



COVERSHEET

Minister	Hon Chris Penk	Portfolio	Building and Construction
Title of Cabinet paper	Enabling self-certification and speeding up building inspections	Date to be published	29 May 2025

List of documents that have been proactively released

Date	Title	Author
April 2025	Enabling self-certification and speeding up building inspections	Office of the Minister for Building and Construction
April 2025	Appendix One: Table of key elements and rationale for self-certification proposals	Office of the Minister for Building and Construction
9 April 2025	Enabling self-certification and speeding up building inspections ECO-25-MIN-0052 Minute	Cabinet Office
10 March 2025	Regulatory Impact Statement: Improving the efficiency of building inspections	MBIE
11 March 2025	Regulatory Impact Statement: Establishing self-certification schemes for simple residential building work	MBIE
11 March 2025	Stage 1 Cost Recovery Impact Statement: Establishing self-certification schemes for simple residential building work	MBIE

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 reasons of:

- Confidential advice to Government
- Confidentiality
- Commercial Information



Cabinet Economic Policy 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.

Enabling Self-certification and Speeding Up Building Inspections

Portfolio **Building and Construction**

On 9 April 2025, the Cabinet Economic Policy Committee (ECO):

Background

- 1 **noted** that in September 2024, ECO directed officials to explore policy options for an opt-in self-certification scheme, and noted that the high-level scope of a potential scheme would:
 - 1.1 allow both individual practitioners and approved companies to apply;
 - 1.2 require that participants meet specified eligibility requirements;
 - 1.3 that self-certification would be limited to simple residential work due to it being lower risk;
- [ECO-24-MIN-0199]
- 2 **noted** that broadening the use of self-certification in the building sector is part of a broader programme of work to deliver an efficient, competitive building regulatory system and reduce overall building costs, including initiatives for quicker and more efficient pathways for low-risk building work;
- 3 **noted** that in September 2024, ECO agreed to release a discussion document on options to improve efficiency in the inspection process [ECO-24-MIN-0188];

Amendments to the Building Act to enable opt-in self-certification for entire simple residential dwellings

- 4 **agreed** to amend the Building Act 2004 to introduce an opt-in self-certification scheme for entire simple residential dwellings, which will enable house builders carrying out simple residential building work on an entire house to self-certify from start to finish;
- 5 **agreed** that high-level eligibility criteria for house builders to enter the scheme will include meeting a fit and proper persons test and having adequate means to meet any potential civil liabilities;
- 6 **agreed** that more detailed eligibility criteria for house builders, and the definition of simple residential dwelling, be set out in regulations;

- 7 **agreed** that changes be made, if required, to the Building Act and Licensed Building Practitioner (LBP) regime to allow for licence endorsements or a new “certifying” licence class, as part of the licensing regime for LBPs;
- 8 **agreed** that the Ministry of Business, Innovation and Employment (MBIE) oversee the scheme and register house builders, with audits undertaken at least once every two years (with more frequent audits if needed);
- 9 **agreed** to amend the matters that Building Consent Authorities (BCAs) must accept as establishing compliance with the Building Code under section 19 of the Building Act to include material provided by an approved house builder;
- 10 **agreed** to amend the good faith liability protections for BCAs under section 392 of the Building Act to include reliance on material provided by an approved house builder;
- 11 **agreed** to amend the Building Act to include offences and penalties for misrepresentations of status and work, aligning with equivalent offences and penalties for the ‘BuiltReady’ scheme under the Building Act that incorporates self-certification in relation to offsite manufacturing;

Amendments to the Plumbers, Gasfitters and Drainlayers Act to introduce opt-in self-certification for plumbers and drainlayers

- 12 **agreed** to amend the Plumbers, Gasfitters and Drainlayers Act 2006 to introduce an opt-in self-certification scheme for plumbers and drainlayers, for work in simple residential dwellings;
- 13 **agreed** that high level eligibility criteria for plumbers and drainlayers to be able to self-certify is set out in the Plumbers, Gasfitters and Drainlayers Act and include specified technical competency and knowledge, a minimum number of years of practical experience and a proven track record of regulatory compliance;
- 14 **agreed** that more detailed requirements be prescribed in secondary legislation made by the Plumbers, Gasfitters and Drainlayers Board;
- 15 **agreed** that the Plumbers, Gasfitters and Drainlayers Act be amended to allow for licence endorsements, as part of the licensing regime for plumbers and drainlayers;
- 16 **agreed** that the definition of simple residential building for the purpose of plumbers and drainlayer self-certification aligns with the definition under the Building Act in paragraph 6 above;
- 17 **agreed** that a certificate of compliance must be issued for any work that is self-certified by a plumber or drainlayer and lodged on the public register, with non-compliance attracting a penalty Confidential advice to Government
- 18 **agreed** to increase the penalty for claiming to be a registered or licensed building practitioner when they are not and providing false and/or misleading information for the purpose of obtaining registration and/or licensing Confidential advice to Government
- 19 **agreed** to create a function in the Plumbers, Gasfitters and Drainlayers Act for the Chief Executive of MBIE to support the monitoring of the scheme;

Amendments to the Building Act 2004 to enable opt-in self-certification for plumber and drainlayers

- 20 **agreed** to amend the matters that BCAs must accept as establishing compliance with the Building Code under section 19 of the Building Act to include material provided by an approved plumber and/or drainlayer;
- 21 **agreed** to amend the good faith liability protections for building consent authorities under section 392 of the Building Act to include reliance on material provided by an approved plumber and/or drainlayer;

Speeding up building inspections

- 22 **agreed** to amend the Building (Accreditation of Building Consent Authorities) Regulations 2006 to require BCAs to have policies and procedures to ensure they can carry out a minimum of 80 percent of inspections within 3 working days of the date requested;

Next steps

- 23 **authorised** the Minister for Building and Construction to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above paragraphs;
- 24 **noted** that changes will be progressed through the omnibus Building Consent System Reform Bill [REDACTED] Confidential advice to Government [REDACTED]
- 25 **authorised** the Minister for Building and Construction to make further detailed decisions on any matters required to give effect to the above paragraphs.

Rachel Clarke
Committee Secretary

Present:

Hon David Seymour
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Brooke van Velden
Hon Shane Jones
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Dr Shane Reti
Hon Tama Potaka
Hon Simon Watts
Hon Chris Penk
Hon Penny Simmonds
Hon Andrew Hoggard
Hon Nicola Grigg
Hon Scott Simpson
Hon Mark Patterson
Simon Court MP

Officials present from:

Office of the Prime Minister
Officials Committee for ECO