



**Self-contained Vehicles**

# **Being a Certification Authority**

Guidance document

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# 1 Introduction

Self-containment certification authorities (**Certification Authorities**) have important responsibilities in the self-contained vehicles regulatory system. As a Certification Authority, you must carry out specified 'core functions' in a way that meets the requirements in the [Plumbers, Gasfitters, and Drainlayers Act 2006 \(Act\)](#) and the [Plumbers, Gasfitters, and Drainlayers \(Self-Contained Vehicles\) Regulations 2023 \(Regulations\)](#). This guidance explains:

- the appointment period for Certification Authorities
- the core functions of a Certification Authority and what you must do to fulfil them
- how to collect and pass on the levy
- how the Board will respond to any complaints received about you

The guidance in this document is just that: guidance. It aims to help those who are thinking of applying to be appointed as a Certification Authority, and those who have already been appointed, to understand their core functions and obligations. It does not replace the need to know and understand the obligations and requirements contained in the Act and the Regulations, and nor does it provide or replace legal or other professional advice.

This guidance document should be read in conjunction with the Board's other [guidance documents](#), including:

- **Apply to be a Certification Authority – Guidance document**
- **Printing and issuing certificates and warrant cards – Guidance document**
- **Vehicle inspection guidance**

All guidance documents are available on the Board's website at [pgdb.co.nz](http://pgdb.co.nz).

# 2 Appointment period

Certification Authorities are appointed by the Board for a five-year period. This is subject to the Board's power to revoke or suspend your appointment following any disciplinary action.

At the end of the five-year period you can apply to be reappointed. If you wish to be reappointed, you should apply to the Board no earlier than three months before the date your five-year appointment term expires.

Reappointments are subject to any disciplinary action taken by the Board that may preclude a person from being appointed as a Certification Authority.

### 3 Summary of a Certification Authority's core functions

Certification Authorities have important responsibilities in the self-contained vehicles regulatory system. They must know and comply with the requirements contained in the Act and the Regulations and carry out their 'core functions'.

A Certification Authority's core functions are to:

- appoint Vehicle Inspectors who meet prescribed competency requirements
- issue, renew, or revoke certificates of self-containment (**Certificates**), which involves:
  - arranging for a Vehicle Inspector to carry out an inspection
  - ensuring the inspection is carried out in accordance with requirements in the Act and Regulations
  - issuing a Certificate (and warrant card) if satisfied the vehicle meets the requirements in the Act and Regulations, and the person applying for the certificate has paid the levy, and
- enter information into the national register of self-contained vehicles (the **Register**).

When applying to be appointed as a Certification Authority, and to help demonstrate you can perform your core functions, you must satisfy the Board that you have, or will have, procedures (including policies and processes) in place to:

- enable persons to apply to be appointed as Vehicle Inspectors and ensure applicants meet the competency requirements
- ensure Vehicle Inspectors have regard to, or comply with (as the case requires) self-contained vehicle inspection requirements set out in notices, guidance, or directions issued by the Board
- ensure Vehicle Inspectors are provided with technical advice and assistance on the requirements and specifications, and advice on how to interpret and apply them
- monitor Vehicle Inspectors to ensure their inspections are robust and that they are consistently making correct certification decisions
- ensure the ongoing competency of Vehicle Inspectors
- record inspection details in the Register, review inspection details before issuing Certificates, and issue Certificates and warrant cards (supported by appropriate IT facilities and record-keeping processes)
- manage conflicts of interest
- manage complaints from customers, and
- collect and handle the self-containment levy and transfer it to the Board.

Following your procedures will help to ensure you perform your core functions as a Certification Authority.

If Certification Authorities undertake their core functions in a way that does not comply with the Act and the Regulations the Board may, after investigating, take disciplinary action against the Certification Authority. This may result (for example) in suspension or cancellation of your appointment as a Certification Authority, and a fine of up to \$10,000.

## 4 Appointing Vehicle Inspectors

Vehicle Inspectors you appoint will inspect and assess whether vehicles meet the requirements for self-containment contained in the Regulations. They will provide you, as their Certification Authority, with the information you need to make certification decisions.

