**NZCB Submission**

**Overseas Products Regulatory Frameworks**

**Section One**

**Proposed decision-making criteria: Overseas certified building products**

1. Do you agree with each of the proposed criteria? If not, which ones need to be amended or removed? Please provide your reasoning?

*We are broadly supportive of the proposed criteria, although we believe the wording of Criteria 3 should be tightened to emphasise that published product information must be provided, and not just if it is available.*

1. Are there other criteria that are important? Please provide your reasoning.
2. Do you have any other suggestions for how the criteria could be assessed?

*In the past, there have been discussions about setting up a centralised body to assess new products or complex builds to take the burden off local BCAs. We have discussed this idea with local councils, and while they understand the principle, they worry about losing good staff to a centralised BCA.*

*One option for assessing new products while addressing councils’ concerns would be to establish a committee using BCA staff from around the country (with councils reimbursed for their contributions to the committee). This would have the advantage of keeping the BCAs informed about new products coming into the market, while retaining key staff in local BCA.*

**Section Two**

**Recognising overseas standards and standard certification schemes**

1. Do you agree with each of the proposed criteria? If not, which ones need to be amended or removed? Please provide your reasoning.

*We agree with most of the criteria. However, we note that the guidance text for Criteria Three suggests that the standards should be provided “at a reasonable cost”. In our view, access to the standards should be free.*

*With respect to Criteria Four, we agree with the broad outlines but suggest specific guidance should include:*

1. *A clear scope of each regular review is published and managed of products or groups of products that are deemed to comply.*
2. *Ongoing communication around warnings and bans on building products.*
3. *A clear scope of recourse when producers and importers step outside the prescribed scope as set down by the Chief Executive.*
4. Are there other decision-making criteria that are important? Please provide your reasoning.

*We suggest that some consideration should be given to ensuring that recognised standards can adapt to or take account of building innovations and environmental changes, particularly with a view to future-proofing against climate change.*

1. Do you have any other suggestions for how the criteria could be assessed? Please provide your reasoning.

* ***Pilot Testing****: Implement a trial phase for standards recognition, where a small group of certified products is tested for compliance and suitability in real-world conditions in New Zealand.*
* ***Third-Party Reviews****: Engage independent experts to evaluate the alignment of overseas standards with New Zealand's requirements.*
* ***Performance Tracking****: Establish a system for ongoing monitoring and reporting on the performance of products using recognized standards to ensure continued compliance and suitability.*

1. What should be the trigger(s) for a recognition process to begin? For example, should MBIE proactively undertake recognitions based on feedback from industry on where the need is greatest, accept applications from overseas manufacturers or importers, or something else (or a combination of factors)?

*We believe the regulations should be designed to allow for a combination of factors but first priority should be given to those products that address urgent market needs. For example, COVID-related shortages in GIB board required rapid responses, prompted by industry need.*

1. Are there certain product certification schemes/types of building products which should be prioritised for recognition? Please provide your reasoning.

*Priority should be given to certification schemes that are in use for countries or regions that have manufacturers that are either likely to consider setting up product supply to New Zealand (i.e., geographically it makes sense for them to entertain the prospect), or certification schemes in use for countries or regions that have a reputation for producing quality products (e.g., Japan, USA etc).*

1. What types of standards should be prioritised for review? Please provide your reasoning.

*We believe ISO standards and ANZ standards should be prioritised for review.*

1. How should MBIE prioritise carrying out assessments for recognitions? For example, should products with known supply or competition issues be prioritised, or something else?

*We agree that products with known supply or competition issues (in the New Zealand market) should be prioritised.*

1. Do you have any other comments about implementing the regulations?

*We believe the proposals outlined here provide a sound basis for future regulations.*

*NZCB considers it critical that any new entrant to the New Zealand market demonstrates a commitment to a local technical support service and network at both the design and installation stages of a project. This needs to be supported by a comprehensive and locally managed product warranty. If these features are not available, architects/designers and builders will not support the new entrant.*

*Our only other concerns relate to ensuring that overseas products are produced in accordance with ethical labour hire practices.*

*Not only does New Zealand have a moral obligation – and potentially legal obligations – to avoid importing products produced unethically, but we also need to ensure the competitiveness of our own manufacturers.*