

Apply to be a Certification Authority

Guidance document

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1 Introduction

This document contains guidance about how to apply to the Plumbers, Gasfitters, and Drainlayers Board (**Board**) for appointment as a self-containment certification authority (**Certification Authority**) under the self-contained vehicles system. The application form you will need to complete and return to the Board is available on the Board's website (<u>pgdb.co.nz</u>).

If appointed as a Certification Authority, you must carry out your functions in a way that meets the requirements in the <u>Plumbers, Gasfitters, and Drainlayers Act 2006</u> (Act) and the <u>Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023</u> (Regulations).

The guidance contained in this document is just that: guidance. It aims to help those who want to apply to be appointed as a Certification Authority to know what information needs to be provided to the Board. 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 document should be read in conjunction with the Board's other **guidance documents**, including:

- Being 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.

Vehicle Inspectors

If you want to work as a motor vehicle inspector (**Vehicle Inspector**) and do not want to work as a Certification Authority, you will need to contact a Certification Authority to enquire about inspecting vehicles for them. Certification Authorities are responsible for appointing Vehicle Inspectors and the Board is not involved in that process.

Further information for Vehicle Inspectors is provided on the Board's website at pgdb.co.nz.



2 Responsibilities as a Certification Authority

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 when carrying 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:
 - o 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**).

If a Certification Authority undertakes its 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 the ability to work as a Certification Authority being suspended or cancelled, and a fine of up to \$10,000.

For more information on a Certification Authority's core functions, see the **Being a Certification** Authority – Guidance document.

3 How to apply for appointment

To apply for appointment as a Certification Authority, you will need to:

- complete the application form described in section 4 below (available at pgdb.co.nz)
- collate and attach the necessary information described in section 5 below
- send the completed application form and information to <u>applications@nzscv.co.nz</u>, and
- pay the application fee of \$375 excluding GST (total of \$431.25 including GST).¹

We aim to process your application within 20 working days following receipt of all of the necessary information and the fee being paid. If we need further information we will contact you by email.

¹ Payment details are included in the application form described in section 4 below (available at <u>pgdb.co.nz</u>).



4 Details you must provide

The Regulations require applicants for appointment as a Certification Authority to provide specific information to the Board. This section describes the details that you will need to provide in the application form.

It also explains the memorandum of understanding (**MOU**) attached to the application form which we ask you to enter into with us (for the reasons set out in paragraph 4.8 below).

4.1 Applicant details

You will need to provide details of the company or person who is applying to be a Certification Authority. These details include the applicant's:

- full legal name
- trading name (if different from legal name)
- New Zealand Business Number (if applicable)
- GST number
- physical address (principal place of business)
- postal address (if different to physical address)
- email address
- phone number
- web address (if applicable).

4.2 Details of person responsible for the application

You will need to provide the details of the person responsible for your application. This needs to be a person with sufficient seniority and authority within the applicant's organisation to engage with the Board about the application (for example, an employee with detailed knowledge and understanding of the applicant's operations). These details include:

- the full name of the person responsible for the application
- their job title or role
- their email address, and
- their phone number.

4.3 Details of the person responsible for the day-to-day management of the Certification Authority

You will need to provide the details of the person who will be responsible for the day-to-day management of the Certification Authority. This will also be the person who will be responsible for (if



the applicant is appointed as a Certification Authority) overseeing the Certification Authority's access to, and use of, the Register. They will hold the authority to set up other Register users within the Certification Authority. These details include:

- the full name of the person who will be responsible for the day-to-day management of the Certification Authority
- their job title or role
- their email address, and
- their phone number.

4.4 Your location

You will need to provide the locations where you propose to operate as a Certification Authority and offer vehicle inspections, including your head office and any other locations, e.g. in a specific town, city, district, or region(s).

4.5 Types of vehicles

You will need to provide the types of vehicles you propose to offer a certification service for (e.g. any type of self-contained motor vehicle or specific types such as caravans and motor caravans).

4.6 Declaration

You will need to sign a declaration on the application form on your own behalf if applying personally to be a Certification Authority, or for and on behalf of the applicant if the applicant is an organisation. The declaration includes:

- the information provided on the form is true and correct
- you are aware that information is being collected for the purpose of assessing your application to be a Certification Authority
- any personal information provided as part of the application has been provided with the permission of the person to who it relates
- you are aware that any personal information may also be used for any other purposes required or permitted by the Act, its regulations, or the Privacy Act 2020, and
- you understand that (other than as specified) personal information will not be disclosed to anyone else without your permission and you can access the information on request.