As a Certification Authority, you may appoint as a Vehicle Inspector any person who you are satisfied demonstrates the prescribed competency requirements (in accordance with [s87T of the Act](#) and [Regulation 11](#)) which are:

- knowledge and understanding of the requirements for self-containment and specifications for facilities of self-contained vehicles
- knowledge and understanding of how to correctly interpret those requirements and specifications when inspecting a vehicle
- knowledge of how to seek assistance in understanding and interpreting those requirements and specifications, if necessary, and
- the capability to record inspection details in a form that could be entered on the register.

There are no specific or approved courses that a person must complete to be a Vehicle Inspector. As a Certification Authority, you are responsible for ensuring that your appointed Vehicle Inspectors are, and remain competent, and that inspections they undertake are carried out in a way which meets the requirements contained in the Regulations and the Board's [vehicle inspection notice](#) (Notice) (discussed further at **5.3 below**).

The procedure(s) you are required to have in place will include how you will ensure Vehicle Inspectors comply with guidance or directions issued by the Board, how you will provide your Vehicle Inspectors with technical advice, how you will monitor their performance, and how you will ensure their ongoing competency.

You should confirm a person's appointment as a Vehicle Inspector in writing (including by email).

For more information on the content of these procedures, refer to the guidance: [Applying to be a Certification Authority - Guidance document](#).

### Where you intend to be both a Certification Authority and Vehicle Inspector

As a Certification Authority you are responsible for appointing Vehicle Inspectors. If you intend to be a Vehicle Inspector yourself, you will appoint yourself only if/when you personally meet the competency requirements noted in this section.

## 5 Issuing certificates of self-containment

As a Certification Authority, you will need to issue Certificates in accordance with [s87U of the Act](#), which involves:

- accepting (or declining) applications from people who want you to certify their vehicle as self-contained
- arranging for a Vehicle Inspector you have appointed to carry out an inspection of the vehicle
- ensuring the inspection is carried out in accordance with the requirements in the Regulations and the [Notice](#) issued by the Board
- considering the findings of the inspection, and
- issuing a Certificate (and warrant card) if satisfied the vehicle meets the requirements in the Act and Regulations, and the person applying for the Certificate has paid the levy.

This section provides guidance on each of those processes.

### 5.1 Accepting or declining applications

Any person may apply to you for a certificate of self-containment for a vehicle. How a person applies to you for a Certificate is up to you. For example, you may require the applicant to fill out an application form (in-person or online) or take applications by phone.

You may choose to accept or decline the application.

If you decide to decline the application, you should notify the applicant of your decision and your reason for declining.

If you accept the application, you must continue with the other process in the sections below (in accordance with s87U(3) of the Act).

### 5.2 Arranging for a Vehicle Inspector to inspect the vehicle

If you accept an application from a person, you must arrange for one of your appointed Vehicle Inspectors to inspect the vehicle.

You will have procedure(s) in place to manage this, but how you coordinate this process will depend on the size of your Certification Authority. For example, you may need to coordinate a time and place for the vehicle inspection to be undertaken, or the inspection may be done immediately upon application (for example, a person can have their vehicle inspected by bringing their vehicle to your inspection location without making any pre-arranged booking).

The Vehicle Inspector you use to undertake the inspection must be appointed by you.

## 5.3 Ensure the vehicle inspection is carried out in accordance with the requirements

As a Certification Authority, you are responsible for ensuring vehicle inspections carried out by your appointed Vehicle Inspector(s) are carried out in accordance with the requirements in the Regulations and the [Notice](#) issued by the Board. The Board has issued guidance and a form to help you with the vehicle inspection process (available at [pgdb.co.nz](http://pgdb.co.nz)).

[Part 2 of the Regulations](#) contain the requirements that a vehicle (and its facilities) must meet in order to be certified as self-contained. Your Vehicle Inspector will need to inspect the vehicle, and you (as a Certification Authority) will use the inspection form to consider whether you are satisfied that the vehicle can be certified as self-contained.

