



Freedom Camping changes

WHAT THEY MEAN FOR RENTAL COMPANIES

Purpose: This fact sheet seeks to show rental companies what the changes to freedom camping in a vehicle will look like for them. It also includes answers to some questions raised by stakeholders during public consultation.

Key changes and timing: Please note these timeframes are subject to Cabinet and Parliament processes – any deferrals to timeframes will be communicated on MBIE’s website.

SUMMER 2022/23



- › Parliament amends the Freedom Camping Act 2011.
- › Vehicle-based freedom camping on council land must now be done in a certified self-contained vehicle, unless at a site specifically designated for freedom camping in non-self-contained vehicles.
- › The voluntary standard will still be used to certify self-containment, and blue warrant cards will still be issued as evidence of self-containment
- › Only vehicles with a fixed toilet (not portable) will be able to be certified as self-contained from now
- › Rental companies become liable for infringement notices issued to them as vehicle owners.
- › New freedom camping offences are introduced, and infringements can now be emailed.
- › The payment period and reminder notice period is changed from 28 days to 14 days.

WINTER 2023



- › Certification can be done by either existing issuing authorities (using the voluntary standard, and issuing blue warrant cards) or new certification authorities (using the technical requirements in Regulations, and issuing green warrant cards).
- › Blue warrant cards will still be evidence of self-containment.
- › The register of self-contained vehicles is operational and accessible to the public to check whether a vehicle is self-contained.
- › Higher fines may be issued for non-compliance with freedom camping rules.

SUMMER 2023/24



- › Only certification authorities will be able to certify vehicles.
- › Only green warrant cards can be issued.
- › Blue warrant cards can no longer be issued from now but existing blue warrant cards will still be evidence of self-containment.

WINTER 2024



- › Rental vehicles used for freedom camping must now be certified with a green warrant card.
- › Blue warrant cards on rental vehicles will no longer be evidence of self-containment.

SUMMER 2024/25



- › All vehicles used for freedom camping must now have a green warrant card.
- › Blue warrant cards will no longer be evidence of self-containment.



Frequently asked questions

What do the changes mean for rental vehicles with portable toilets?

Rental vehicles with portable toilets will no longer be able to be certified as self-contained. Such vehicles will only be able to be used to freedom camp on DOC land (unless specifically restricted to self-contained vehicles only) or specifically designated council land where the use of non-self-contained vehicles for freedom camping is permitted. These vehicles can also be used for camping on land not subject to the Freedom Camping Act 2011, such as private land or commercial camping grounds.

What is proposed in terms of rental company liability for infringement fee payments?

Rental companies would have to pay freedom camping infringements that are issued to them as the registered vehicle owner, instead of transferring liability to the hirer.

What does this mean in practice?

The rental company will be able to debit the hirer's credit card after first sending them a copy of the infringement notice (as they must do now). This debiting can be done through the pre-authorisation that a rental company currently already places on the hirer's credit card. This pre-authorisation remains in place even if the card is subsequently cancelled by the hirer after they leave New Zealand, as anecdotally can happen.

Rental companies may need to maintain the pre-authorisation for longer and/or increase the amount of the pre-authorisation. Pre-authorisations normally last for up to 30 days but can be extended on application to the credit card merchant.

Will rental companies receive the infringement notice quicker?

Yes. Enforcement agencies will be able to email infringement notices to rental companies so that action can be taken as soon as possible.

Will the payment period be reduced as well?

Yes. A 14 day payment period (rather than the current 28 days) is being proposed. This reduces the amount of time that a hirer has to pay before a reminder notice is issued. This enables rental companies to act quicker when an infringement notice is received.

Will rental companies be responsible for paying infringements issued directly to hirers?

No. Infringement notices issued directly to hirers will still have to be paid by hirers. The proposed changes only apply to infringement notices issued to a rental company as the owner of the rental vehicle.

Can the hirer still challenge the issuing of the infringement notice?

Yes. The hirer's right will be preserved to challenge the issuing of the infringement notice with the enforcement authority, continuing their access to natural justice. A successful challenge would result in a refund.

Will we be able to use our current issuing authority to certify our fleet?

If you want your vehicle fleet to be issued with a green warrant card, your current issuing authority will need to be appointed as a certification authority by the Plumbers, Gasfitters and Drainlayers Board in order to certify or recertify your vehicles as self-contained.

A current issuing authority that does not wish to become an approved certification authority can continue to certify vehicles under the voluntary standard and issue blue warrant cards up until summer 2023/24.

Blue warrant cards issued up to that point will remain valid until summer 2024/25, regardless of their expiry date.

FURTHER INFORMATION

Further information on the changes can be found at www.mbie.govt.nz/freedomcampingchanges