4.7 Publishing your information

The website nzscv.co.nz includes a Certification Authority search function allowing members of the public to search for a Certification Authority by region. If you want your details to be publicly searchable on that website, you will need to give us permission (it is optional) to publish the following information:

Self-contained Vehicles Apply to be a Certification Authority



- legal name
- trading name
- physical address
- phone number
- email address
- website address
- the region(s) you will operate in

If after opting in you change your mind and would like the details to be removed you can contact the Board at <u>info@nzscv.co.nz</u>.

4.8 Memorandum of understanding

The MOU attached to the application form is between you and the Board. It does not give rise to any legally enforceable obligations. We encourage you to enter into the MOU because it helps to:

- ensure the respective roles and responsibilities of Certification Authorities and the Board are well understood; and
- facilitate co-operation and communication between Certification Authorities and the Board, and clarifies the principles and objectives of that relationship.

You should review the MOU, complete paragraph 2(b) of the MOU, and sign and date it. You should return it to the Board together with your application.

5 Information about procedures you must provide

Before appointing you as a Certification Authority, the Regulations require the Board to be satisfied that you have, or will have, procedures in place to:

- enable persons to apply to be appointed as Vehicle Inspectors and how you will 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 recordkeeping processes)



- manage conflicts of interest
- manage complaints from customers, and
- collect and handle the self-containment levy and transfer it to the Board.

The Regulations also set out the information you need to provide to satisfy the Board that you have (or will have) those procedures in place.

This section sets out in more detail the procedures you are required to have, and the information you need to provide in relation to those procedures.

5.1 Appointing Vehicle Inspectors

You must have a procedure (or procedures) in place to enable people to apply to you for appointment as a Vehicle Inspector, including detailed information on each step of that process and on how you will ensure that applicants meet the competency requirements set out in regulation 11.

Regulation 11 requires that, before appointing a person as a Vehicle Inspector, Certification Authorities must be satisfied that the person demonstrates competency in the following matters:

- knowledge and understanding of the requirements for self-containment and specifications for facilities of self-contained vehicles as set out in the Regulations
- knowledge and understanding of how to correctly interpret those requirements and specifications when inspecting a vehicle
- knowledge of how to seek assistance to understand and interpret those requirements and specifications, if necessary, and
- the capability to record inspection details in a form that can be entered on the Register.

You will need to provide the Board with the following information about your procedure (or procedures):

- the details of your Vehicle Inspector appointment process from when a person applies to be a Vehicle Inspector through to when they are appointed
- the details of each step and what must be undertaken in order to move to the next step, and
- details of what happens at each step if a person does not meet the requirements to move to the next step in the appointment process.

Examples of what your procedure(s) may include/details to provide:

- requiring applicants to complete an application form and provide their CV setting out their relevant technical skills and experience
- assessing, shortlisting, and interviewing applicants
- asking applicants how they would deal with questions they have about a vehicle inspection



- requiring applicants to complete test inspections to demonstrate their understanding of the requirements for self-containment or reviewing inspections they have previously carried out (if they are already a Vehicle Inspector)
- checking that applicants can complete inspection records
- requiring a relevant referee check
- appointing successful applicants and recording the arrangements between you and the Vehicle Inspectors.

Applicants who intend to be a Certification Authority and Vehicle Inspector

Certification Authorities are responsible for appointing Vehicle Inspectors. Even though you may intend to be the only Vehicle Inspector within your Certification Authority, you must still have procedures in place to appoint yourself as a Vehicle Inspector and ensure you (and any other Vehicle Inspectors you may consider appointing in the future) are competent to be appointed. You will need to provide the details of those procedures as set out above.

5.2 Ensuring Vehicle Inspectors have regard to and comply with requirements and guidance relating to inspections, and are provided with technical advice

You must have a procedure (or procedures) in place to ensure that Vehicle Inspectors you appoint:

- have regard to, or comply with (as the case requires), any notices, guidance or directions issued by the Board
- are provided with technical advice and assistance on the requirements and specifications for self-containment inspection and certification contained in the Regulations

You will need to provide the Board with the following information about your procedure (or procedures):

- your process for checking that your Vehicle Inspectors adhere to notices and formal guidance issued by the Board
- details of a centralised help desk or contact point that your Vehicle Inspectors will be able to contact for questions (including about how to interpret and apply the requirements and specifications contained in the Regulations), and
- a process for providing updates to Vehicle Inspectors relating to any aspect of vehicle inspections for self-containment purposes (including your internal updates, and those issued by the Board).