The [Notice](#) sets out minimum requirements for how vehicle inspections must be carried out, and what must be recorded during an inspection. The purpose of the Notice is to ensure vehicle inspections are carried out to a consistently high standard. Under the Notice:

- Before commencing an inspection, your Vehicle Inspector must let you know if they have any interest in the vehicle (for example, if the Vehicle Inspector owns the vehicle being inspected, or has any financial interest in the vehicle) – this does not apply if the Vehicle Inspector has previously told you about their interest in the vehicle. If you are told of any interest the Vehicle Inspector has in the vehicle, you must manage the potential conflict of interest in accordance with your procedures to ensure the integrity of the inspection is maintained.
- The vehicle inspection must include:
  - an inspection of the facilities set out in regulation 13 of the Regulations, which must (at a minimum) include inspection and verification of the matters contained in Schedule 1 of the Notice
  - an assessment as to whether, in the Vehicle Inspector's view, the vehicle's facilities meet the requirements for self-containment contained in the Act and the Regulations (and will continue to meet them for at least the period of certification), and
  - an accurate record of the inspection and assessment, in a form approved by you as the Certification Authority, which contains (at a minimum) the information required to be recorded in Schedule 1 of the Notice.

The record of inspection must be provided to you (as the Certification Authority), which you must keep for a period of at least the vehicle's period of certification (i.e. four years).

The Board has guidance and a form to help you with the vehicle inspection process, available on its website ([pgdb.co.nz](http://pgdb.co.nz)). In particular, see:

- [Vehicle inspection guidance](#) which aims to help Certification Authorities and Vehicle Inspectors interpret and apply the requirements contained in the Regulations
- [Vehicle inspection form](#) which the Board recommends Certification Authorities use as their approved vehicle inspection form.

The procedure(s) you are required to have in place will also help you to ensure compliance with your requirements, including those aimed at ensuring your Vehicle Inspector:

- has regard to the Board's guidance documents (in particular, the guidance documents listed above)
- complies with the Board's Notice in relation to vehicle inspections (which sets out the minimum inspection requirements, and the minimum details that must be recorded during an inspection)
- is provided with technical advice and assistance on the requirements for self-containment inspection and certification (as set out in Part 2 of the Regulations)
- has their performance monitored to ensure they are consistently making correct certification decisions and their inspections are robust.

**Note:** The certification process will involve collecting personal information about the owner of the vehicle (and applicant, if different from the owner). This information is required to allow you to correspond with the vehicle owner (for example, to send them their warrant card and certificate if not issued immediately following certification), and to enter the name and address of the owner of the vehicle into the Register (see section 6 below). Information must be collected in accordance with the Privacy Act 2020. To assist with this process, a sample privacy notice is **attached** at Appendix A (which you may wish to edit to reflect your processes and provide to applicants).

## 5.4 Considering the findings of the inspection and collecting the levy

Before issuing a Certificate for a vehicle, you must consider the findings from the vehicle inspection. You must issue the Certificate only if you are satisfied that:

- the vehicle is equipped with a toilet that is permanently fixed to, and usable within, the vehicle
- the vehicle meets the requirements for self-containment contained in [Part 2 of the Regulations](#); and
- the person applying for the Certificate has paid you the levy.

The Board has guidance to help you consider whether the vehicle's toilet, and other facilities, meet the requirements contained in the Act and the Regulations available on its website ([pgdb.co.nz](http://pgdb.co.nz)). In particular, see the [Vehicle inspection guidance](#) which aims to help Certification Authorities and Vehicle Inspectors interpret and apply the requirements contained in the Regulations.



The procedure(s) you are required to have in place will help you to consider whether the vehicle meets the requirements contained in the Act and the Regulations. In particular, the procedures you have in place to review inspection details before a Certificate and warrant card is issued.

You must also be satisfied that the person applying for the Certificate has paid you the levy. The amount you must collect is \$104.35 excluding GST (\$120 including GST). This amount is separate to any additional fee you charge for your certification services. Sections 7 and 8 below provide more details about the levy.

**Note:** A failure to collect a levy before issuing a certificate is a breach of a Certification Authorities core functions. This could, following investigation by the Board, lead to disciplinary action being taken against the Certification Authority. A Certification Authority's ability to collect and handle the levy and transfer it to the Board is also a matter the Board can consider when determining whether to grant or renew its appointment as a Certification Authority (having regard to the procedures the Certification Authority has in place).

