

Occupational regulation reforms in the building and construction sector

The Ministry of Business, Innovation & Employment (MBIE) is seeking your feedback on proposals to improve occupational regulation in the building and construction sector.

Submissions are due by 5pm on 6 April 2023. You can find out how to submit on our Have Your Say page.

Occupational regulation aims to protect the public from harm by ensuring services are performed with reasonable care and skill.

Your feedback will help shape the Government's views on the changes we need to ensure occupational regulation in the building and construction sector is fit for purpose and delivers for all New Zealanders.

Improving the Licensed Building Practitioner regime

Previous consultation has found that while the regime is largely working as intended, there are areas for improvement in the regime.

One problem is around improper supervision. MBIE proposes to introduce a licence endorsement that will allow only certain LBPs to supervise restricted building work.

There are also regulatory gaps in the licensing areas. MBIE proposes to introduce to the LBP regime: stonemasonry, internal waterproofing, and specialist areas, such as plasterboard installation and tanking.

MBIE is also reviewing the competencies and minimum standards for entry for LBPs.

Key Questions on proposals to improve the Licensed Building Practitioner regime:

- Do you agree with the proposal for a supervision endorsement? If so, do you consider that competency needs to be tested to gain the endorsement?
- Do you agree with the licensing proposals for stone masonry, specialist areas such as plasterboard installation and tanking, and internal waterproofing?
- How can the current competencies be improved to set them at a higher level? What specifically can you point to that needs to be improved?

Codes of ethics for Electrical Workers and Plumbers, Gasfitters and Drainlayers

There are currently no codes of ethics for these regimes, which limits the ability for regulators to address poor conduct.

Having codes of ethics for these regimes would protect consumers by setting clear expectations for behaviour and providing a way for regulators to holding practitioners to account for poor conduct.

We want your feedback on the scope for these potential codes of ethics.

If the Government decides to introduce codes of ethics for these regimes, MBIE will consult further on the content of the codes of ethics before they come into force.

Key Questions on codes of ethics for Electrical Workers and Plumbers, Gasfitters and Drainlayers:

- Do you think that the introduction of codes of ethics will help to hold professionals to account and improve the public's confidence in the regimes?
- Should professional expectations be consistent across the building and construction sector? Is there anything specific to each profession that would need to be addressed in the code?

We are reviewing the Registered Architects regime

The Registered Architects Act has not been reviewed since it was introduced in 2006.

MBIE is reviewing the Act and seeking feedback on a range of issues to determine if the regime is fit for purpose and whether government should have a continued role in regulating architects.

Initial stakeholder feedback has identified some preliminary issues that we are keen to explore further and gather evidence on.

Key Questions on the review of the Registered Architects Act:

- Is there a difference in the quality of a registered architect's design work compared to other design professionals?
- What are the potential risks of harm that could arise from an architect's role in the building process? Do you have any evidence of the risk to public harm?
- Is continuing occupational regulation justified for the architectural profession in New Zealand?