

## Submission Form

Testing proposals for regulations to support an opt-in self-certification scheme for entire simple residential dwellings

October 2025

The Ministry of Business, Innovation and Employment (MBIE) is seeking your feedback by **Tuesday 4 November 2025** on proposals for regulations to support the proposed self-certification scheme for entire simple residential dwellings (the scheme).

Thank you for taking the time to provide your feedback on these proposals, it is valuable to help inform our decision making.

### INSTRUCTIONS

- The content of this document is provided In-Confidence. The regulations are currently under development, and MBIE is sharing these draft proposals so that we can test the feasibility and workability of them; they are not Government policy.
- This is targeted testing with the sector which has been provided to select groups. Please ensure responses are the authorised views of your organisation, not personal opinions.
- Please provide your answers to any or all the testing document's questions in the provided spaces below. Comments, further explanation and evidence to support your reasoning is valuable and appreciated. Examples of evidence include references to independent research or facts and figures.

### Confidential information

- If your submission has any confidential information, please state so in your accompanying email. Clearly identify which part(s) you consider should be withheld and the ground(s) under the *Official Information Act 1982* that you believe apply.
- Please additionally indicate this in the provided space in the submitter information section below and on the front of your submission (eg the first page header may state "In Confidence"). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
- Note that submissions are subject to the OIA and may, therefore, be released in part or full. The *Privacy Act 1993* also applies.

### Submitting feedback

- Feedback must be provided by **Tuesday 4 November 2025**.
- Please return your feedback as a Microsoft Word document via email to [building@mbie.govt.nz](mailto:building@mbie.govt.nz) with the subject line:
  - **Entire Builds Self-Certification Regulations Proposals – October/November 2025**
- If preferred MBIE can meet with you to discuss your feedback.

**SUBMITTER INFORMATION**

We would appreciate it if you would provide some information about yourself and organisation to help us understand how different groups view the proposals for the regulations. Any information you provide will be stored securely.

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Organisation: [New Zealand Certified Builders Association \(NZCB\) and Halo Guarantee Limited \(HGL\)](#)

- ☐ MBIE will not be uploading submissions to its website. However, under the *Official Information Act 1982* submissions may be published. Please tick the box if you do **not** wish your name or other personal information to be included in any published information and explain below.

I do not want my submission placed on MBIE's website because... [insert reasoning here]

**Please check if your submission contains confidential information**

- ☐ 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 OIA that I believe apply, for consideration by MBIE.

## Scope of building work that can be self-certified

### DEFINITION OF A SIMPLE RESIDENTIAL DWELLING

*Refer to page two of the targeted engagement document to answer these questions.*

An option for what the definition of a simple residential dwelling within the scheme is intended to capture has been identified

1. Do you agree with the scope we are proposing to capture with the definition? If not, why not and what would you change? (eg should certain building elements be specifically excluded such as internal gutters, parapets?)

☒ Yes ☐ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

[insert response here]

2. Should the scope also include single storey duplex house builds with a weathertightness score no greater than 12 and an intertenancy fire wall in the garage(s)? Please explain your reasoning.

☒ Yes ☐ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

We believe the risk of a duplex of this nature is similar to a standard single storey build.

3. Are the right factors considered in creating the definition? Does what we are proposing adequately consider all the factors? If not, why not?

☒ Yes ☐ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

[insert response here]

4. Does the proposed scope of the definition achieve a reasonable balance between risk mitigation and scheme viability? If not, why not?

☒ Yes ☐ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

[insert response here]

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5. For house builders, how many houses that you built in 2024 would be within the scope we are proposing the definition capture?

[insert response here]

N/A, New Zealand Certified Builders does not build houses, our members do.

## Eligibility requirements

### FIT AND PROPER TEST

Refer to page three of the targeted engagement document to answer these questions.

6. Do you agree with the proposed criteria for this test? If not, why not? Are there any additional criteria that you think should be included?
- ☐ Yes ☒ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

For a builder to have the ability to self-certify, there needs to be a requirement that they are suitably qualified and experienced. The draft 'Fit and Proper Test' is silent on this and it shouldn't be. Suggested additions are:

- Qualification e.g. L4 Certificate in Carpentry; or architecture, engineering, QS, Construction qualifications etc.
- Appropriate experience as a builder (for example, a minimum 5 years practising as a builder).
- A good track record with the BCAs the builder deals with on a regular basis. This would help screen out builders who continually fail inspections, lack technical proficiency, or are simply disorganised.