## 5.5 Printing and issuing Certificates and warrant cards

The Board has separate guidance to help you with printing and issuing Certificates and warrant cards that meet the requirements contained in the Regulations and are high quality. The **Printing and issuing certificates and warrant cards – Guidance document** is issued to Certification Authorities once they're appointed.

The procedure(s) you are required to have in place will also help you to consider whether the vehicle meets the requirements contained in the Act and the Regulations, and (if so) to issue the Certificate and warrant card. In particular, the procedures you have in place to issue Certificates and warrant cards (including the information technology facilities you have in place).

## 6 Making entries in, and searching, the Register

As a Certification Authority, one of your core functions is to enter information into the Register when you issue, renew, or revoke a Certificate.

### 6.1 Making entries in the Register

You must enter the following information into the Register:

- the name and address of the owner of the vehicle
- the numbers, letters, and any other distinguishing mark shown on the registration plates of the vehicle or, if the vehicle does not have registration plates, details about the make and model of the vehicle
- the name of your Certification Authority as the issuer of the certificate
- the date you issued the certificate

- the expiry date of the certificate
- the maximum number of people for which the vehicle is certified for use as a self-contained motor vehicle, and
- the unique number shown on the certificate and warrant card issued to the vehicle (generated by the Register)

You must also save a copy of the Certificate you issue to the Register. This enables all Certification Authorities and Enforcement Officers searching for a specific vehicle to access all of the information contained on a vehicle's Certificate (as required by the Act).

The Board has separate guidance to help you with entering information into the Register. The **Register of self-contained vehicles – Reference guide** is issued to Certification Authorities once they're appointed

To make entries in the Register you will need to collect personal information from the applicant. Information must be collected in accordance with the Privacy Act 2020. To assist with this process, a sample privacy notice is **attached** at Appendix A (which you may wish to edit to reflect your processes and provide to applicants).

## 6.2 Searching the Register

You must only search the Register for the purposes contained in the Act, which are to ascertain:

- whether a vehicle holds a current certificate
- whether a vehicle has previously held a certificate that has subsequently expired or been revoked
- the expiry date of a vehicle's current, expired, or revoked certificate
- all the information contained in a vehicle's certificate, including the details of any inspection of that vehicle, and
- the details of all certificates you have issued.

**Note:** Section 87ZH of the Act provides that a search of the Register for personal information that has not been carried out in accordance with sections 87ZF and 87ZG constitutes an action that is an interference with the privacy of an individual under section 69 of the Privacy Act 2020. The Board can review any searches you have made, either on its own initiative or at the request of the Privacy Commissioner, and can provide records of your searches to the Privacy Commissioner to assist in their investigation.

## 7 Passing on the levy to the Board

You must transfer to the Board each levy (\$120 incl. GST) you collect from applicants during the certification process (see section 5.4 above). Levies are transferred to the Board using the Register.

Unless you have entered into an alternative arrangement around timing for payment of levies to the Board, the levy should be transferred to the Board (via the Register) immediately following the issue of a Certificate to the vehicle but in any case, no later than 5 working days after issuing the Certificate.

Under the Act and Regulations, a levy is payable by the applicant once an application for a self-containment certificate is made. This is the position even if a vehicle fails its inspection (i.e. found not to have met the requirements contained in the Regulations) and a Certificate is consequently not issued. However, a Certification Authority may refund a levy paid by the applicant where their vehicle fails its inspection.

All levies collected by a Certification Authority (and not subsequently refunded where a vehicle fails inspection) are recoverable in court as a debt due to the Board.

## 8 GST guidance for Certification Authorities

The guidance below assumes the Certification Authority is GST registered. It is guidance only, and we recommend you seek independent professional advice. If you are not GST registered, please email [info@nzscv.co.nz](mailto:info@nzscv.co.nz) to discuss the applicable process.

The levy is subject to GST so is a total of \$120 (including GST of \$15.65).

You are acting as an agent for the Crown when charging the levy (in accordance with section 172B of the Act and the Regulations), however, the MOU between you and the Board serves as a GST opt out agreement.

When providing certification services and charging/collecting the SCV levy you should:

- Issue an invoice (taxable supply information) for the levy (e.g. \$120 including GST). This invoice may also contain other services provided as required (for example, your certification and/or vehicle inspection charge).
- Return output tax in your appropriate GST return (\$15.65).
- Enter the appropriate certification information in the Register within the agreed timeframe.
- Make payment of levies you have collected from vehicle owners to the Board (\$120). A tax invoice (taxable supply information) will be issued based on the information you have entered into the Register.
- GST input tax can be claimed on the amount paid to the Board (\$15.65).

## 9 Renewing and revoking a Certificate

### 9.1 Renewing a Certificate

Certificates of self-containment are valid for a period of no more than 4 years and expire on the date specified in the Certificate.

If a person applies to you to renew a Certificate, you must follow the process as outlined in section 5 above (i.e. you must follow the process specified in section 87U(3) of the Act).

Note that a levy is payable for a renewal as it is for a new application.

If you are satisfied that the requirements outlined in section 5.4 above are met (i.e. the criteria set out in section 87U(4) of the Act), you must renew the Certificate (including issuing and printing a new warrant card).

### 9.2 When Certificates cease to be valid

Certificates cease to be valid if:

- the vehicle to which the Certificate applies undergoes a material modification to one or more of the critical self-containment elements prescribed by regulations, or
- the Certificate has been revoked by the Certification Authority that issued it.

### 9.3 Revoking a Certificate

You may revoke a current Certificate that you have previously issued if you are satisfied that the vehicle no longer meets the requirements for self-containment or if you issued the Certificate based on incorrect or incomplete information.

If you decide to revoke a Certificate, you must notify the owner of the vehicle in writing. You should request that the warrant card and Certificate be returned to you so that you can securely destroy them.

If you revoke a Certificate, you must enter certain information and documentation into the Register (see the separate Register guidance which you will receive once you are appointed as a Certification Authority).

## 10 Complaints about Certification Authorities

As a Certification Authority, there are two complaint pathways that you need to be aware of and be prepared to participate in. They are:

- complaints made to you by customers, and
- complaints made about you to the Board (relating to one more specified grounds).

Only complaints made about you to the Board, or investigations initiated by the Board, can result in possible disciplinary action. You are expected to deal with complaints made to you by customers in accordance with your relevant procedures.

## 10.1 Complaints made to you from your customers

You must be prepared to manage complaints made to you by your customers.

This may include complaints from your customers about you or your Vehicle Inspectors. Complaints are a matter for Certification Authorities to deal with, and in accordance with the procedures you are required to have in place (in relation to managing complaints from customers, including your process for receiving and handling disputes and complaints in an appropriate manner).

## 10.2 Complaints made to the Board about you

People can complain to the Board about you on one of the following grounds:

- you have allegedly failed, or are failing, without good reason to properly carry out one or more of your core functions
- you have been, or are negligent in carrying out one or more of your core functions, and
- you have been or are carrying out one or more of your core functions improperly.

### Examples of what complaints could be about:

- you appointed a vehicle inspector who did not understand the requirements for self-containment for a self-contained motor vehicle
- you failed to properly ensure that your vehicle inspector was carrying out their inspections in accordance with the requirements prescribed by the Regulations
- you issued a Certificate and warrant card to a vehicle which did not meet the requirements for self-containment

If the Board receives a complaint about you it must follow the process contained in the Act. This includes notifying you about the complaint, deciding whether to accept the complaint, and where appropriate investigating the complaint.

Following investigation, the Board may (if it considers you have breached one of your core functions) take disciplinary action against you. Penalties the Board may impose include:

- ordering that your appointment as a certification authority be revoked and that you may not apply to be appointed as a certification authority before the expiry of a specified period
- ordering that that your appointment as a certification authority be suspended for any period that the Board thinks fit or until you do any things that the Board specifies
- ordering that you be censured

- ordering that you pay a fine not exceeding \$10,000
- ordering that you take remedial action within a specified period of time and subject to any conditions that the Board specifies.

## Appendix A: Sample Privacy Notice

### Sample privacy notice for Certification Authorities to provide to applicants

The purpose of this notice is to let you know how personal information you provide to us in connection with your application for a self-contained vehicle certificate (**Certificate**) will be collected, used, disclosed and protected by [name], a Certification Authority.

Personal information is information about an identifiable individual (a natural person), such as an individual's name and address.

#### Our functions as a Certification Authority

We are responsible for appointing motor vehicle inspectors, ensuring motor vehicle inspections comply with requirements, issuing Certificates, and entering information in the register of self-contained motor vehicles (the **Register**).

Our functions and obligations as a Certification Authority are set out in the Plumbers, Gasfitters, and Drainlayers Act 2006 (**Act**), Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023 (**Regulations**), and Plumbers, Gasfitters, and Drainlayers Board (Motor Vehicle Inspections) Notice 2023 (**Notice**).

#### Who we collect personal information from

We collect personal information about you, from you, including from your application for a Certificate.

We may collect information about you from third parties but only if authorised by you or if the information is publicly available.

#### Why do we collect, use and share your personal information?

We collect your name, address and contact details in order to perform our functions under the Act, Regulations, and Notice. We may collect other information from you in order to deal with your application for a Certificate more efficiently.

We will only use your personal information to the extent necessary to carry out the functions under the Act, Regulations, and Notice, or if otherwise permitted under the Privacy Act 2020, or if required by law.

[Certification Authority to include any other ways they intend to use information – with authorisation from the person]

#### How we use your information

### *Entering your personal information in the Register*

If your vehicle is issued with a Certificate, we will enter the following information in the Register:

- the name and address of the owner of the vehicle
- the vehicle's registration plate details, or, if the vehicle does not have registration plates, details about the make and model of the vehicle
- the name of your Certification Authority who issued the certificate
- the issue and expiry dates of the Certificate
- the maximum number of people for which the vehicle is certified for use as a self-contained motor vehicle
- the unique number shown on the Certificate and warrant card issued to the vehicle

Your Certificate will also be saved in the Register. In addition to the information above, your Certificate will include a technical description of your vehicle's facilities.

The Register may also contain details of the vehicle inspection and information recorded by an Enforcement Officer.

### *Sharing of information*

Once entered in the Register, your personal information can be accessed by:

- us, as the Certification Authority who issued your Certificate.
- the Plumbers, Gasfitters, and Drainlayers Board (**Board**). The Board is the regulator of the self-contained vehicle regime and administers the Register. The Board is able to access any of the information in the Register for the purpose of administering the Register including your name and address.
- other Certification Authorities. They can access the information in your Certificate which includes your name but not your address.
- enforcement officers who can similarly access information in your Certificate, including your name but not your address.

The general public can access information on the Register for the purpose of finding out whether a vehicle holds, or has previously held, a Certificate and the expiry date of any current, expired or revoked Certificate. This does NOT include access to your name and address or any other personal information.

We also share your name and contact details with motor vehicle inspectors to facilitate the inspection of your vehicle.



**[Certification Authority to include any other ways they intend to use information – with authorisation from the person]**

## Security

We keep the personal information we hold safe by **[Certification Authority to include details of any systems used / or to include a general statement that all personal information held is stored on a secure database / is protected with all reasonable technical and access controls]**.

The Board is responsible for the security of information in the Register. You may view the Board's privacy statement relating to the Register at [www.nzscv.co.nz](http://www.nzscv.co.nz).

## Retention

We keep personal information only as long as is necessary for the purposes for which the information may lawfully be used.

## Your rights

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to have a copy of your information, or to have it corrected, please contact us at [insert contact details].

You may also make a request to the Board for the information it holds about you in the Register. You may do this by contacting:

Privacy Officer

Plumbers, Gasfitters, and Drainlayers Board

PO Box10655

The Terrace, Wellington 6143

This policy does not limit or exclude any of your rights under the Privacy Act 2020. If you wish to seek further information on the Privacy Act 2020, see [www.privacy.org.nz](http://www.privacy.org.nz).

