



Apply to be a Certification Authority

Application form

7 December 2023

Version 1.0

What you need to know

Use this form to apply to the Plumbers, Gasfitters, and Drainlayers Board (**Board**) to be appointed as a self-containment certification authority (**Certification Authority**). You must attach additional information including evidence of your procedures (policies, processes and plans) as listed on page 6 of this form. For further information on what you need to include see the guidance: [Apply to be a Certification Authority – Application guidance](#).

We also encourage you to enter into the memorandum of understanding at page 8 (for the reasons set out in the Application guidance).

Email your completed application form together with the attachments to applications@nzscv.co.nz.

If we need further information, we will contact you by email. Once we receive all the information we need, we aim to process your application within 20 working days.

Note: If you want to be appointed as a Vehicle Inspector, you do not need to enrol with the Board. You should contact a Certification Authority to enquire about inspecting vehicles for them.

Your details

| Applicant details | |
|---|--|
| Legal name (the full legal name of your company or your name if you're a sole trader) (Applicant) | |
| Trading name (if different from your legal name) | |
| New Zealand Business Number (if applicable) | |
| GST Number | |
| Physical address (the address of your principal place of business) | |
| Postal address: (if different from the physical address of their principal place of business) | |
| Email address: | |
| Phone number: | |
| Website address: (if applicable) | |

Person responsible for the 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). This person will be the senior point of contact with the Board. Note: the person must sign the declaration at the end of this form.

| | |
|---------------------------|--|
| Full name: | |
| Job title or role: | |
| Email address: | |
| Phone number: | |

Person responsible for day-to-day management of the Certification Authority

The (or a) person who will be responsible for the day-to-day management of the Certification Authority. This person is responsible for administrative control over the Certification Authority's access to and use of the Register, and functions in the register including completing certifications, paying levies, and setting up other Register users within the Certification Authority. Note: this can be the same person as the person managing the Certification Authority or a different person.

| | |
|---------------------------|--|
| Full name: | |
| Job title or role: | |
| Email address: | |
| Phone number: | |

Your location

Where will you operate as a Certification Authority? (i.e., will you be offering vehicle inspections and certification services in a specific town, city, region, or nationally)?

The types of vehicles you will certify

What types of vehicles do you plan to certify? (e.g., any type of self-contained motor vehicle or specific types such as caravans and motor caravans)?

Payment

An application fee of NZD\$375 excluding GST (total of \$431.25 inclusive of GST) must be paid to our account. You can pay this fee by internet banking or over the counter at any Bank of New Zealand branch.

Account name: Plumbers, Gasfitters, and Drainlayers Board

Account number: 02-0560-0158869-015

Particulars: SCV CA

Code: 49100

Reference: First 12 characters of the Applicant's legal name

Note: failure to include the Particulars, Code and Reference could result in a delay in processing your application.

I confirm the application fee is paid

Public Search of Certification Authorities (optional)

The website nzscv.co.nz includes a Certification Authority search function, allowing the public to search for a Certification Authority near to them. 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:


- Legal name
- Trading name
- Physical address
- Phone number
- Email address
- Website address
- The region(s) you will operate in

Please confirm:

I agree to the information described above, as provided in this application form, being published and searchable on the website nzscv.co.nz

If you change your mind, you can contact the Board at info@nzscv.co.nz to remove your information from being publicly available.

Details of procedures to attach to your application

 You must attach evidence of the procedures you have 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 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.

For further information on what you need to include see: [Apply to be a Certification Authority – Application Guidance.](#)

APPLICANT'S DECLARATION:

I declare for and on behalf of the Applicant that the information I have provided in this application form is true and correct. I am aware that this information is being collected by the Plumbers, Gasfitters and Drainlayers Board for the purpose of assessing my application. Any personal information provided about any person has been provided with their permission. The information contained in this application may also be used for any other purposes required or permitted by the Plumbers, Gasfitters, and Drainlayers Act 2006, its regulations, or the Privacy Act 2020. I understand that other than as set out above, personal information will not be disclosed to anyone else without my permission and that I can access this information on request (Privacy Act 2020).

Applicant/declarant name:

Applicant/declarant signature:

Declarant position (if not Applicant):

Date signed:

Memorandum of understanding

Between Plumbers, Gasfitters, and Drainlayers Board
and a Certification Authority in relation to self-
contained vehicles regime

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Purpose

1. The purpose of this Memorandum of Understanding (**MOU**) is to:
 - a. ensure the respective roles and responsibilities of the parties under the Plumbers, Gasfitters, and Drainlayers Act 2006 (**Act**) and the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023 (**Regulations**) are well understood, including in relation to payment of levies and access to the self-contained vehicles (**SCV**) register (**Register**);
 - b. facilitate co-operation and communication between the parties to ensure the efficient and effective operation of the regime; and
 - c. outline principles and objectives that the parties expect to underpin their relationship.