NZCB has been consistent in its commentary that these requirements should form part of an elevated LBP licensing class, for example reconfiguring LBP Site. If this higher class was established, any builder wanting to opt-in to initiatives such as self-certification, consent-free granny flats and so on would first need to be an LBP Site (or any other new LBP class that may be produced).

#### Additional commentary from HGL

The Halo position is the same as NZCB; only the best builders should be able to self-certify after meeting the criteria suggested above.

7. Should this test also be applied to directors who are not involved in the day-to-day management of the entity?

☐ Yes ☐ Yes, with changes ☒ No ☐ Not sure/No preference

Please explain your views.

## DRAFT IN-CONFIDENCE – Not Government Policy

This test should not apply to non-operational directors and only to the Managing Director (or operational director) as well as to the Site Manager on each of the entity's build projects.

### ADEQUATE MEANS ASSESSMENT

Refer to page four of the targeted engagement document to answer these questions.

8. Do you agree with the proposed approach and criteria for assessing if an entity has adequate means? If not, why not and what would you change?

☒ Yes      ☐ Yes, with changes      ☐ No      ☐ Not sure/No preference

Please explain your views.

[insert response here]

9. Are there any additional requirements that you think should be included as part of this assessment to ensure confidence in the scheme and/or protect homeowners?

☐ Yes      ☒ No      ☐ Not sure/No preference

Please explain your views.

10. Do you see any aspects of the proposed approach acting as a barrier for potential applicants to the scheme? If yes, why?

☒ Yes      ☐ No      ☐ Not sure/No preference

Please explain your views.

There will be building companies that cannot meet the 'Adequate Means Test' but this is an advantage of the system, not a flaw. These opt-in benefits should only be offered to experienced, skilled builders who homeowners can rely on to do the job well.

The 'Adequate Means Assessment' as proposed, if linked into the broadening of the 'Fit and Proper Test' as NZCB suggests (see Q6), provides an opportunity to raise the bar for what is required to be a builder. We believe this bar is set too low under the current LBP occupational licencing system. Strengthening these standards will provide confidence for homeowners.

If a homeowner wishes to continue with a builder who is ineligible to offer Self-Certification, that's their choice. But these builds should continue to be subject to the current BCA inspection process.

#### Additional commentary from HGL

HGL notes that the risk appetite of banks could prove to be an additional barrier. Banks may be reluctant to lend for self-certified builds, which may require builders to continue to work under the existing regime.

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### COMPETENCY AND PROCESS REQUIREMENTS

Refer to page five of the targeted engagement document to answer these questions.

11. Do you agree with these requirements? If not, why not?

☒ Yes ☐ Yes, with changes ☐ No ☐ Not sure/No preference

Please explain your views.

[insert response here]

12. What specific information do you think should be required to determine whether an entity has adequate quality assurance processes to self-certify their work, and why?

Please explain your views.

[insert response here]

13. What specific requirements would demonstrate an entity has adequate business and administration systems in place to support self-certification, and why?

Please explain your views.

[insert response here]

**Commented [ST1]:** Can you please include an Annex table at the end that summarises all the requirements side by side.

14. For home builders, would you need to improve or update your business processes to meet these requirements? If yes, at what cost?

☒ Yes ☐ No ☐ Not sure

Please explain your views.

NZCB is not a building company, but we expect many residential builders will need to update their business processes to meet any new 'Competency and Process Requirements'.

15. For home builders, considering the eligibility criteria and proposed scope the simple residential dwelling definition, how likely are you to seek to become registered to self-certify?

Please explain your views.

We don't believe the self-certification regime will fully replace the current consent process. Many builders will prefer to work under the current building inspection regime.

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#### GENERAL COMMENTS

16. Do you have any other general comments you wish to make?

Self-certification along with other government initiatives like Granny Flats provides an opportunity to create a higher-level LBP class that a builder needs to meet to be eligible to practice and to offer their clients.

NZCB's key feedback is that prerequisites for Self-Certification (and Granny Flats) be tied to a new (higher-level) LBP class. The specific piece of NZCB feedback to the questions asked in this submission is that the 'Fit and Proper Test' needs to include qualification, experience, and BCA track-record criteria.

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