Examples of what your procedure(s) may include/details to provide:

- how you will carry out quality assurance of vehicle inspections including how often you will do so
- training you will provide to Vehicle Inspectors on how to undertake inspections



- who Vehicle Inspectors can contact to seek advice and assistance both within and outside your organisation
- how you will inform Vehicle Inspectors of updates and changes and ensure they understand them
- other sources of information, advice, or support available to your Vehicle Inspectors

Applicants who intend to be a Certification Authority and Vehicle Inspector

Even though you may intend to be the only Vehicle Inspector within your Certification Authority, you must still have procedures in place to ensure you (and any other Vehicle Inspector you may consider appointing) become familiar with the requirements and how to apply them, how you will receive relevant updates and other sources of information, and what other advice or support will be available to you and any other Vehicle Inspector you appoint. You will need to provide the details of those procedures as set out above.

5.3 Monitoring the performance of Vehicle Inspectors

You must have a procedure (or procedures) in place to monitor the performance of your appointed Vehicle Inspectors to ensure that they are consistently making correct decisions relating to certifications, and that their inspections are robust.

You will need to provide the Board with the details of the process you will use to ensure that a technically competent person will review each certificate prior to issuing.

Examples of what your procedure(s) may include/details to provide:

- who will be responsible for reviewing Vehicle Inspectors' inspection forms and any other information recorded during a vehicle inspection prior to issuing certificates
- how you will determine that a Vehicle Inspector is carrying out robust inspections
- how you will determine a Vehicle Inspector's decisions are correct in accordance with the requirements and specifications

Applicants who intend to be a Certification Authority and Vehicle Inspector.

Even though you may intend to be the only Vehicle Inspector within your Certification Authority, you must still have procedures in place to ensure your own inspections (and those of any other Vehicle Inspector you may appoint) are high quality and meet the requirements. You will still need to provide the details of how you will ensure that a technically competent person (which may be you) reviews each certificate prior to issuing as set out above.

5.4 Assess ongoing competency of Vehicle Inspectors

You must have a procedure (or procedures) in place to assess the ongoing competency of Vehicle Inspectors you appoint.



You will need to provide the Board with your proposed auditing plan of Vehicle Inspector performance for the Board to be satisfied that you have that procedure (or procedures) in place.

Examples of what your procedure(s) may include/details to provide:

- scheduled performance review(s) for your Vehicle Inspectors
- process for ongoing informal feedback
- plans for developing Vehicle Inspectors through training or working alongside more experienced Vehicle Inspectors
- a programme of random audits, and/or review of completed vehicle inspection forms

Applicants who intend to be a Certification Authority and Vehicle Inspector

Even though you may intend to be the only Vehicle Inspector within your Certification Authority, you must still have procedures in place to assess your ongoing competency as a Vehicle Inspector. You will still need to provide your proposed audit plan of your (and any other Vehicle Inspect you may appoint) performance.

5.5 Record-keeping, information technology, and issuing Certificates and warrant cards

You must have a procedure (or procedures) in place to carry out the following activities (supported by suitable record-keeping processes and information technology facilities):

- recording inspection details in the Register
- reviewing inspection details before a certificate of self-containment and warrant card are issued, and
- issuing certificates of self-containment and warrant cards.

You will need to provide the Board with details of the IT facilities you have, or will have, in place to carry out those activities.

Examples of what your procedures may include/details to provide:

- a description of the IT facilities and systems you will use
- how your IT facilities are safeguarded from internal and external misuse and attack
- how you will receive vehicle inspection details from inspectors
- how you will review inspection details before issuing a certificate and warrant card and who will carry out such reviews
- how you will accurately enter necessary details about a vehicle on the Register
- who (roles or job titles) of those who will enter the information into the Register
- how you will print and issue Certificates and warrant cards
- how you will ensure inspection forms are retained for at least the duration of the certification.



5.6 Managing conflicts of interest

If the applicant (you or the organisation you are applying on behalf of) will be involved in processing the self-containment certification of vehicles it owns, you must have procedure(s) in place to properly manage any conflicts of interest and maintain impartiality.

Managing conflicts of interest is important to ensure that decisions to certify vehicles as self-contained are made – and seen to be made – on proper grounds, for legitimate reasons, and without bias. A conflict of interest (real, perceived, or potential) will exist in situations where:

- a Vehicle Inspector is inspecting a vehicle they have been involved in manufacturing or assembling (or manufacturing or assembling components of the vehicle)
- a Vehicle Inspector is involved in the installation or manufacturing operation of the Certification Authority
- a Vehicle Inspector is inspecting a vehicle owned by the Certification Authority they work for
- a Certification Authority is certifying a vehicle it owns or in which it has an interest of any kind, and
- a Certification Authority is certifying a vehicle that is owned by one of its Vehicle Inspectors.

If the applicant (you or the company you are applying on behalf of) will be involved in processing the self-containment certification of vehicles it owns, you will need to provide the Board the following information about your procedure (or procedures):

- details of what involvement (if any) your prospective Vehicle Inspector(s) have in any installation or manufacturing operation of the applicant
- details of written procedures for transparently and appropriately managing conflicts of interest
- your process whereby a technically competent person reviews each certificate prior to issuing (i.e. an independent person, or
- details of internal auditing arrangements (i.e. aimed at ensuring certification decisions are applied in an independent way free from bias).

While not a requirement for the purposes of your application, we recommend that your conflict of interest procedures also cover (in order to be consistent with requirements in the Board's <u>Notice</u> relating to how motor vehicle inspections must be carried out) situations where:

- a Vehicle Inspector is inspecting a vehicle which they own or in which they have an interest of any kind
- a Vehicle Inspector is inspecting a vehicle owned by someone they have a relationship with such as a family member or friend, and
- a Vehicle Inspector is inspecting a vehicle they have converted to be self-contained.



Examples of what your procedures may include/details to provide:

- how you identify conflicts of interest (including perceived or potential conflicts of interest), for example, the Vehicle Inspector could be required to provide a standing list of any potential interests that might conflict with the inspecting role
- how you assess whether a conflict of interest exists
- how you determine whether a conflict of interest can be managed and, if so, what is the appropriate way to manage it
- how you deal with a conflict situation that cannot be managed
- how you ensure your Vehicle Inspectors understand what constitutes a conflict of interest and can identify situations when they arise
- how you ensure your Vehicle Inspectors know what action to take when they identify a conflict of interest situation
- how you record interests which may give rise to a conflict and any management steps taken to manage a conflict.
- your internal arrangements to audit conflicts of interest, including how, when and who will carry these out, how you will ensure objectivity and impartiality of the audit process, and how you will take action following audits.

5.7 Managing disputes and complaints

You must have a procedure (or procedures) in place to manage complaints from your customers.

Customers might complain to you about matters including the conduct, competency, or decisions of you, your staff, or the Vehicle Inspectors you have appointed.

Part of ensuring a robust regulatory system for self-contained vehicles is ensuring that customers can raise complaints with you and have them considered and resolved.

You will need to provide the Board with your process for receiving and handling disputes and complaints in an appropriate manner.

Examples of what your procedure(s) may include/details to provide:

- how you will make people aware of your complaints process
- how you will receive complaints
- how you will consider complaints, including timeframes
- escalation pathways
- options for resolving complaints
- what you will do to learn from complaints.

5.8 Collecting and passing on the self-containment levy

People applying to you for a Certificate (or a renewal of the Certificate) must pay you the selfcontainment levy of \$104.35 excluding GST (\$120 including GST). You must transfer the levy to the Board using the Register.



The levy is intended to meet the costs of the Board in performing or exercising its functions, powers and duties, and the costs of collecting the levy money.

The amount of any unpaid levy is recoverable in court as a debt due to the Board.

You must have a procedure (or procedures) in place to collect and handle levies and transfer them to the Board. You will need to provide the Board with details of the process you will use to collect and pass on the levy to the Board.

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. The levy must be transferred 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 selfcontainment certificate is made. This is the position even if a vehicle fails its inspection (i.e. is 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.

Examples of what your procedure(s) may include/details to provide:

- when you will collect the levy from an applicant (noting the Act requires that you must collect the levy from an applicant before issuing the vehicle with a Certificate)
- how the levy will be received
- how the levy will be recorded
- how the levy will be transferred to the Board (i.e. who (name(s) or roles) within the Certification Authority will use the Register to pay the levies to the Board)
- when you will transfer the levy to the Board
- how you will deal with and process refunds (for example, in the case where a vehicle fails an inspection).

6 Assessing your application

Once you have provided all of the relevant information set out in sections 3 - 5 above and have paid the application fee, the Board will assess your application. If your application is incomplete, we may contact you for further information.

We will then decide whether to appoint you as a Certification Authority in accordance with the Act and the Regulations.

If we are considering declining your application we will:



- notify you to advise you that we are considering declining your application, and why, and
- give you a reasonable opportunity to provide a written response about why your application should be granted.

We will consider any response we receive from you before making a final decision to grant or decline your application to be a Certification Authority.

If we decline your application we will notify you of:

- our final decision, and
- the reasons for our decision.

7 What happens once you're appointed

Once you're appointed we will:

- write to you confirming your appointment as a Certification Authority, and return a signed copy of the MOU
- add your nominated person (who will be responsible for the day-to-day management of the Certification Authority) to the Register and send that person details of how to access the Register, and
- add you to the publicly searchable list of Certification Authorities at <u>www.nzscv.co.nz</u> (if you opt-in).

You will be appointed for a five-year period, subject to the Board's power to revoke or suspend your appointment following any disciplinary action.