Parties

2. The Parties to the MOU are:
 - a. The Plumbers, Gasfitters and Drainlayers Board (**Board**);
 - b. a certification authority appointed by the Board under section 87C of the Act (**Certification Authority**).

Key responsibilities under the Act and Regulations

3. The Act introduces a regulatory regime for SCVs that is intended to address the environmental and community impacts of vehicle-based freedom camping. The provisions relevant to the parties came into force on 7 December 2023.
4. The Board is the regulator of the SCV system and responsible for appointing Certification Authorities, prescribing requirements relating to motor vehicle inspections, considering and investigating complaints against Certification Authorities and taking disciplinary action, prosecuting offences, and establishing and maintaining the Register.
5. Certification Authorities are responsible for appointing motor vehicle inspectors, ensuring motor vehicle inspections comply with requirements prescribed by the Regulations and notices issued by the Board, issuing certificates of self-containment (**Certificates**) and warrant cards, and entering information in the Register (together, **Core Functions**).

Relationship Management and Communication

6. The Board will provide the Certification Authority with details of the Board's nominated contact person for that Certification Authority and advise the Board of any change of that contact person.
7. The Certification Authority will provide the Board with details of its nominated contact person and of any change of that contact person.

8. The role of the contact person is to act as a first point of contact and to seek to resolve any questions or issues raised between the Certification Authority and the Board.
9. The parties will endeavour to respond to any questions raised by the other as soon as possible and, if identified as urgent, within 3 working days.
10. The Board expects the Certification Authority to comply and be familiar with their obligations under the Act and Regulations and with any notices and guidance issued by the Board. If the Certification Authority has questions about the operation of the regime it should first consider available guidance issued by the Board.

Payment of levies

Requirements

11. Under the Act and Regulations:
 - a. The SCV levy becomes payable by an applicant once an application is made to a Certification Authority and must then be paid to the Certification Authority.
 - b. A Certification Authority must ensure payment of the SCV levy is received from an applicant before issuing a Certificate.
 - c. A Certification Authority must pay the SCV levy received from the applicant to the Board.
 - d. The SCV levy is a debt due to the Board (on behalf of the Crown).
 - e. The Board is responsible for ensuring that the SCV levy is paid into a Crown Bank Account by the 20th of the month after the month in which it is received.
12. Unless agreed otherwise under clause 13, the Certification Authority must pay the SCV levy it receives to the Board immediately following issuing a vehicle with a certificate of self-containment but in any case, no later than 5 working days after issuing the certificate.
13. If a Certification Authority wishes to pay SCV levies to the Board under a different arrangement from that set out in clause 12 (for example, if for administrative reasons it wishes to pay the SCV levies periodically) it must first seek approval from the Board and comply with any arrangement agreed.
14. The Certification Authority agrees that failure to collect SCV levies before issuing a Certificate is a breach of its Core Functions and could lead to disciplinary action and revocation or suspension of its authority or a fine. The Certification Authority's ability to collect and handle the SCV 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.

Payment of levies where Certificate not issued

15. Under the Act and Regulations, a SCV levy is payable by the applicant once an application is made unless or until the applicant applies for and is granted a waiver or refund by the Board. This is the position even if the vehicle fails its inspection and a Certificate is not issued.
16. Where a vehicle fails the vehicle inspection and a Certificate is not issued, the Board expects the Certification Authority to:
 - a. inform the applicant of the ability to apply to the Board for a waiver (if the SCV levy has not yet been paid to the Certification Authority) or refund of the SCV levy (if the SCV levy has been paid to the Certification Authority); and
 - b. assist the applicant with that process in accordance with any guidance issued by the Board.
17. It is for the Certification Authority to determine at what point during the certification process to collect the levy from the applicant (but which must be collected, in every case, before the Certificate is issued in accordance with the Act). For example, the Certification Authority may choose to collect the levy only after the vehicle has been inspected, meaning that if the vehicle fails inspection, the applicant can apply for a waiver without any payment being processed and then refunded.

GST component of SCV levy

18. The SCV levy is subject to GST.
19. The Certification Authority and the Board (as agent for the Crown/MBIE for the purposes of section 172B of the Act) agree that the arrangement under this MOU creates an agency relationship between the parties for GST purposes. However, this MOU provides that the Certification Authority and the Board agree to opt-out of the agency rules under section 60(1B) of the Goods and Services Tax Act 1985. As a consequence, the Certification Authority will return GST output tax in relation to income that it receives in respect of the levy charged to the applicant. The Board will subsequently issue taxable supply information to the Certification Authority in respect of levies collected as per information entered into the Register.
20. If the Certification Authority is not GST registered, the Certification Authority will need to contact the Board to establish a separate process to that set out in paragraph 19.

