# How to submit this form

This submission form can be used to provide your feedback on the Ministry of Business, Innovation and Employment’s (MBIE’s) consultation on proposed rules for CodeMark product certification. It supports the consultation document ‘Proposals for CodeMark scheme rules’, which is available at [www.mbie.govt.nz/have-your-say](http://www.mbie.govt.nz/have-your-say). If you prefer to complete an online survey instead of this submission form, a link to the survey is also available at [www.mbie.govt.nz/have-your-say](http://www.mbie.govt.nz/have-your-say).

When completing this submission form, please provide comments and reasons explaining your choices. Your feedback provides valuable information and informs decisions about the proposed scheme rules. We appreciate your time and effort in responding.

Please send us your completed form by **5pm on 25 May 2022:**

* by email to [building@mbie.govt.nz](mailto:building@mbie.govt.nz) with the subject line **‘CodeMark consultation 2022’,** or
* by post to:

**CodeMark consultation 2022**

Building System Performance

Building Resources and Markets

Ministry of Business, Innovation and Employment

PO Box 1473, Wellington 6140

New Zealand

If you have any questions about the submissions process please email [building@mbie.govt.nz](mailto:building@mbie.govt.nz).

## Use and release of information

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

Your submission will also become official information, which means it may be requested under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available upon request unless there are sufficient grounds for withholding it. If we receive a request, we cannot guarantee that feedback you provide us will not be made public. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

Please set out clearly in the cover letter or email 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 and reasons for withholding this information. MBIE will take such objections into account and consult with submitters when responding to requests under the OIA.

## 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 the CodeMark scheme rules. Please clearly indicate in the cover letter or email 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 would provide some information about yourself in the section below. If you choose to do so, this information will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

## Your name, email address, phone number and organisation

|  |  |
| --- | --- |
| Name: |  |

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| Organisation: |  |

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| Email address: |  |

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| Phone number: |  |

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|  | 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**](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 the box and type an explanation below: |

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

## Please check if your submission contains confidential information

|  |  |
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|  | 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 that I believe apply, for consideration by MBIE. |

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| [insert response here] |

# Questions

## Part 1: Preliminary provisions

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| Part 1 of the scheme rules sets out preliminary provisions, including relevant definitions. |

1. Do you have any comments on the definitions in Part 1: Preliminary provisions?

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| [insert response here] |

## Part 2: Accreditation body requirements

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| Part 2 of the scheme rules contains requirements for the product certification accreditation body, which is responsible for accrediting product certification bodies and checking they continue to meet the accreditation requirements. |

1. Do you agree that the rule with respect to surveillance will provide appropriate oversight over any change in the product certification body responsible for a particular product certificate?

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

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| --- |
| [insert response here] |

1. Do you have any other comments on the rules in Part 2: Accreditation body requirements?

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| [insert response here] |

## Part 3: Product certification body requirements

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| Part 3 of the scheme rules contains requirements for the product certification bodies, which are responsible for evaluating building products and building methods for CodeMark certification. It includes: general requirements; detailed rules for evaluation and surveillance; rules relating to product certificates and certificate numbers; and rules relating to changes in certificate holder. |

### 3.1 General requirements

1. Do you agree that the specified technical competencies are clear and workable?

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

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| --- |
| [insert response here] |

1. Do you have any other comments on the rules in 3.1 General requirements?

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| [insert response here] |

### 3.2 Evaluation

#### Pre-evaluation and risk assessments

1. Do you agree that the definitions of likelihood and consequence (in Table 1) are appropriate for use in the risk assessment?

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

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| [insert response here] |

1. Are there any other factors you think we should add to Table 1 (steps 2 and 6) or any you don’t think should be there?

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| [insert response here] |

1. The proposed rules for minimum audit and inspection requirements allow for some discretion by product certification bodies, recognising that individual practice varies. Do you agree that the proposed rules provide an appropriate baseline?

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

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| [insert response here] |

#### Preparing the evaluation plan

1. Do you agree with the proposal for developing an evaluation methodology (rule 3.2.8)?

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

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| --- |
| [insert response here] |

#### Evaluating the building product or building method

1. Do you agree that the proposed rules for accepting test reports provide a good baseline for product certification bodies?

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

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| [insert response here] |

1. Do you agree that the provision in rule 3.1.16(b) regarding costs being ‘unduly onerous’ is appropriate?

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

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| [insert response here] |

1. Do you agree that the proposed transitional provisions in rule 3.2.16 (c) with respect to testing are sufficiently clear and workable?

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

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| [insert response here] |

1. Do you have any suggestions with respect to the rule for considering technical opinions?

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| [insert response here] |

#### Site audits and inspections

1. Do you consider the rule relating to remote audits is clear and workable?

Yes, I do  No, I don’t Not sure/no preference

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| --- |
| [insert response here] |

1. Do you agree that the rule relating to installation demonstrations is clear and workable?

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

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| [insert response here] |

#### Evaluation report, review and certification decision

1. Do you have any other comments on the rules in 3.2 Evaluation?

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| [insert response here] |

### 3.3 Product certificates and certificate numbers

1. Do you consider the rules for a standard format for certificate numbers are clear and workable?

Yes, I do  No, I don’t Not sure/no preference

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| [insert response here] |

1. Do you have any other comments on the rules in 3.3 Product certificates and certificate numbers?

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| [insert response here] |

### 3.4 Surveillance

1. Do you consider the rules relating to changes in the product certification body are appropriate in view of the provisions in the Building Act?

Yes, I do  No, I don’t Not sure/no preference

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| [insert response here] |

1. Do you consider the requirements for post-manufacture surveillance in certain circumstances are appropriate?

Yes, I do  No, I don’t Not sure/no preference

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| [insert response here] |

1. Do you have any other comments on the rules in 3.4 Surveillance?

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| [insert response here] |

### 3.5 Change in certificate holder

1. Do you consider that the new rules provide a reasonable framework for assessing how changes in the certificate holder should be assessed by the product certification body?

Yes, I do  No, I don’t Not sure/no preference

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| [insert response here] |

## Part 4: Certificate holder requirements

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| Part 4 of the scheme rules contains requirements for certificate holders including responsibilities for ensuring their building products or building methods are materially the same as those that were evaluated, rules relating to quality plans, and requirements for notifying the product certification body if things change. |

1. Do you agree with the proposed rules for quality plans?

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

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| [insert response here] |

1. Do you have any other comments on the rules in Part 4: Certificate holder requirements?

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| --- |
| [insert response here] |

## Schedule 1: Use of the mark of conformity

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| Schedule 1 contains requirements for using the CodeMark mark of conformity, which is a registered trade mark. |

1. Do you have any comments on Schedule 1?

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| --- |
| [insert response here] |

## Further comments

1. Do you have any further comments on the proposals for CodeMark scheme rules that you would like to add?

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| --- |
| [insert response here] |

Thank you again for your time in responding to this consultation.

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