

**BUILDING
PERFORMANCE**

CONSULTATION SUBMISSION FORM

Proposed CodeMark scheme rules amendments

MARCH 2023



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

Te Kāwanatanga o Aotearoa
New Zealand Government



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

Ministry of Business, Innovation and Employment (MBIE) Hīkina Whakatutuki – Lifting to make successful

MBIE develops and delivers policy, services, advice and regulation to support economic growth and the prosperity and wellbeing of New Zealanders.

MORE INFORMATION

Information, examples and answers to your questions about the topics covered here can be found on our website: www.mbie.govt.nz or by calling us free on: **0800 20 90 20**.

DISCLAIMER

This document is a guide only. It should not be used as a substitute for legislation or legal advice. The Ministry of Business, Innovation and Employment is not responsible for the results of any actions taken on the basis of information in this document, or for any errors or omissions.

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MARCH 2023

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How to make a submission

The Ministry of Business, Innovation and Employment (MBIE) is seeking your feedback on:

- a proposed requirement for product certification bodies (PCBs) to use MBIE's certificate template with the new mark of conformity
- a proposed requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public.

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

You can submit this form by **5pm, Thursday, 20th April 2023** by:

- Sending your submission as a Microsoft Word document to Building@mbie.govt.nz
- Mailing your submission to:

CodeMark mark of conformity consultation 2022
Building System Performance
Building, Resources and Markets
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140
New Zealand

USE OF INFORMATION

The information provided in submissions will contribute to MBIE's ongoing development of the CodeMark scheme. We may contact submitters directly if we require clarification of any matters in submissions.

RELEASE OF INFORMATION

MBIE may upload PDF copies of submissions received to MBIE's website at www.mbie.govt.nz. MBIE will consider you to have consented to uploading by making a submission, unless you clearly specify otherwise in your submission.

If your submission contains any information that is confidential or you otherwise wish us not to publish, please:

- indicate this on the front of the submission, with any confidential information clearly marked within the text
- provide a separate version excluding the relevant information for publication on our website.

Submissions remain subject to requests under the *Official Information Act 1982*. Please set out clearly in the cover letter or e-mail accompanying your submission if you have any objection to the release of any information in the submission, and in particular, which parts you consider should be withheld, together with the reasons for withholding the information. MBIE 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 MBIE. Any personal information you supply to MBIE 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 in the cover letter or e-mail accompanying your submission if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.

Submitter information

MBIE would appreciate if you could provide some information about yourself. If you choose to provide information in the “About you” section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

A. About you

Name:

Email address:

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

Yes No

C. 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.

D. The best way to describe your role is:

- CodeMark certificate holder
- Product certification body
- Industry organisation (please specify below)
- Business
- Individual
- Other (please specify below)

Please specify here.

E. If you represent a business the best way to describe it is:

- Designer/ Architect Builder
 Sub-contractor Other (please specify below)
 Supplier

F. If you are an individual the best way to describe you is:

- Designer/ Architect Builder
 Sub-contractor Other (please specify below)
 Building Consent Officer
 Homeowner

G. Privacy information

- The Privacy Act 2020* applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish.
- MBIE may upload submissions or a summary of submissions received to MBIE’s website at 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 the box, and type an explanation below:

I do not want my submission placed on MBIE’s website because [insert reasoning here]

H. Confidential information

- I would like my submission (or identifiable parts of my submission) to be kept confidential and have stated my reasons and ground under section 9 of the *Official Information Act 1982* that I believe apply, for consideration by MBIE.

If you have ticked this box, please tell us what parts of your submission are to be kept confidential.

CodeMark scheme rules amendments

The *Building (Building Products and Methods, Modular Components, and Other Matters) Amendment Act 2021* (the Amendment Act) introduced a new certification scheme for modular component manufacturers (BuiltReady) and also made changes to strengthen the existing CodeMark product certification scheme.

The BuiltReady and CodeMark schemes offer deemed to comply building consent pathways along with MultiProof, which is a statement by MBIE that a set of plans and specifications for a building complies with the Building Code.

As part of the implementation work for the new CodeMark brand, MBIE has carefully considered whether other scheme rules were affected by the change or needed to be reviewed. As a result of sector feedback from the November 2022 consultation, MBIE has proposed two rule changes to foster public trust and create further consistency and clarity across the brand.

MBIE is seeking feedback on two proposals:

1. a requirement for product certification bodies (PCBs) to use MBIE's certificate template with the new mark of conformity.
2. a requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public.

The purpose of this consultation is to seek feedback from affected parties on whether the addition of these new rules will have any adverse or negative impacts.

QUESTIONS FOR THE CONSULTATION

1. REQUIREMENT FOR PCBS TO USE MBIE ISSUED CERTIFICATE TEMPLATE

1-1 Do you agree with the proposed rule that PCBs must use the MBIE issued product certificate template?

- Yes, I agree.
- No, I disagree.
- Not sure/no preference.

Please add any further comments here:

1-2 Will you be able to implement this requirement by 1 September 2024?

- Yes, I have enough time to prepare.
- No, I don't have enough time to prepare.
- Not sure/no preference.

If no, please explain your reasons here:

1-3 Are there any barriers in the way of following the proposed rule change?

- Yes
- No

If yes, please explain your reasons here:

2. INFORMATION REQUIREMENTS

2-1 Do you agree with the proposed requirement for certificate holders to make technical information from CodeMark certificates easily accessible for the public?

- Yes, I agree.
- No, I disagree.
- Not sure/no preference.

Please add any further comments here:

2-1 If the proposed rule change goes ahead, is 1 September 2023 enough time to implement this new rule?

- Yes, I have enough time to prepare.
- No, I don't have enough time to prepare.
- Not sure/no preference.

If you replied no, could you please provide an explanation of how much time you believe will be necessary to successfully implement this change:

2-3 Are there any barriers in the way of following the proposed new rule?

- Yes
- No

If yes, please explain here:



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BRM 9586