Register

Responsibilities of parties in relation the Register

21. The Board has established and maintains, in accordance with the Act, the Register. The Board will use its best endeavours to ensure the Register is configured to allow only entry and access as permitted under the Act. Certification Authorities also have a responsibility to ensure they are compliant with the Register requirements in accordance with the Act and the Regulations.

22. Only Certification Authorities and enforcement officers are permitted to enter information in the Register. The Board's Registrar is permitted to make changes in certain circumstances.
23. Under the Act, the Certification Authority:
 - a. must enter the name and address of the vehicle owner, vehicle registration, pre-populated vehicle data, the maximum number of people for which the vehicle is certified for, the name of the Certification Authority and the date, expiry and unique Certificate and warrant card number;
 - b. must save a copy of the Certificate issued to a vehicle to the Register; and
 - c. may enter details of a vehicle inspection (Certification Authorities should refer to the Board's guidance on the Register before taking this step).
24. The Certification Authority is responsible for ensuring it collects, stores, uses, and shares any personal information in accordance with the Privacy Act 2020.
25. The Certification Authority acknowledges that the Act specifically provides that:
 - a. the Register may only be searched for the permitted purposes and categories, and
 - b. a search of the Register for personal information other than in accordance with the Act constitutes an action that is an interference with the privacy of an individual under section 69 of the Privacy Act 2020.
26. The Certification Authority must have a sound understanding of the information that it is required to enter into the Register and the information it is entitled to access, and have procedures in place to ensure compliance with requirements.

Limits on access

27. Members of the public, certification authorities, enforcement officers and the Board are permitted to have access to the Register at different levels for each class.
28. In terms of who can access what under the Act:
 - a. Certification Authorities, enforcement officers and the public can access information on the Register in order to ascertain whether a vehicle holds or previously held a Certificate and the expiry date of any current, expired or revoked Certificate
 - b. Certification Authorities and enforcement officers can also access all the information contained in a Certificate and the details of any vehicle inspection (if entered), and
 - c. Certification Authorities can access information about all Certificates issued by **that** certification authority.
29. The Certification Authority must be aware that the name of a vehicle owner (but **not** the address of the vehicle owner) must be included within a Certificate in accordance with the Regulations. This information will, in accordance with the Act, be ascertainable by other certification authorities and enforcement officers upon search of a particular vehicle. Accordingly, it is important that information is carefully and accurately entered or otherwise saved to the Register, and only the information required by the Act and the Regulations is ascertainable by other certification authorities and enforcement officers.

30. The Certification Authority should immediately contact the Board if it, or any of its employees or contractors, become aware that any person has entered or accessed information on the Register outside the scope of what is permitted.

Creating new Register users

31. The Certification Authority is responsible for setting up Register user(s) within the Certification Authority with access to the Register. The Certification Authority can create more than one Register user to the extent this is necessary for the Certification Authority to carry out its functions and responsibilities under the Act and Regulations. Any Register user access should be immediately removed by the Certification Authority if the person with access is no longer required to access the Register on behalf of the Certification Authority.
32. The Certification Authority is responsible for the actions in respect to use of the Register of any Register users it creates. The Certification Authority must ensure that all its Register users are trained in the use of the Register, and are aware of the obligations set out in this MOU as they relate to the Register (including those related to privacy).
33. The Board can audit usage of the Register, including searches performed by the Certification Authority (and any user within the Certification Authority). The Certification Authority will breach its core functions if it uses the Register in a way that is inconsistent with the Act and the Regulations.

Term

34. This MOU is effective from the date of appointment and expires on the date which is five years from the date of appointment unless both parties agree in writing to renew the term of the MOU before its expiry.
35. Either party may withdraw from the agreement by giving 4 weeks' written notice to the other party.
36. This MOU is intended to be non-binding in so far as it is not legally enforceable.

Dispute Resolution

37. Any dispute concerning the subject matter of this MOU is to be settled by full and frank discussion. Failing such settlement, the dispute will be referred to mediation with a mediator to be agreed by the parties, or if no agreement is reached, with a mediator to be appointed by the Resolution Institute.

Official Information Act

38. Any information provided to the Board is subject to the Official Information Act 1982. If the Certification Authority considers information it is sharing with the Board is confidential or commercially sensitive or should be withheld under the OIA for any other reason, it should identify this when providing the information to the Board. If the Board receives a request under the OIA for disclosure of that information, it will provide the Certification Authority with an opportunity to comment before the Board makes a decision on disclosure.

SIGNED on behalf of the Board by:

SIGNED on behalf of the Certification Authority by:

.....

.....

Name:

Name:

Date:

Date:

