



COVERSHEET

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| Minister | Hon Dr Megan Woods | Portfolio | Building and Construction |
| Title of briefing | Occupational regulation reforms in the building and construction sector: minor policy decisions and release of consultation document | Date to be published | 3 April 2023 |

List of documents that have been proactively released

| Date | Title | Author |
|------------------|--|--|
| February 2023 | Occupational regulation reforms in the building and construction sector: minor policy decisions and release of consultation document | Office of the Minister for Building and Construction |
| 15 February 2023 | Building and Construction Sector: Occupational Regulation Reforms DEV-23-MIN-0004 Minute | Cabinet Office |

Information redacted

YES

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reason of Confidential advice to Government.



Cabinet Economic Development Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Building and Construction Sector: Occupational Regulation Reforms

Portfolio **Building and Construction**

On 15 February 2023, the Cabinet Economic Development Committee:

- 1 **noted** that occupational regulation in the building and construction sector aims to protect the public from harm by ensuring services are performed with reasonable care and skill;
- 2 **noted** that some of these regulatory regimes are no longer fit for purpose and work is already underway to address the most significant shortcomings and improve how the regulatory regimes operate;
- 3 **noted** that in March 2022, the Cabinet Economic Development Committee (DEV) took decisions to establish a new occupational regulatory regime and regulator for professional engineers and engineering associates [DEV-22-MIN-0036, DEV-22-MIN-0037];
- 4 **noted** that the decisions in paragraph 3 will be included in an Engineers Occupational Regulation Bill;
- 5 **noted** that in April 2021, DEV took decisions to amend the Building Act 2004 that will strengthen the Licensed Building Practitioners regime [DEV-21-MIN-0086];
- 6 **noted** that in March 2021, DEV agreed to minor amendments to the Plumbers, Gasfitters, and Drainlayers Act 2006 [DEV-21-MIN-0038];
- 7 **noted** that the decisions in paragraphs 5 and 6 are included in the Building and Construction Occupational Regulation Bill, Confidential advice to Government
- 8 **noted** that stakeholders are supportive of introducing a regulation-making power to enable a code of ethics to be set for the Plumbers, Gasfitters and Drainlayers regime and the Electrical Workers regime and removing the barrier to the Registrar of the Electrical Workers Registration Board from making a complaint;
- 9 **agreed** to amend the Plumbers, Gasfitters, and Drainlayers Act 2006 to empower the responsible Minister to prescribe a code of ethics through Order in Council;
- 10 **agreed** to amend the Plumbers, Gasfitters, and Drainlayers Act 2006 to add a breach of the prescribed code of ethics as a disciplinary offence;

- 11 **agreed** to amend the Electricity Act 1992 to empower the responsible Minister to prescribe a code of ethics through Order in Council;
- 12 **agreed** to amend the Electricity Act 1992 to add a breach of the prescribed code of ethics as a disciplinary offence;
- 13 **agreed** to amend the Electricity Act 1992 to remove the barrier to the Registrar of the Electrical Workers Registration Board being able to make a complaint under Part 11 of the Act;
- 14 **authorised** the Minister for Building and Construction to issue drafting instructions to Parliamentary Counsel Office to give effect to the policy proposals in paragraphs 9 to 13 above;
- 15 **authorised** the Minister for Building and Construction to make decisions on minor and technical matters that arise during drafting, consistent with the policy decisions in the paper under DEV-23-SUB-0004;
- 16 **noted** that the Minister for Building and Construction intends to seek approval from the Cabinet Legislation Committee in 2023 for introduction of the Building and Construction Sector Occupational Regulation Bill;
- 17 **noted** that the Building and Construction Sector Occupational Regulation Bill could be the legislative vehicle to make the legislative changes outlined in paragraphs 9 to 13 above;
- 18 **agreed** to release the consultation document titled *Occupational regulation reforms in the building and construction sector* (the consultation document), attached to the submission under DEV-23-SUB-0004, subject to minor editorial changes;
- 19 **noted** that the Ministry of Business, Innovation and Employment has carried out targeted engagement with key stakeholders to test the proposals and issues included in the consultation document;
- 20 **noted** that stakeholders are broadly supportive of the proposals to strengthen the Licensed Building Practitioners regime included in the consultation document;
- 21 **noted** that stakeholders are supportive of commencing a review of the Registered Architects Act 2005 and seeking feedback on issues with the current regime through the consultation document;
- 22 **noted** that the Minister for Building and Construction intends to report back to DEV on progress made in relation to matters requiring further consultation in 2023.

Jenny Vickers
Committee Secretary

Hard-copy distribution: (see over)

Present:

Hon Carmel Sepuloni
Hon Grant Robertson (Chair)
Hon Dr Megan Woods
Hon Dr Ayesha Verrall
Hon Willie Jackson
Hon Damien O'Connor
Hon Andrew Little
Hon David Parker
Hon Peeni Henare
Hon Priyanca Radhakrishnan
Hon Ginny Andersen
Hon Dr Duncan Webb
Hon Rino Tirikatene
Hon Dr Deborah Russell
Jo Luxton MP

Officials present from:

Office of the Prime Minister
Officials Committee for DEV