appropriate.

<sup>3</sup> For example, industry peak bodies originally did not have a category assigned, so this was added.



## How this document works

### *What this document includes*

The purpose of this document is to summarise feedback received through public consultation on the Regulations. It does not provide a response to the concerns or suggestions raised by submitters through the consultation. This commentary will inform advice to Government on decisions regarding the Regulations.

This document is structured around the following themes in the Discussion Document:

- technical requirements for self-contained vehicles
- self-containment certification authority approval criteria
- competency requirements for vehicle inspectors
- deeming certifying plumbers as certification authorities and vehicle inspectors
- self-containment documentation
- infringement fees and fines
- exclusions from regulatory requirements
- levies and fees.

Feedback is mostly summarised in relation to the options preferred by MBIE to understand how the views of the public compare to MBIE's. The preferred options are those that most closely align with the following outcomes: environmental protection, building public trust and confidence in the self-contained vehicle system, and are light-touch in terms of the burden placed on participants in the regulatory system.

Where appropriate, feedback is segmented by the following categories to account for differences in weightings for the data findings:

- **Individual submissions.** This refers to submissions from the general public, and constitutes all individual written and online survey submissions.
- **Businesses and organisations.** This refers to the businesses and organisations that provided written or online survey submissions, and includes local authorities, industry peak bodies, vehicle businesses and tourism businesses, for example.

In some cases, data has been segmented further to understand the differences in perspectives for different stakeholder groups.

### *What this document does not include*

This document does not provide the rationale behind each of MBIE's preferred options. This information can be found in the Regulations Discussion Document available on the MBIE website.

This document also does not incorporate comments or suggestions noted in submissions on the Regulations that relate to the Bill. During the submission process, we encouraged submitters (who provided their email) to make a submission to Select Committee if they had comments regarding the Bill, so that they could be considered through this process.

Names of individuals that submitted have not been published in this document.

## ***Caveats around interpreting the feedback***

Most submitters provided their opinion of the specific regulatory options that were most applicable to their circumstances or that they would be most impacted by, rather than the full suite of options proposed. For example, many local government submissions were focussed on certain parts of the Regulations Discussion Document, such as self-containment documentation, infringement fees and fines, and exclusions from the regulatory requirements.

This should be considered when interpreting feedback on the options regarding technical requirements, for example, as the perspectives on these options will largely represent the views of individuals compared to local government bodies.

In addition, the perspectives summarised in this document reflect those who participated in the public consultation and cannot be attributed to the wider population. The purpose of this document is to highlight the common themes and views which were shared with us.

## **Methodology**

Submissions received via written correspondence were inputted into the survey submission template by MBIE. Any free text that could not be attributed to a particular question was inputted into the 'general comments' box at the end of the survey, which is attached as **Annex One**. A total of 25 written submissions were manually assessed and inputted into the survey, and these were predominantly from organisations and local government bodies.

A total of 202 survey responses were collected via online survey tool 'Survey Monkey'. Responses from those who did not complete the whole survey (i.e. they did not answer the final two compulsory questions<sup>4</sup>) were considered incomplete and therefore excluded from the analysis.

Analysis was completed using a statistical programming tool called 'R'. The survey data was ingested in R, and shaped into a usable format that allowed MBIE to group and interpret the data. The data was then aggregated and summarised into tables and visualisations, which are included throughout this report.

The text across all questions and submissions was manually assessed by MBIE to determine common themes and issues. A sample of text has been selected based on common themes throughout the submissions. Key comments from businesses, organisations (including submissions from the two organisations currently undertaking self-containment certification) and local government bodies, that relate to specific sections of the Regulations have been incorporated where appropriate.

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<sup>4</sup> Refer to Annex One - Questions 58 and 60.

## Technical requirements for Self-Contained vehicles

Technical requirements are a set of standards that a vehicle’s self-containment facilities must meet to be certified self-contained. They provide assurance that a vehicle’s self-containment facilities are fit for purpose. A vehicle would be assessed by a vehicle inspector to ensure that it meets the requirements, and vehicles that passed their assessment would be certified self-contained. The Self-Contained Motor Vehicles Legislation Bill provides for technical requirements to be prescribed in regulations.

### What we asked

We asked the public for feedback on two options for how technical requirements could be prescribed in regulations.

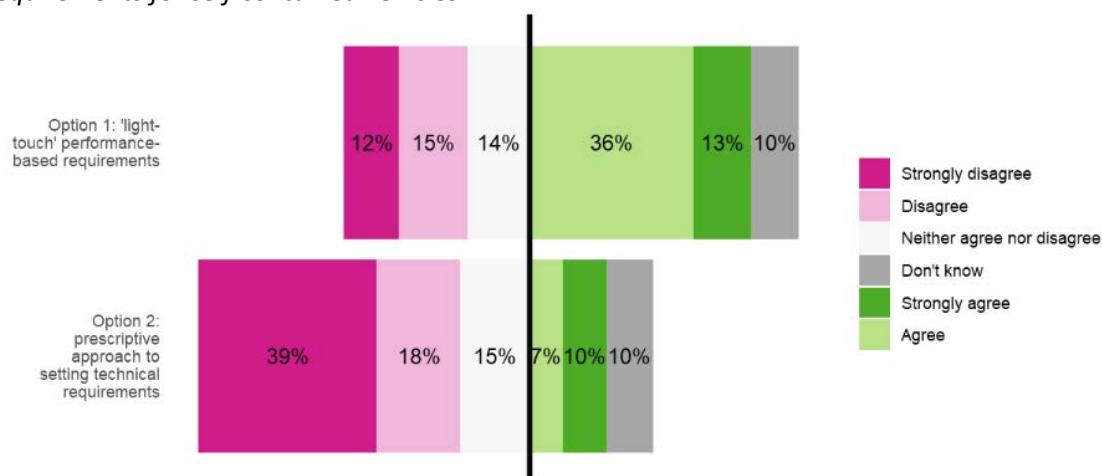
- **Option One (MBIE preferred):** Light-touch, performance-based technical requirements that a vehicle’s self-containment facilities would need to meet.
- **Option Two:** Prescriptive technical requirements.

Further information on each of these options is provided in **Annex Two**.

### What we heard

#### Submitters agree most with Option One

Figure 1: The extent to which submitters agree with the options regarding technical requirements for self-contained vehicles



Nearly half of submitters agree/strongly agree with Option One (49%), compared to only 17% for Option Two (**Figure 1**). Key comments among those who are supportive of Option One are that this option keeps costs low for vehicle owners, provides more flexibility and scope for innovation that would not be possible with the more prescriptive approach under Option Two, and that compliance is expected to be higher with this option, as many submitters believe a more prescriptive approach is unnecessary. Some submitters also commented that this option allows guidance on the technical requirements to be tailored to particular needs, and it reduces the need to frequently update the Regulations compared to if a prescriptive approach was in place. Dunedin City Council is supportive of Option One and noted that if the Regulations are too prescriptive or costly for vehicle owners, this could increase demand for council-funded, unrestricted freedom camping sites.

Individuals who disagree with Option One mostly expressed general concerns about the proposed fixed toilet requirement (which is set out in the Bill), rather than how technical requirements could be prescribed in the Regulations.

The main concern highlighted by some businesses and organisations is that implementation may be an issue under Option One. This is because inspectors will have different understandings of the requirements and they may not be applied consistently as a result. These submitters recommended guidance for regulators be provided (e.g. what are 'light-touch' requirements?). Formal guidance on the technical requirements would be issued by the Plumbers, Gasfitters and Drainlayers Board (PGDB), which was noted in the Discussion Document.

A minority of businesses and organisations are supportive of Option Two instead of Option One. This includes six holiday parks, and one local government body. The local government body that prefers Option Two (Hurunui District Council) believes that it would produce more consistent results compared to Option One. They have concerns about failure to produce and maintain formal guidance documentation, and reliance on vehicle inspectors' judgement under Option One.

## Self-containment certification authorities

To provide the public with assurance that the certification system is robust and fit for purpose, the Bill requires that vehicle certifications will only be able to be carried out by certification authorities (those individuals and organisations seeking to provide certification services) approved by the PGDB, against approval criteria, as set out in regulations.

### What we asked

We asked the public for feedback on three options for how the self-containment authority approval criteria could be prescribed in regulations:

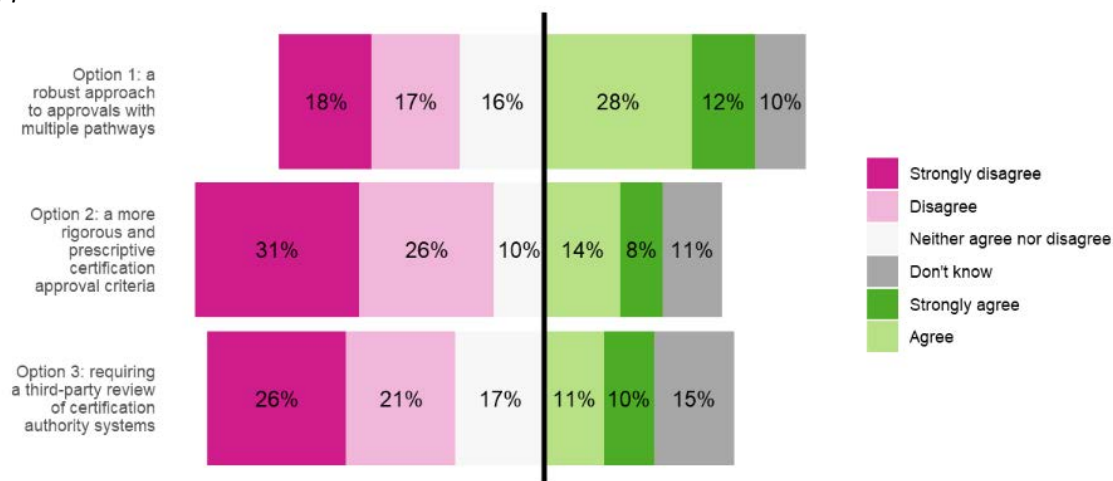
- **Option One (MBIE preferred):** A robust approach to approvals, where certification authorities have multiple pathways of demonstrating how they can meet criteria.
- **Option Two:** More rigorous and prescriptive criteria, which would be similar to the above option, but with the addition of a standardised vehicle inspector training and auditing systems approved by the PGDB.
- **Option Three:** Third-party review by an assurance body of an applicant's systems. This would be in addition to either of the options above.

Further information on each of these options is provided in **Annex Three**.

### What we heard

#### Submitters agree most with Option One

Figure 2: The extent to which submitters agree with the options regarding certification authority approval criteria



Out of the three options for self-containment authority approval criteria, submitters are most supportive of Option One, with 40% agreeing/strongly agreeing with this option (**Figure 2**). Option Two is the least preferred option (57% disagree/strongly disagree), followed by Option Three (47% disagree/strongly disagree) (**Figure 2**).

Analysis of preferences across options reveals that many submitters who agree with Option One only prefer that option, while this sentiment was much weaker across Options Two and Three.

Key reasons that submitters provided for their agreement with Option One included that this option will be straightforward to implement, provides greater flexibility, is the lower cost option

and limits the risk of there being shortages of vehicle inspectors. Most of the self-containment testing officers and issuing authorities (who work under the current voluntary standard) preferred Option One. These submitters support there being a system in place for competency and consistency, but with flexible pathways to avoid losing too many inspectors. The key reason for disagreement with Option One was due to concerns about there being inconsistency between certifiers' interpretation of the rules.

In the Discussion Document, we noted that under both Options One and Two, a third-party review could be run as well to check whether the systems satisfy the prescribed criteria. Some businesses and organisations highlighted their support for this review cycle in their submissions, as it helps to ensure the outcomes of the legislation are consistently being met. Many submitters who disagree with Option Three believe it is unnecessary and overcomplicated.

## Competency requirements for vehicle inspectors

To provide the public with assurance that the certification system is robust and fit for purpose, the Bill requires that vehicle inspections will only be able to be carried out by competent individuals and provide that competency requirements be set out in regulations.

### What we asked

We asked the public for feedback on three options for how the vehicle inspector competency requirements could be prescribed in regulations:

- **Option One (MBIE preferred):** A set of competency requirements for vehicle inspectors that are based around vehicle inspectors being knowledgeable.

In addition to the competency requirements set out above:

- **Option Two:** Require vehicle inspectors to also have a relevant trade qualification (e.g. mechanical engineering, plumbing, building or related trades).
- **Option Three:** Require vehicle inspectors to be assessed by a certification authority as “fit and proper”.

Further information on each of these options is provided in **Annex Four**.

### What we heard

#### Submitters agree most with Option One

Figure 3: The extent to which submitters agree with the options regarding competency requirements for vehicle inspectors



The majority of submitters (58%) agree/strongly agree with Option One (**Figure 3**). These submitters generally believe that stricter requirements are unnecessary, as most vehicle inspectors are sensible and knowledgeable enough to get the job done right. It also provides a larger pool of vehicle inspectors to limit supply issues. Those who disagree with Option One mostly expressed their concerns about the freedom camping reforms in general, rather than making comments specific to these regulatory options.

Analysis of responses from individuals shows that 54% of those who agree/strongly agree with Option One also agree/strongly agree with Option Three, and 67% disagree/strongly disagree with Option Two. This suggests that Options One and Three are most preferred by individuals.

Some businesses and organisations are against requiring vehicle inspectors to have a relevant trade qualification (Option Two) because it would exclude people who don't have a formal qualification from completing the work, despite many of them having the appropriate knowledge, experience and capability. Options One and Three provide scope to accommodate these situations.

Neither of the two organisations currently undertaking self-containment certification who submitted on the Regulations (the New Zealand Motor Caravan Association and New Zealand Lifestyle Camping Limited) support Option Two. The New Zealand Motor Caravan Association (NZMCA) expects that a small but significant minority of their 500 vehicle inspectors will likely retire on account of the freedom camping system changes, particularly regarding any requirements to undertake additional training or re-credential (which would be required under Option Two). New Zealand Lifestyle Camping Limited instead supports the gradual phasing of a "fit and proper person" test for self-containment testing officers.



## Deeming certifying plumbers as certification authorities and vehicle inspectors

Currently, plumbers are deemed as issuing authorities and vehicle testers under the voluntary standard. The certifying class is the top-level registration and licence for plumbers. As such, certifying plumbers that work in the vehicle certification system are assumed to have a high level of competence to undertake this work.

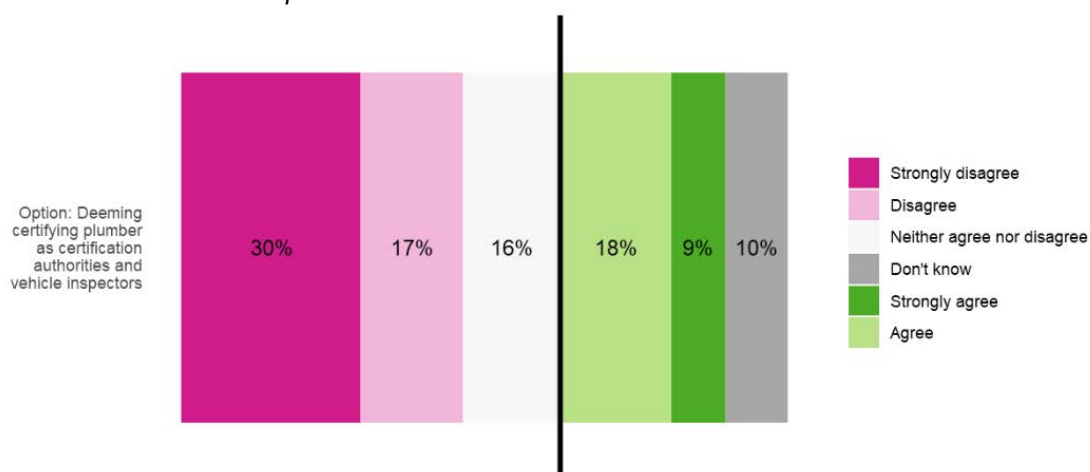
### What we asked

We asked the public for feedback on an option to deem certifying plumbers as certification authorities and vehicle inspectors under regulations, which is the preferred approach by MBIE. In the absence of deeming certifying plumbers in regulations, this group of plumbers would be required to apply to be certification authorities under the application criteria, and/or meet the competency requirements expected of other vehicle inspectors.

### What we heard

#### *Submitters largely disagree with deeming plumbers as certification authorities and vehicle inspectors*

Figure 4: The extent to which submitters agree with deeming certifying plumbers as certification authorities and vehicle inspectors



Nearly half of submitters (47%) do not believe that certifying plumbers should be deemed as certification authorities and vehicle inspectors under the new regulations (**Figure 4**). Key concerns raised were regarding the experience level among plumbers to certify vehicles as self-contained, and that they expect plumbers' capacity to complete the work to be limited. For example, All Points Camping Club of New Zealand disagrees with this option on the basis that certifying motor vehicles requires knowledge and experience in that field, which not all plumbers have. Vista Vans Limited also expressed concerns about plumbers' experience and willingness to complete this work.

Those submitting on behalf of a business or organisation were much more supportive of deeming certifying plumbers as certification authorities and vehicle inspectors compared to individuals (38% compared to 22%). The key reason for support is that this option would widen the pool of certification authorities and vehicle inspectors to better ensure vehicle owners have access to a certifier.

## Self-containment documentation

The current voluntary Standard prescribes the form of the following documents that are issued by issuing authorities after a vehicle has been certified by a vehicle inspector:

- *A self-containment certificate* – which lists the details of the self-containment facilities fitted, and the number of people that the vehicle’s fresh and waste-water systems are capable of supporting.
- *A self-containment warrant* – which lists the licence plate of the vehicle, the issuing authority who certified the vehicle, the date of certification, the number of people for which the vehicle is self-contained, the date that the warrant expires and a unique number.
- *A generic self-containment sticker* – which is issued once a testing officer certifies the vehicle as self-contained.

Further information on self-containment documentation is provided in **Annex Five**.

### Self-containment certificate

#### What we asked

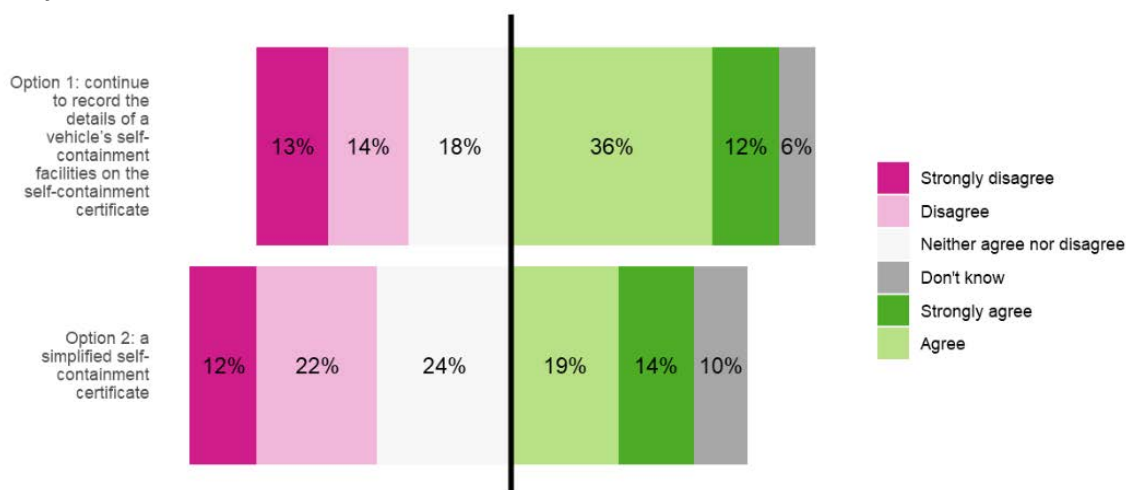
We asked the public for feedback on the following options for the self-containment certificate:

- **Option One (MBIE preferred):** Continue to record the details of a vehicle's self-containment facilities on the self-containment certificate.
- **Option Two:** Simplify the format of the self-containment certificate to only contain the information set out in the self-contained warrant.

#### What we heard

##### Submitters agree most with Option One

Figure 5: The extent to which submitters agree with the options regarding the self-containment certificate



Nearly half of submitters (48%) are supportive of Option One for the self-containment certificate (**Figure 5**). This is mainly because it enables enforcement officers to accurately link a vehicle to the relevant information in the national register. Submitters who disagree with this option generally believe it is unnecessary, or had concerns about compliance costs being higher.

Submitters did not have particularly strong views towards Option Two. Some submitters who support Option Two recommended that the fresh water and wastewater capacities still be stated on the self-containment certificate, so it is clear what facilities the vehicle has onboard to meet the requirements.

Most local government bodies did not comment on this aspect of the Regulations. However, Waitaki District Council stated that they prefer the simplified certificate under Option Two because limited information is required from an enforcement perspective.

In contrast, Rangitikei District Council noted that its district is predominantly rural with many areas without mobile reception, so would prefer having a vehicle's self-containment details on the self-containment certificate, as well as access to this information via the online national register. In the Discussion Document, MBIE noted that in the case of there being little to no internet access at a site, enforcement officers could check the register back in the office instead of on-site.

## ***Self-containment warrant***

### **What we asked**

We asked the public for feedback on one option for the self-containment warrant<sup>5</sup> which is green in colour, and contains the critical information about the vehicle and its self-containment status (e.g. the licence plate number, the date the warrant was issued and the date it expires). This largely retains the format of the current warrant. However, making the colour of the warrant card green would make it easier for enforcement officers to see whether a vehicle has been certified under the new standard.

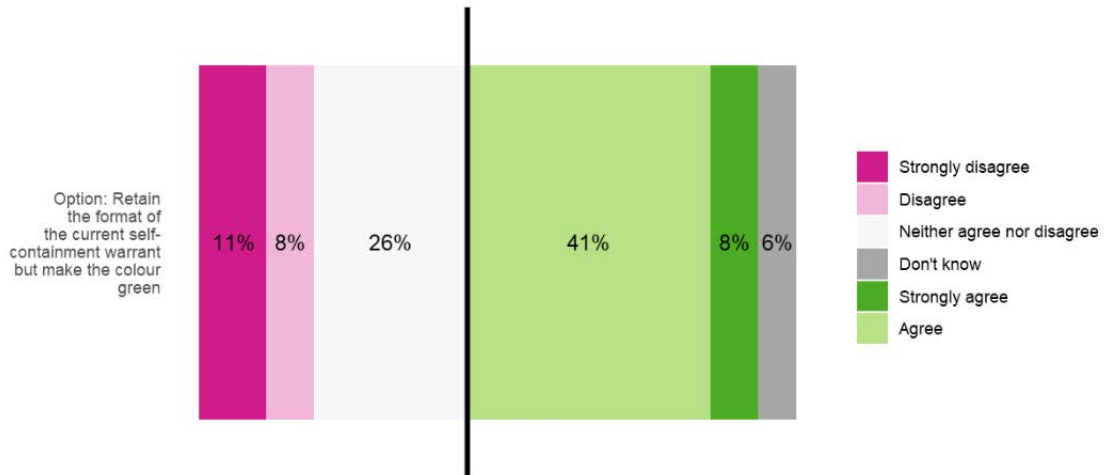
### ***What we heard***

***Submitters agree most with retaining the current warrant format, but making the colour green***

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<sup>5</sup> This option is the preferred approach by MBIE.

Figure 6: The extent to which submitters agree with the option for the self-containment warrant



Most submitters (49%) are supportive of the option for the self-containment warrant (**Figure 6**). Only 19% disagree/strongly disagree with this option, and 26% had a neutral opinion towards it (**Figure 6**).

Many submitters commented that they agree with this option because a green warrant visibly demonstrates a change to the freedom camping Regulations, and helps enforcement officers quickly identify the self-containment status of a vehicle and therefore its compliance with the new Standard. Another key point mentioned was that this option avoids vehicle modification once it has received certification, giving potential purchasers confidence that the vehicle is certified in its current form.

A few suggestions of additional information to collect on the warrant were provided:

- the person who certified the vehicle
- toilet type
- a QR code that inspectors can scan to check the vehicle on their database
- visa details for international visitors.

None of the local government bodies (who would use the new warrant as part of their enforcement work) disagree with the option for the self-containment warrant. Rationale for supporting this option largely aligned with that of the general pool of submitters noted above.

Some submitters expressed opposition to having warrant cards in general, or recommended altering the format/colour of them to reduce the risk of counterfeiting and improve their durability over the four-year period. New Zealand Lifestyle Camping Limited is supportive of a green warrant. NZMCA raised concerns regarding production costs of warrant cards when staff time, printing and postage is considered. This is an issue for them under the current standard as well.

## Generic identifiers

### What we asked

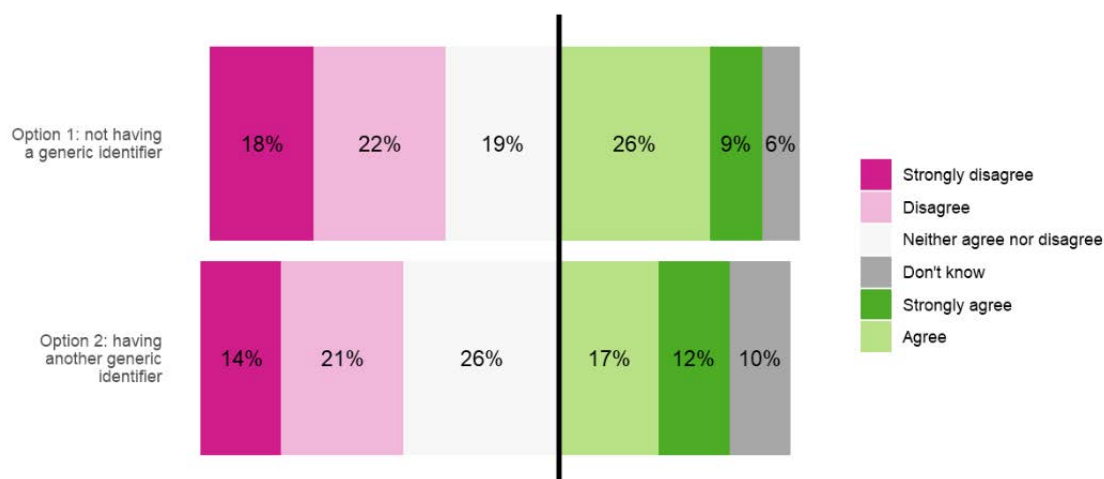
We asked the public for feedback on two options for generic identifiers that would indicate a vehicle has been certified as self-contained (for example, a generic sticker):

- **Option One (MBIE preferred):** Not having a generic identifier.
- **Option Two:** Having a generic identifier.

## What we heard

### Submitters agree most with Option One

Figure 7: The extent to which submitters agree with the options regarding generic identifiers



Across the two options, submitters support Option One the most, with 35% agreeing/strongly agreeing with this option (**Figure 7**). However, 40% disagree/strongly disagree with this option. Businesses and organisations were more supportive of Option One (50%) than individuals (26%).

Common reasons why submitters do not want generic identifiers (i.e. they agree with Option One) are that there have been issues with fraudulent versions of the existing blue stickers, which reduces credibility with the public; it makes it obvious that the vehicle is used for camping, which can make it a target for theft; and that it is unnecessary if enforcement officers can check the vehicle's self-containment status via the national register.

Option One is the preferred option among local government bodies, with 10 out of 11 agreeing or strongly agreeing with this option. Queenstown Lakes District Council argued that Option Two is best, provided that any new generic identifier is designed in a way that prevents counterfeiting.

Some businesses and organisations noted that a QR code or barcode to access information on the warrant (as proposed in the Discussion Document) would assist enforcement officers with linking vehicles to their database. Hurunui District Council suggested this information be scannable through a smartphone app so that additional equipment is not required.

## Infringement fees and fines

The Freedom Camping Act 2011 sets out a number of infringement offences. Local authorities and the Department of Conservation enforcement staff are able to issue infringement fees where there are reasonable grounds to believe that there have been clear, relatively low-level, breaches of the law (for example, issuing a ticket for inappropriate disposal of waste).

The level of fees associated with infringement offences in the Freedom Camping Act is \$200, and regulations may prescribe different infringement fee levels up to a maximum penalty of \$1,000. However, no regulations have yet been made.

The Bill includes existing and new freedom camping infringement offences. It also provides for regulations to prescribe the level of infringement fees and fines, with a maximum infringement fee of \$1,000, and a maximum fine of \$3,000.

### What we asked

We asked the public for feedback on the following options for setting infringement fees and fines:

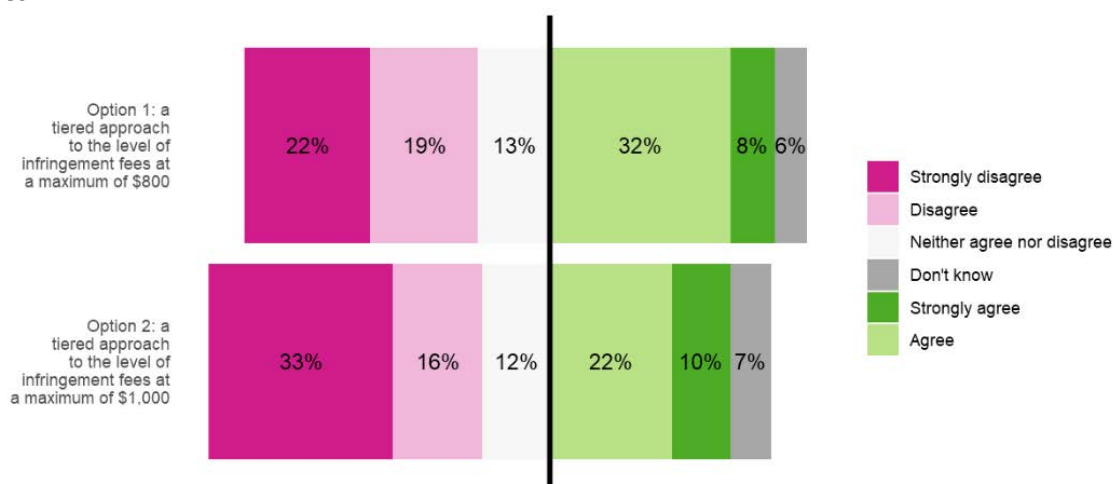
- **Option One (MBIE preferred):** A tiered approach to the level of infringement fees, with a maximum fee of \$800.
- **Option Two:** A tiered approach to the level of infringement fees, with a maximum fee of \$1,000.

Both options have been informed by the Ministry of Justice’s *Policy Framework for New Infringement Systems* and the Legislation Design Advisory Committee’s *Legislation Guidelines (2021 edition)*. Penalties have been aligned with similar infringement penalties in Conservation legislation. Each option includes a maximum fine that is three times the level of the proposed infringement fee.

### What we heard

#### Submitters agree most with Option One

Figure 8: The extent to which submitters agree with the options regarding infringement fees and fines



Submitters agree/strongly agree most with Option One (40%) compared to Option Two (32%) (Figure 8). A number of submitters support both options (36%), suggesting they support the

tiered approach, but do not have a preference for the maximum infringement fee level. For example, Tourism Industry Aotearoa agree with the tiered approach, but are concerned about whether the tiers will be applied consistently by different local authorities.

Common reasons for agreement with a maximum infringement fee of \$800 instead of \$1000 are that a higher maximum fine could result in a greater portion not being paid and create more challenges in the District Court. Some submitters suggested adopting the lower fee option and combining it with education about the different levels of infringement fees<sup>6</sup>.

Some local government bodies who support Option One highlighted that this option aligns with the Reserves Act 1977 infringement under Section 105B, which partially relates to freedom camping on Reserve Act land.

Key reasons for support of Option Two are that the higher fee is a stronger deterrent and more appropriate when there is actual damage to an area. However, Christchurch City Council raised a concern about the safety of enforcement officers issuing the fines if they are at a higher level. Some submitters expressed mixed views towards the maximum infringement fee level, suggesting that \$500 is more appropriate than the \$800 and \$1000 proposed, or recommending that the maximum fee be even higher for example.

---

<sup>6</sup> Comments highlighting the importance of education about the freedom camping reforms have been a common theme among Bill submissions as well.

# Exclusions from the regulatory requirements

In some cases, requiring a particular person to comply with legislation might be impractical or result in hardship to that person. In such cases, it may be necessary to exclude or exempt a particular person or class of people, transactions, or things from all or part of an Act or regulations. The Bill provides for regulations to exclude a specific set of motor vehicles from some or all of the regulatory requirements.

## What we asked

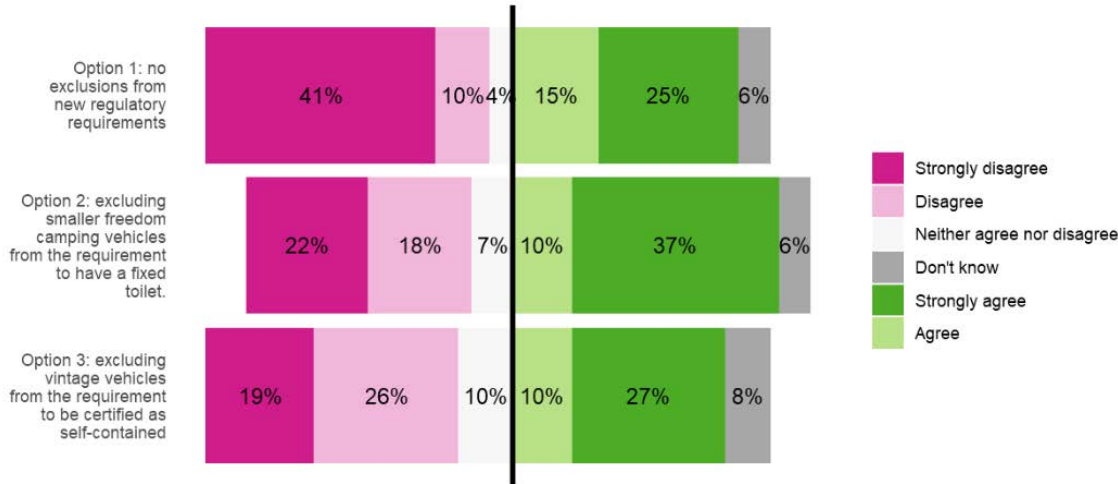
We asked the public for feedback on the following options for exclusions from regulatory requirements:

- **Option One (MBIE preferred):** No exclusions from new regulatory requirements.
- **Option Two:** Excluding smaller freedom camping vehicles from the requirement to have a fixed toilet.
- **Option Three:** Excluding vintage vehicles<sup>7</sup> from the need to be certified as self-contained.

## What we heard

*All options received support, with Option Two narrowly the most supported by individual submitters*

Figure 9: The extent to which submitters agree with the options regarding exclusions from the regulatory requirements



Across the three exclusion options, submitters are most supportive of Option Two (47% agree/strongly agree), although Option One received almost as much support, with 40% agreeing/strongly agreeing with this option (Figure 9).

Of the 41% who strongly disagree with there being no exclusions (i.e. they want some exclusions to the regime), 73% strongly agree with Option Two and 49% with Option Three. This

<sup>7</sup> “Vintage vehicle” would include those vehicles that are at least 40 years old on the date that they are registered, reregistered, or licensed.



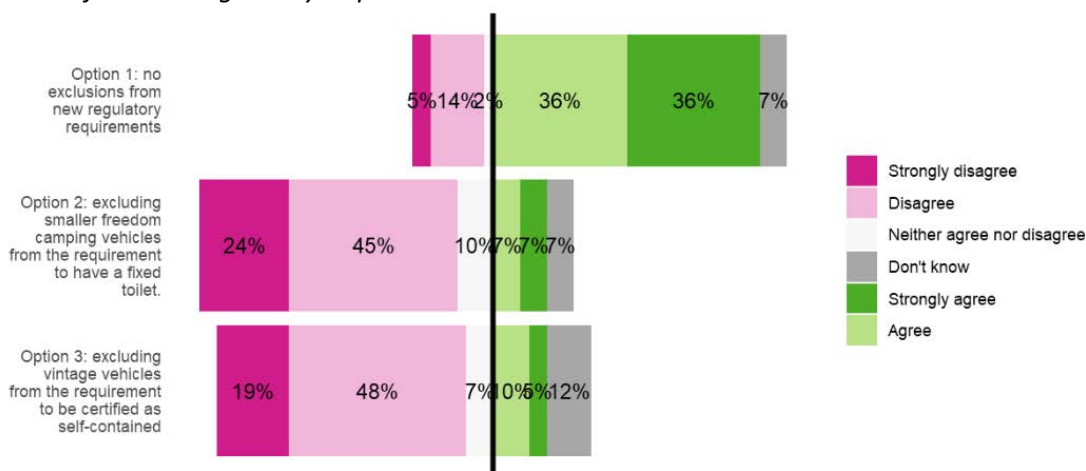
suggests that of the two exclusions options, more submitters want there to be exclusions for smaller vehicles, compared to vintage vehicles.

This was especially apparent when analysing responses from individual submitters. A total of 66% of these submitters disagree/strongly disagree with there being no exclusions and instead supported there being exclusions for smaller vehicles (64% agree/strongly agree). This was followed closely by support for excluding vintage vehicles (50% agree/strongly agree). Many of these submitters expressed uncertainty of why the toilet needs to be fixed to be certified as self-contained, arguing that a fixed toilet is not practical for some vehicles, such as teardrop caravans, so a 'one size fits all' approach is not appropriate.

**Businesses and organisations have a stronger preference for no exclusions than individuals**

The figure below shows the breakdown of submissions from businesses and organisations (including local government, who represent many ratepayers and will play a large role in enforcing the new regime), which shows a stronger preference for no exclusions among these submitters compared to individuals and submitters overall.

Figure 10: The extent to which businesses and organisations agree with the options regarding exclusions from the regulatory requirements



A total of 72% of businesses and organisations are supportive of there being no exclusions from the new regulatory requirements (Figure 10). Key rationale include that it would undermine the purpose of the freedom camping reforms, may encourage people to purchase vehicles that are exempt from the fixed toilet requirement rather than ones that require self-containment certification, could result in environmental outcomes not being achieved and there may be challenges with enforcing the requirements (for example, why is one vehicle exempt and not another?). Another key comment was that having no exemptions does not prevent vehicle owners with small or vintage vehicles from camping – they will just have to do so at sites that allow non-self-contained vehicles. NZMCA does not support there being exclusions or exemptions as they may undermine the new regulatory system.

All of the local government bodies who submitted agree with there being no exclusions from the regulatory requirements. Thames-Coromandel District Council noted that having no exclusions could make enforcing the requirements and local restrictions easier and therefore

less costly. Taituarā said that councils that experience significant challenges with freedom campers need the strengthened legislation without exemptions for particular vehicles in order to function well. They noted that alternatively, councils that do not face significant challenges with freedom camping will be able to make bylaws which are more permissive and allow non-self-contained vehicles to freedom camp.

ToiletsNZ noted that the need for exemptions from the fixed toilet requirement would be removed if there were requirements in place for portable toilets (e.g. must be available for use when the bed is made up). New Zealand Lifestyle Camping Limited is supportive of Option Two and also recommends that all campervans and caravans constructed or first registered in New Zealand prior to 2005 should be excluded. This is on the basis of the majority of these motor vehicles being designed and built for portable toilets, not fixed toilets.

Several submitters referenced truck drivers and suggested that they be subject to the new regulatory requirements. The Freedom Camping Act 2011 (the Act) notes that freedom camping does not include resting or sleeping at the roadside in a motor vehicle to avoid driver fatigue<sup>8</sup>. Truck drivers also have options for rest stops on private land (e.g. petrol stations), which the Act does not apply to. The Bill and Regulations do not change these two aspects of the Act.

---

<sup>8</sup> Section 5 (2)(c)

## Levies and fees

As there is no current freedom camping regulatory system, there are no fees and levies payable to a regulator. However, charges on participants in the self-contained vehicles regulatory system are required in order to cover the PGDB’s oversight costs. The Bill will provide the legal authority for freedom-camping related fees and levies to be set in regulations. These are:

- a monitoring levy that self-contained vehicle owners will pay once every four years at the time of certification to recover the PGDB’s regulatory oversight costs
- a certification authority approval application fee that certification authority applicants would pay directly to the PGDB at the time of application, in order to cover the PGDB’s costs involved in assessing an application.

### *Self-Containment Monitoring Levy*

#### What we asked

We asked the public for feedback on the following levy options:

- **Option One:** A “bare minimum” levy option, which would apply the bare minimum resources to self-contained vehicle certification activities (\$91.40 including GST for a four-year certificate).
- **Option Two:** Would provide slightly more resources to the PGDB to conduct its regulatory oversight role (\$101 including GST for a four-year certificate).
- **Option Three (MBIE preferred):** A Self-Containment Certification Monitoring Levy of \$120 (including GST).

Further information on each of these options is provided in **Annex Six**.

#### What we heard

**Submitters did not have a strong preference towards any option**

Figure 11: The extent to which submitters agree with the options regarding the Self-Containment Certification Monitoring Levy



The majority of submitters disagree with all the levy options. Of the three options, they narrowly agree most with Option One – the lowest levy amount (**Figure 11**).

This is also apparent when segmenting the results by submitter type, as the majority of individuals disagree with all options, but agree most with Option One. This likely reflects their self interest in not having to pay more, rather than necessarily a reflection that the level of service provided by the regulator to educate, inform and support self-containment across the system be at the lowest level described. The self-containment issuing authorities and vehicle businesses that submitted did not express strong preference towards any of the levy options. However, some did note a preference for the option that imposes the lowest financial impact on commercial rental operators.

Some submitters suggest that costs be paid by central government, rather than recovered through a user pays system. The NZMCA recommended imposing the lowest cost possible for vehicle owners, suggesting \$60-\$75 per registration is more appropriate than the amounts proposed by MBIE (based on their analysis of the financial information contained in the discussion document).

Other submitters raised concerns that the lowest levy option is not high enough to allow the PGDB to cover costs for implementation, such as education and IT support for the register of self-contained vehicles, and that this may cause delays in implementation. Manawatu District Council raised concerns about local authority enforcement officers becoming the educators of the new requirements instead of the PGDB if the lowest levy amount is adopted.

Some suggestions raised in relation to levies include:

- Enable the tourism industry to be supported by funds generated through the levy, instead of just the PGDB.
- Adopt the lowest levy amount initially (to lower compliance costs), then consider any increases or improvements in the future.
- Reduce the review period from five years to three years.
- Ensure transparency regarding levy collection if the higher levy options are adopted.

## ***Certification authority application fee***

### **What we asked**

We asked the public for feedback on the following fee options:

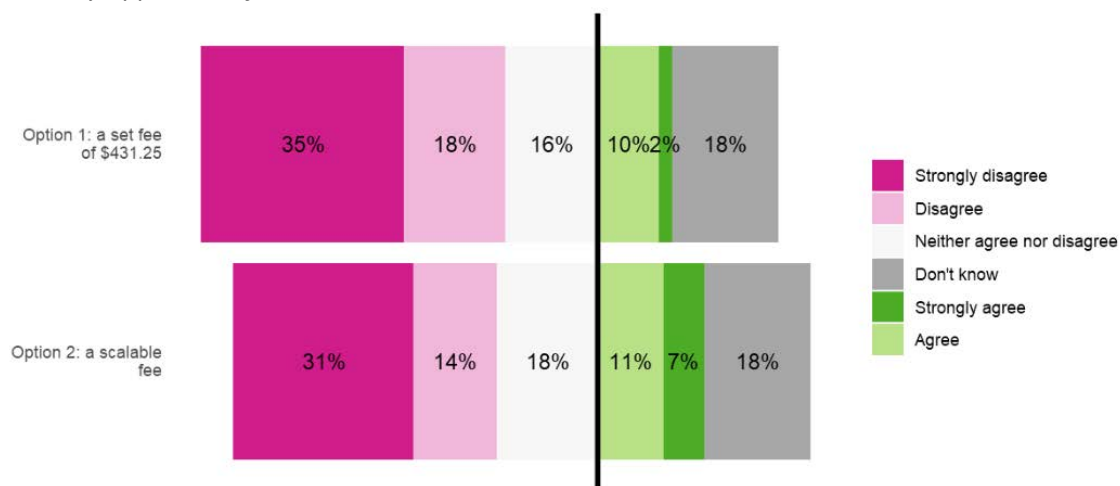
- **Option One (MBIE preferred):** A set fee of \$431.25 (including GST).
- **Option Two:** A scalable fee option, and the total fee charged to the prospective certification authority would depend on how much time the PGDB takes to process the application.

Further information on each of these options is provided in **Annex Six**.

## What we heard

### *Submitters did not have a strong preference towards any option*

Figure 12: The extent to which submitters agree with the options regarding the certification authority application fee



Submitters also did not have a strong preference for either option for the certification authority application fee, with only 12% agreeing/strongly agreeing with Option One, and 18% with Option Two (Figure 12). Submitters disagree most with Option One.

Many of those who do not support Option One commented on their disagreement with the estimation in the Discussion Document that it would take five hours for an application to be assessed (which formed the basis of the fee amount) and said that a couple of hours is adequate. Another common theme was submitters expressing general disagreement with the fee, which can be expected as it may become an additional indirect cost for vehicle owners.

When segmenting the results by submitter type, the majority of individuals disagree with both fee options, and most vehicle businesses and self-containment issuing authorities either strongly disagree or don't know/neither agree nor disagree. Some businesses and organisations that agree with Option One did so on the basis that a set fee provides greater certainty (i.e. both vehicle and business owners can anticipate the cost).

## Waivers and refunds

### What we asked

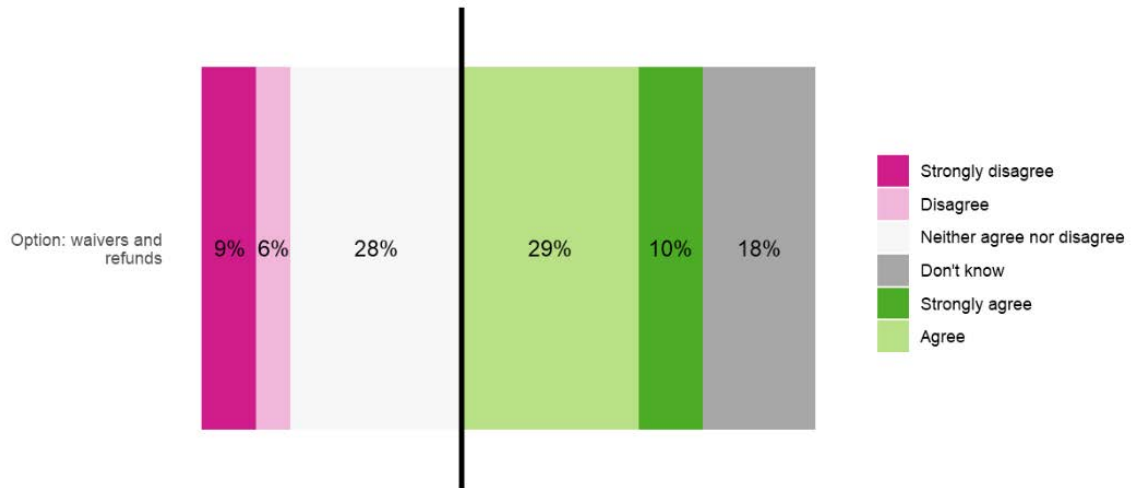
We asked the public for feedback on an option for the PGDB to issue a waiver or a refund of the proposed levy or application fee in the following circumstances:

- in the case of an administrative error on the part of the PGDB or a certification authority
- if the Registrar considers, in any particular case, that it would be unreasonable or unfair to require payment of the whole of the levy or application fee.

## What we heard

### *Submitters agree most with issuing waivers and refunds in certain circumstances*

Figure 13: The extent to which submitters agree with the proposal for granting waivers and refunds



Nearly half of submitters (46%) selected 'neither agree nor disagree' or 'don't know' when asked to what extent they agree with the proposal for granting waivers and refunds (**Figure 13**). Of those who had a preference, most were supportive of there being waivers and refunds (39% agree/strongly agree). This means that in the case of an administrative error on the part of the PGDB or a certification authority, or on issues of fairness, submitters prefer that the Registrar of self-contained vehicles can grant a refund. Key rationale for agreement is that it is a reasonable and fair approach. Some respondents noted that without this option, the ability to recover unreasonable, unfair and mistaken costs would place an unnecessary burden on vehicle owners.

A minority of submitters disagree with there being waivers or refunds (15%). Some had concerns about how applications and disputes would be processed. None of the local government bodies who submitted disagree with there being waivers or refunds.

## General comments

The survey questionnaire (**Annex One**) provided submitters with the opportunity to note any general comments they had about the freedom camping regulations. Many individual submitters used this as an opportunity to express general disagreement with the freedom camping reforms. Some of this negative sentiment was due to concerns relating to the fixed toilet requirements, the effect on people experiencing homelessness and the liability of rental companies for infringement fees, all of which relate to the Bill rather than the Regulations. These comments have not been incorporated into the summary of submissions on the Regulations. However, during the submission process, we encouraged submitters (who provided their email) to make a submission to Select Committee if they had comments regarding the Bill, so that they could be considered through this process.

Tourism Industry Aotearoa asked that economies of scale be considered when designing the new system. For example, whether vehicle companies that have a fleet of identical vehicles will need to go through a separate process for each vehicle. While the Self-Containment Certification Monitoring Levy will need to be applied to each individual vehicle, there may be an opportunity for vehicle companies to receive discounts on other aspects of the self-containment certification. This is because these will be determined by vehicle inspectors who may elect to offer bulk discounts.

There were also numerous submitters who had questions regarding implementation, such as who is responsible for communication and education about the freedom camping reforms. MBIE will be working with key stakeholders (e.g. PGDB, industry and local government) to consider the education and communications needed to implement the reforms. The Freedom Camping Transition Fund is also available to local authorities to support the transition, which can be used for educational programmes and camping ambassadors, for example.

The key findings, issues and suggestions raised through the consultation process will inform advice to Government on decisions regarding the Regulations.

## **Annexes**

Annex One: Survey questionnaire

Annex Two: Technical requirements for Self-Contained vehicles

Annex Three: Self-containment certification authorities

Annex Four: Competency requirements for vehicle inspectors

Annex Five: Self-containment documentation

Annex Six: Levies and fees



## **Annex One: Survey questionnaire**

*Attached as a separate document*



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## Freedom Camping Regulations Discussion Document

Welcome to My Survey

**Thank you for participating in our survey. Your feedback is important.**



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## Freedom Camping Regulations Discussion Document

About this survey

**We would like to know your views on the best way to regulate the following aspects of freedom camping:**

- **technical requirements for self-contained vehicles**
- **criteria for approval as a self-containment certification authority**
- **the format of the self-containment certificate and warrant**
- **fees and fines attached to each infringement offence**
- **exclusions from the need to be certified as self-contained**
- **levies and fees**

## **The Self-Contained Motor Vehicles Legislation Bill**

The Bill is an omnibus bill, which amends the Freedom Camping Act 2011 and the Plumbers, Gasfitters and Drainlayers Act 2006 to reduce the negative impacts of freedom camping. The major changes that the Bill makes are:

- Require vehicle-based freedom campers to use a certified self-contained vehicle when they stay on council land. This is unless the council designates the site as suitable for non-self-contained vehicles.
- Establish a regulated system for the certification and registration of self-contained vehicles.
- Require vehicles to have a fixed toilet to be certified self-contained.
- Strengthen the infringement system
- Extend the Freedom Camping Act to include land managed by Waka Kotahi New Zealand Transport Agency and Toitū Te Whenua Land Information New Zealand.

The Bill enables the Government to make regulations to set out some of the detail of the new legislative regime.

### **Purpose of the survey**

We would like to know about how the proposals and options presented in the Regulations Discussion Document would impact you. Some or all of these proposals and options affect those who freedom camp, certify vehicles as self-contained, or who are otherwise involved with freedom camping. We want to know what you think the benefits of the proposals and options might be, as well as their drawbacks. This is to ensure the regulations are fair and do not place unnecessary burdens on the people they affect.

When completing this submission form, please provide comments and reasons explaining your choices. Your feedback will provide valuable information and inform decisions about the proposals.

Each section of the survey refers to a chapter in the Discussion Document. Please refer to the corresponding chapter for more information about the options.

### **Use of information**

The information provided in surveys will be used to inform our policy development process and advice to Ministers on freedom camping regulations. When making a survey, you can do so anonymously and choose not to provide contact details. We may contact people directly if we require clarification of any matters in their survey, or would like further information from them.

### **Release of information**

We will analyse the submissions (including surveys) we receive and publish a summary of them on our website at [www.mbie.govt.nz](http://www.mbie.govt.nz).

In addition to the summary of submissions, we intend to upload PDF copies of all submissions we receive to our website. When making a submission, we will consider you to have consented to it being uploaded unless you specify otherwise.

If your submission contains any information that is confidential or you do not wish us to publish it, please indicate this in your answer to your question, with any confidential information clearly marked within the text, and a reason for why it should remain confidential.

Submissions may be requested under the Official Information Act 1982. At the end of the survey you will be able to say if you have any objection to the release of any information in the submission, and in particular, which questions you consider should be withheld, together with the reasons for withholding the information and the grounds under the Official Information Act you believe apply. We will take such objections into account and will consult with submitters when responding to requests under the Official Information Act 1982.

### **Private information**

The Privacy Act 2020 establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including ours. Any personal information you supply to us in the course of making a submission will only be used for the purpose of assisting in the development of policy advice in relation to this review. Please clearly indicate below if you do not wish your name, or any other personal information, to be included in any summary of submissions that we may publish.



## Freedom Camping Regulations Discussion Document

### Submitter information

**We would appreciate you providing some information about yourself, but understand if you would prefer not doing so.**

**If you choose to provide information in the section below, it will be used to help us understand the impact of our proposals on different groups. Any information you provide will be stored securely.**

1. Name

2. Email address

3. Are you happy for MBIE to contact you if we have questions about your submission?

Yes

No

4. Are you making this submission on behalf of a business or organisation?

Yes

No

If yes, please tell us the title of your company/organisation, and how many people you are submitting on behalf of.

5. The best way/s to describe your role is:

- Vehicle business
- Self-containment Issuing Authority
- Individual
- Local Government (or related entity)
- Self-containment testing officer
- Tourism business
- Iwi, hapū or Māori organisation
- Not-for-profit or club
- Other (please specify)

6. Do you own a vehicle that you use for camping? (Either for freedom camping or other sorts of vehicle-based camping)

- Yes
- No

7. Privacy information

- The Privacy Act 2020 applies to submissions. Please tick this box if you do not wish your name or other personal details to be included in any information about submissions that MBIE may publish.
- MBIE intends to upload submissions or a summary of submissions received to MBIE's website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do not want your submission or a summary of your submission to be placed on our website, please tick this box and type an explanation below.



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Freedom Camping Regulations Discussion Document

Chapter One: Self-containment technical requirements

**Technical requirements are a set of standards that a vehicle's self-containment facilities must meet to be certified as self-contained. Technical requirements provide assurance that a vehicle's self-containment facilities are fit for purpose.**

**The Self-Contained Motor Vehicles Legislation Bill would:**

- **enable the creation of regulation-making powers to specify the technical requirements that must be met for a motor vehicle to be certified as self-contained.**
- **ensure the new regulatory requirements for self-contained vehicle certification require the toilet to be fixed within the vehicle and exclude portable toilets.**

**The Discussion Document lists two options for how technical requirements could be set out in regulations:**

- **Option 1: ‘light-touch’ performance-based requirements. Under this option, technical requirements would be set out in four tiers:**
  - **An objective - the social or environmental objective that must be achieved.**
  - **Functional requirements - what the regulated thing must do to satisfy the objective.**
  - **Performance requirements - the qualitative or quantitative criteria the regulated thing must meet in order to comply.**
  - **Details on how requirements should be interpreted, to ensure consistency in certification decisions, for example a standard inspection manual for vehicle inspectors to use when inspecting a vehicle’s self-containment facilities.**
- **Option 2: Prescriptive approach to setting technical requirements. This option would see the technical requirements set out in sections 1 to 10 of the Standard set out in regulations and modified, where necessary, to comply with the fixed toilet requirements in the Bill and other quality of life upgrades to modernise other technical requirements. The technical requirements would continue to prescribe the particulars of the self-containment facilities.**

**More information on these options can be found in Chapter One of the Discussion Document.**

\* 8. To what extent do you agree with **Option 1: ‘light-touch’ performance-based requirements?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

9. If you would like to say something more about your answer to Question 8, please do so here:

\* 10. To what extent do you agree with **Option 2: prescriptive approach to setting technical requirements?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

11. If you would like to say something more about your answer to Question 10, please do so here:



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## Freedom Camping Regulations Discussion Document

### Chapter Two: Certification authority criteria and competency requirements for vehicle inspectors

**To assure the public that the self-contained vehicle certification system is robust and fit-for-purpose, the Bill would require:**

- **That certifications are only carried out by certification authorities approved by the Plumbers Gasfitters and Drainlayers Board (PGDB), and that vehicle inspections are only carried out by a ‘competent person’.**
- **The creation of new regulations setting out:**
  - **approval criteria for certification authorities**
  - **an application process for potential new certification authorities, which would be assessed by the PGDB against the approval criteria**
  - **requirements that people must meet to be considered a ‘competent person’ for vehicle inspection purposes.**

#### **Certification authority approval criteria**

**The Discussion Document lists the following options for the certification authority approval criteria:**

- **Option 1: a robust approach to approvals with multiple pathways, where applicants would need to demonstrate how their systems and processes meet the approval criteria.**
- **Option 2: more rigorous and prescriptive certification approval criteria. This option uses the same criteria as Option 1 except the PGDB would approve standardised vehicle inspector training and auditing systems.**
- **Option 3: requiring third-party review of certification authority systems. Under this option a third-party assurance body would be required to review the proposed systems of certification authority applicants.**

**Options 1 and 2 are alternative approaches to the setting of technical requirements, whereas Option 3 could compliment either option.**

**More information on these options can be found in Chapter Two of the Discussion Document.**

\* 12. To what extent do you agree with **Option 1: Multiple-pathway approval criteria and competency requirements?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly Agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

13. If you would like to say something more about your answer to Question 12, please do so here:

\* 14. To what extent do you agree with **Option 2: more rigorous and prescriptive certification approval criteria?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly Agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

15. If you would like to say something more about your answer to Question 14, please do so here:

\* 16. To what extent do you agree with **Option 3: Third-party review of certification authority systems?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

17. If you would like to say something more about your answer to Question 16, please do so here:



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**The Discussion Document lists the following options for vehicle inspector competency requirements:**

- **Option 1: requiring vehicle inspectors to be knowledgeable. This option includes a set of competency requirements, which vehicle inspectors must meet. They include things like knowing about the technical requirements and how to enter details of an inspection into the register of self-contained vehicles.**
- **Option 2: requiring vehicle inspectors to have a relevant trade qualification. This option would include the competency requirements of Option 1 but also require vehicle inspectors to hold a relevant trade qualification.**
- **Option 3: requiring vehicle inspectors to be assessed as “fit and proper”. This option would include the competency requirements of Option 1, but the certification authority would also need to check that a prospective vehicle inspector was a “fit and proper” person.**

**More information on these options can be found in Chapter Two of the Discussion Document.**

\* 18. To what extent do you agree with **Option 1: requiring vehicle inspectors to be knowledgeable?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

19. If you would like to say something more about your answer to Question 18, please do so here:

\* 20. To what extent do you agree with **Option 2: requiring vehicle inspectors to have a relevant trade qualification?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

21. If you would like to say something more about your answer to Question 20, please do so here:

\* 22. To what extent do you agree with **Option 3: requiring vehicle inspectors to be assessed as “fit and proper”?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

23. If you would like to say something more about your answer to Question 22, please do so here:



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## Freedom Camping Regulations Discussion Document

Deeming plumbers as certification authorities and vehicle inspectors

**We also present a separate option for feedback, which is to deem certifying plumbers as certification authorities and vehicle inspectors under the new regulations.**

**More information can be found in Chapter Two of the Discussion Document.**

\* 24. To what extent do you agree that certifying plumbers should be deemed as certification authorities and vehicle inspectors under the new regulations?

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

25. If you would like to say something more about your answer to Question 24, please do so here:



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## Freedom Camping Regulations Discussion Document

Chapter Three: Self-containment documentation

**Documentary evidence that a vehicle has been certified as meeting the self-containment technical requirements by a vehicle inspector working for an approved certification authority is important for both the vehicle owner as well as**

**enforcement authorities.**

**The Self-Contained Motor Vehicles Bill would enable regulations to be made that specify the format of the new self-containment certificate and warrant card.**

**Self-containment certificate**

**The Discussion Document lists the following two options for the format of the self-containment certificate:**

- **Option 1: continue to record the details of a vehicle’s self-containment facilities on the self-containment certificate, in addition to collecting key details about the vehicle’s self-containment warrant.**
- **Option 2: a simplified self-containment certificate so that it provides the same information as the self-containment warrant.**

**More information on these options can be found in Chapter Three of the Discussion Document.**

\* 26. To what extent do you agree with **Option 1: continue to record the details of a vehicle’s self-containment facilities the on the self-containment certificate?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

27. If you would like to say something more about your answer to Question 26, please do so here:

\* 28. To what extent do you agree with **Option 2: a simplified self-containment certificate?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

29. If you would like to say something more about your answer to Question 28, please do so here:



Self-containment warrant

**The Discussion Document also lists one option for the self-containment warrant, which is to largely retain the format of the current self-containment warrant, but make the colour green.**

**More information can be found in Chapter Three of the Discussion Document.**

\* 30. To what extent do you agree with the option for the self-containment warrant?

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

31. If you would like to say something more about your answer to Question 30, please do so here:

32. Please list any additional information that you think should be collected on the warrant.

33. Please list any information you think is proposed to be collected on the warrant that does not need to be.



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Generic Identifiers

**The Discussion Document also lists the following options for a generic identifier (such as a sticker):**

- **Option 1: not having a generic identifier**
- **Option 2: having another generic identifier, which could be placed on the vehicle after it had been certified by a vehicle inspector.**

**More information on these options can be found in Chapter Three of the Discussion Document.**

\* 34. To what extent do you agree with **Option 1: not having a generic identifier?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

35. If you would like to say something more about your answer to Question 34, please do so here:

\* 36. To what extent do you agree with **Option 2: having another generic identifier?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

37. If you would like to say something more about your answer to Question 36, please do so here:



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## Freedom Camping Regulations Discussion Document

### Chapter Four: Infringement fees

**Infringement offences are an easy way to encourage people to follow the law. Infringement offences are common to many regulated parts of our lives, such as police giving tickets to people who are caught breaking the speed limit, or fisheries officers giving tickets to people who have taken more fish than legal regulations allow.**

**The Bill includes existing and new freedom camping infringement offences. It also provides for regulations to prescribe the level of infringement fees and fines, with a maximum infringement fee of \$1,000, and a maximum fine of \$3,000.**

**The Discussion Document consults on the following options for setting infringement fees in regulations:**

- **Option 1: a tiered approach to the level of infringement fees at a maximum of \$800**
- **Option 2: a tiered approach to the level of infringement fees at a maximum of**

**\$1,000.**

**Each option includes a maximum fine that is three times the level of the proposed infringement fee.**

**More information on infringement fee tier options can be found in Chapter Four of the Discussion Document.**

\* 38. To what extent do you agree with **Option 1: a tiered approach infringement fee to a maximum of \$800?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

39. If you would like to say something more about your answer to Question 38, please do so here:

\* 40. To what extent do you agree with **Option 2: a tiered approach infringement fee to a maximum of \$1000?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

41. If you would like to say something more about your answer to Question 40, please do so here:



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Freedom Camping Regulations Discussion Document

Chapter Five: Exclusions from regulatory requirements

**Sometimes requiring a person to comply with the law might be impractical or result in hardship to that person. In such cases, it may be necessary to empower a government body or office holders to exclude or exempt a particular person or class of people, transactions, or things from all or part of an Act or regulations.**

**The Self-Contained Motor Vehicles Legislation Bill would provide for regulations to exclude a specific set of motor vehicles from some or all of the regulatory requirements.**

**The Discussion Document consults on the following three options for exclusions from regulatory requirements:**

- **Option 1: no exclusions from new regulatory requirements.**
- **Option 2: excluding smaller freedom-camping vehicles from the requirement to have a fixed toilet. This would enable vehicles like “tear-drop”, “retro” and other smaller or older freedom camping vehicles to be excluded from the fixed toilet requirement.**
- **Option 3: excluding vintage vehicles from the requirement to be certified as self-contained.**

**More information on these options can be found in Chapter Five of the Discussion Document.**

\* 42. To what extent do you agree with **Option 1: no exclusions from regulatory requirements?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

43. If you would like to say something more about your answer to Question 42, please do so here:

\* 44. To what extent do you agree with **Option 2: excluding smaller freedom-camping vehicles from the requirement to have a fixed toilet?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

45. If you would like to say something more about your answer to Question 44, please do so here:

\* 46. To what extent do you agree with **Option 3: excluding vintage vehicles from the requirement to be certified as self-contained?**

(A vintage vehicle is one that is at least 40 years old)

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

47. If you would like to say something more about your answer to Question 46, please do so here:

\* 48. Are there other types of vehicles that should be excluded?

- Yes  
 No  
 Don't know

49. Please explain your answer to Question 48: (for example, what other types of vehicles? What regulatory requirements do you suggest the vehicles be excluded from? Why should these vehicles be excluded from the identified regulatory requirements?):



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## Freedom Camping Regulations Discussion Document

### Chapter Six: Fees and levies

**As there is no current regulatory system for self-contained vehicles, there are no fees and levies payable to a regulator. However, charges on participants in the self-contained vehicles regulatory system are required in order to cover the Board's oversight costs.**

**The Bill will provide the legal authority for freedom-camping related fees and levies to be set in regulations. These are:**

- **a monitoring levy that self-contained vehicle owners will pay once every four years at the time of certification to recover the Board's regulatory oversight costs**
- **certification authority approval application fee that certification authority applicants would pay directly to the Board at the time of application, in order to cover the Board's costs involved in assessing an application.**

#### **Self-containment monitoring levy**

**The Discussion Document consults on the following levy options:**

- **Option 1: a levy of \$91.40, this is the 'bare minimum' option to cover the Board's regulatory oversight of the self-contained vehicle system.**
- **Option 2: a levy of \$101, this would provide slightly more resources to the Board to cover its regulatory oversight role**
- **Option 3: a levy of \$120, this would cover the Board's regulatory oversight**



**role and provide additional resources to support the implementation of the new regulatory system.**

**More information on these options can be found in Chapter Six of the Discussion Document.**

\* 50. To what extent do you agree with **Option 1: levy of \$91.40?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

51. If you would like to say something more about your answer to Question 50, please do so here:

\* 52. To what extent do you agree with **Option 2: levy of \$101?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

53. If you would like to say something more about your answer to Question 52, please do so here:

\* 54. To what extent do you agree with **Option 3: levy of \$120?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

55. If you would like to say something more about your answer to Question 54, please do so here:



Certification Authority Application Fee

The Discussion Document consults on the following fee options:

- **Option 1: a set fee of \$431.25 based on a set five-hour approval period at \$75.00 an hour (plus GST).**
- **Option 2: a scalable fee based on a base fee of three hours plus an additional hourly rate of \$75.00 plus GST for each additional hour.**

More information on these options can be found in Chapter Six of the Discussion Document.

\* 56. To what extent do you agree with **Option 1: a set fee of \$431.25?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

57. If you would like to say something more about your answer to Question 56, please do so here:

\* 58. To what extent do you agree with **Option 2: a scalable fee?**

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

59. If you would like to say something more about your answer to Question 58, please do so here:



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Waivers and refunds

The Discussion Document also consults on an option that would authorise the Registrar of the self-contained vehicles register to grant a waiver or refund of the levy or application in fee in the following circumstances:

- **in the case of an administrative error on the part of the Plumbers Gasfitters and Drainlayers Board or a certification authority.**

- **if the Registrar considers, in any particular case, that it would be unreasonable or unfair to require payment of the whole of the levy or application fee.**

**More information can be found in Chapter Six of the Discussion Document.**

\* 60. To what extent do you agree with the proposal for granting waivers and refunds?

- |  |                                      |
|--|--------------------------------------|
| <input type="radio"/> Strongly disagree          | <input type="radio"/> Agree          |
| <input type="radio"/> Disagree                   | <input type="radio"/> Strongly agree |
| <input type="radio"/> Neither agree nor disagree | <input type="radio"/> Don't know     |

61. If you would like to say something more about your answer to Question 60, please do so here:



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Freedom Camping Regulations Discussion Document

General comments

62. Are there any other comments you would like to make about the proposed freedom camping regulations?



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Freedom Camping Regulations Discussion Document

Confidential information

**Below, please tell us if there is any information in your answers that is confidential or you do not want published on the MBIE website.**

63. Please tick the box below if you would like any of your answers to be kept confidential

Yes, there are answers I would like to be kept confidential

64. If you have ticked yes to Question 63, please tell us which specific questions are to be kept confidential.

Please clearly indicate which questions you consider should be withheld, together with the reasons for withholding the information and the grounds under the Official Information Act 1982 you believe apply. We will take such objections into account and will consult with submitters when responding to requests under the Official Information Act 1982.

## Annex Two: Technical requirements for Self-Contained vehicles

We asked the public for feedback on two options for how technical requirements could be prescribed in regulations:

- **Option One (MBIE preferred):** Light-touch, performance-based technical requirements that a vehicle's self-containment facilities would need to meet. These are based on the critical facilities meeting mandatory performance outcomes. This option is similar to the performance-standard approach taken in the Building Code, and provides more flexibility and promotes innovation. Critical facilities include a vehicle's water supply system, its sanitary system (including a fixed toilet and wastewater system), ventilation systems, and mechanisms for loading and unloading water and wastewater. Guidance on how to comply with the technical requirements would be provided by the regulator.
- **Option Two:** Prescriptive technical requirements. These requirements would take the prescriptive approach in the current voluntary standard to critical self-containment facilities, and modify it to comply with the fixed toilet requirements of the Bill. This would mean regulations would specify things like minimum pipe diameters and length, and minimum volumes for potable and wastewater containers as the only means of complying with the standard.

## Annex Three: Self-containment certification authorities

We asked the public for feedback on three options for how the self-containment authority approval criteria could be prescribed in regulations:

- **Option One (*MBIE preferred*):** A robust approach to approvals, where certification authorities have multiple pathways of demonstrating how they can meet criteria. At a high level, the proposed approval criteria would ensure that certification authorities have the right processes in place to perform tasks, like issuing self-containment documentation, undertaking vehicle inspections, keeping appropriate records and having internal auditing systems. This approach is the closest to the light-touch outcome. It is also most likely to encourage existing issuing authorities that provide self-containment services to transition to the new regime, as well as encourage prospective new service providers to come on board as certification authorities.
- **Option Two:** More rigorous and prescriptive criteria, which would be similar to the above option, but with the addition of a standardised vehicle inspector training and auditing systems approved by the PGDB. Any prospective certification authority would need to embed these standard systems and processes in addition to meeting other criteria to be approved. This would provide greater certainty, but increase costs for existing issuing authorities to transition to the new regime (as well as prospective new service providers to come on board as certification authorities) and require further work by the PGDB.
- **Option Three:** Third-party review by an assurance body of an applicant's systems. This would be in addition to either of the options above. In either case, it would provide greater certainty, but would increase costs for prospective certification authorities.

## Annex Four: Competency requirements for vehicle inspectors

We asked the public for feedback on three options for how the vehicle inspector competency requirements could be prescribed in regulations:

- **Option One (MBIE preferred):** A set of competency requirements for vehicle inspectors that are based around vehicle inspectors being knowledgeable. Vehicle inspectors would demonstrate that they understood the technical requirements, could inspect a vehicle's performance in line with regulatory requirements and enter results of an inspection into the national register of self-contained vehicles.

In addition to the competency requirements set out above:

- **Option Two:** Require vehicle inspectors to also have a relevant trade qualification (e.g. mechanical engineering, plumbing, building or related trades). This would increase costs to vehicle inspectors without a trade qualification, but may provide greater assurance that the vehicle inspectors are competent.
- **Option Three:** Require vehicle inspectors to be assessed by a certification authority as "fit and proper". This would increase costs to vehicle inspectors and certification authorities, but may provide greater assurance that vehicle inspectors are competent.

## Annex Five: Self-containment documentation

The current voluntary Standard prescribes the form of the following documents that are issued by issuing authorities after a vehicle has been certified by a vehicle inspector:

- *A self-containment certificate* – which lists the details of the self-containment facilities fitted (e.g. pipe length and diameter, water and wastewater tank size), and the number of people the vehicle’s fresh and waste-water systems are capable of supporting. It is used to provide enforcement officers with additional documentation if they doubt the veracity of the vehicle’s self-containment warrant.
- *A self-containment warrant* – which lists the licence plate of the vehicle, the issuing authority who certified the vehicle, the date of certification, the number of people for which the vehicle is self-contained, the date the warrant expires and a unique number. It is fixed in the front windscreen or window of self-contained vehicles.
- *A generic self-containment sticker* – which is issued once a testing officer certifies the vehicle as self-contained. This sticker is placed on the rear of the vehicle. It does not contain any details that link it to that vehicle, such as licence plate details.

The Bill provides that the format of the self-containment certificate and warrant card is prescribed in regulations. Notably, the Bill also requires a register of self-contained vehicles. This will hold information about a self-contained vehicle’s ownership, its certification status, the details of its self-containment facilities and who certified the vehicle. Enforcement officers would be able to access the register to check a vehicle’s self-containment information, vehicle inspectors and certification authorities would be able to access the register to input a vehicle’s self-containment information and certificate and warrant details, and the general public would be able to search the register to see whether a vehicle has been certified as self-contained.

### Self-containment certificate

We asked the public for feedback on the following options for the self-containment certificate:

- **Option One (MBIE preferred):** Continuing to record the details of a vehicle’s self-containment facilities on the certificate, in addition to the owner’s personal information and other information relating to the vehicle (e.g. its registration number, self-containment warrant expiry date or other detail about how technical requirements have been met), as well as the organisation and vehicle tester that certified the vehicle.
- **Option Two:** Simplify the format of the self-containment certificate to only contain the information set out in the self-contained warrant.



## Annex Six: Levies and fees

### Self-Containment Certification Monitoring Levy

We asked the public for feedback on the following levy options:

- **Option One:** A “bare minimum” levy option, which would apply the bare minimum resources to self-contained vehicle certification activities (\$91.40 including GST for a four-year certificate). This would enable the PGDB to provide oversight of the self-contained vehicle system, including monitoring and auditing of the system, conduct investigations and provide support to maintain the register of self-contained vehicles.
- **Option Two:** Would provide slightly more resources to the PGDB to conduct its regulatory oversight role (as described above) (\$101 including GST for a four-year certificate).
- **Option Three:** A Self-Containment Certification Monitoring Levy of \$120 (including GST). In addition to funding to conduct its regulatory oversight role, the PGDB would provide additional resources to support the implementation of the new regulatory system via an awareness campaign, additional information technology support and technical advice through a sector stakeholder group.

### Certification authority application fee

We asked the public for feedback on the following fee options:

- **Option One:** A set fee of \$431.25 (including GST). It is estimated that the assessment of whether an applicant’s proposed certification system and procedures meet the criteria for approval and the required evidence, as set out in regulations, will take five hours at an hourly rate of \$75.00 plus GST. This hourly rate and effort is the same currently used by the PGDB when assessing applications for employer licences.
- **Option Two:** A scalable fee option, and the total fee charged to the prospective certification authority would depend on how much time the PGDB takes to process the application. There would be a fee based on three hours of effort from the PGDB, plus an hourly rate of \$75.00 plus GST for every additional hour spent on the application.

The fee would cover things such as receiving the application, assessing the proposed system against the prescribed criteria and evidence requirements, assessing how the prescribed competency requirements for vehicle inspectors will be met, and issuing the five-year approval.