

Consultation submission form

**Proposed CodeMark mark of conformity
transition period**



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How to make a submission

The Ministry of Business, Innovation and Employment (MBIE) is seeking your feedback on:

- the proposed transition period for the new CodeMark mark of conformity

When completing this submission form, please provide comments and reasons explaining your choices. Your feedback provides valuable information and informs decisions about the proposals.

You can submit this form by **5pm, Friday 23rd December** 2022 by:

- Sending your submission as a Microsoft Word document to Building@mbie.govt.nz
- Mailing your submission to:

CodeMark mark of conformity consultation 2022
Building System Performance
Building, Resources and Markets
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140
New Zealand

Use of information

The information provided in submissions will contribute to MBIE's ongoing development of the CodeMark scheme. We may contact submitters directly if we require clarification of any matters in submissions.

Release of information

MBIE may upload PDF copies of submissions received to MBIE's website at www.mbie.govt.nz. MBIE will consider you to have consented to uploading by making a submission, unless you clearly specify otherwise in your submission.

If your submission contains any information that is confidential or you otherwise wish us not to publish, please:

- indicate this on the front of the submission, with any confidential information clearly marked within the text
- provide a separate version excluding the relevant information for publication on our website.

Submissions remain subject to requests under the *Official Information Act 1982*. Please set out clearly in the cover letter or e-mail accompanying your submission if you have any objection to the release of any information in the submission, and in particular, which parts you consider should be withheld, together with the reasons for withholding the information. MBIE will take such objections into account and will consult with submitters when responding to requests under the *Official Information Act 1982*.

Private information

The *Privacy Act 2020* establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including MBIE. Any personal information you supply to MBIE in the course of making a submission will only be used for the purpose of assisting in the development of policy advice in relation to this review. Please clearly indicate in the cover letter or e-mail accompanying your submission if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.

Submitter information

MBIE would appreciate if you would provide some information about yourself. If you choose to provide information in the “About you” section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

A. About you

Name: Chelydra Percy

Email address: Chelydra.Percy@branz.co.nz

B. Are you happy for MBIE to contact you if we have questions about your submission?

Yes No

C. Are you making this submission on behalf of a business or organisation?

Yes No

If yes, please tell us the title of your company/organisation.

BRANZ Limited.

D. The best way to describe your role is:

- CodeMark certificate holder
- Industry organisation (please specify below)
- Business
- Individual
- Other (please specify below)

Please specify here.

Research organisation and CodeMark Product Certification Body.

E. If you represent a Business the best way to describe it is:

- Designer/ Architect Builder
- Sub-contractor Other (please specify below)
- Supplier

Submitter information

F. If you are an individual the best way to describe you is:

- Designer/ Architect Builder
 Sub-contractor Other (please specify below)
 Building Consent Officer
 Homeowner

G. Privacy information

- The *Privacy Act 2020* applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish.
- MBIE may upload submissions or a summary of submissions received to MBIE's website at www.mbie.govt.nz. If you do **not** want your submission or a summary of your submission to be placed on our website, please tick the box and type an explanation below:

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

H. 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 Official Information Act that I believe apply, for consideration by MBIE.

If you have ticked this box, please tell us what parts of your submission are to be kept confidential.

CodeMark mark of conformity transition period

The *Building (Building Products and Methods, Modular Components, and Other Matters) Amendment Act 2021* (the Amendment Act) introduced a new certification scheme for modular component manufacturers (BuiltReady) and also made changes to strengthen the existing CodeMark product certification scheme.

The introduction of BuiltReady along with the revision of the CodeMark scheme, provided an opportunity to review and propose a new brand visual identity for CodeMark. As CodeMark has scheme rules which specify requirements on how the CodeMark brand – the mark of conformity - must be used on certified products, we are proposing a transition period to allow product certification bodies, certificate holders, manufacturers, and suppliers sufficient time to change over to the new CodeMark brand.

The purpose of this consultation is to seek feedback from affected parties on whether the proposed transition is a suitable timeframe to implement the new mark of conformity.

About BRANZ

BRANZ is a multi-faceted, independent science-led organisation. We use independent research, systems knowledge and our broad networks to identify practical solutions that improve Aotearoa New Zealand's building system performance. BRANZ is driven by the knowledge that to thrive as a society, New Zealanders need a built environment that is safe, healthy and performs well.

The BRANZ vision is to *Challenge Aotearoa New Zealand to create a building system that delivers better outcomes for all.*

BRANZ undertakes and commissions research, funded by the Building Research Levy, which is both practical and drives positive building and construction system change. This work helps improve industry practices around the performance of buildings and how we use them, through to informing policy and legislation and all points in between.

BRANZ also contributes to practical improvements in Aotearoa New Zealand's built environment through a suite of independent product testing, assurance and consultancy services. Evidence-based advice is available at all phases of the product life cycle from preliminary R&D and standards compliance, through to verifying end-use product performance. A BRANZ assessment is universally trusted, providing assurance that the products should do what the manufacturer says they will do. We hold the responsibility to ensure our work is of the highest standard at the core of what we do.

BRANZ is one of four accredited product certification bodies (PCBs) in New Zealand who can assess, evaluate and CodeMark certify a building product. We have been accredited since 2018. We are also an accredited PCB to the Australian CodeMark scheme since 2018.

Questions for the consultation

- 1-1. Do you agree that the proposed transition period is sufficient time for scheme participants to implement the new CodeMark mark of conformity requirements for any product produced and packaged after 1 Sept 2024?

As a PCB for the CodeMark scheme, we do not have any issues associated with meeting the timeline for the proposed transition period. The only challenge we could foresee would be if we do not receive all the necessary electronic files associated with new mark of conformity, at the start of the transition period. This would then flow on to our ability to fully prepare for these changes and engage with certificate holders.

We recommend the transition timeline outlined in Section 1.4 of the consultation document commences (and phases retain the same length of time) when the updated scheme rules are finalised, should they not be able to be finalised by early January.

- 1-2. Do you consider 1 September 2025 a reasonable deadline for certificate holders to have changed all product packaging over to the new mark of conformity including all existing product at the various points of supply chain?

We recommend that MBIE takes account of the views of certificate holders regarding their ability to make the necessary changes in the proposed timeline. We do not consider it to be an ideal outcome if product is removed from stock shelves, because of these proposed changes. This could unnecessarily impact on both the environment and certificate holders' financial situation should they need to dispose of product with the old mark of conformity.

General questions

- 1-3. If you have any other feedback regarding where the mark of conformity is currently being used, and what the impact of the new mark of conformity is for each of those uses, please add to the free text box below:

We don't have any specific feedback in relation to question 1-3 above, but have one additional comment for MBIE:

- We recommend there is good alignment around communications with the sector regarding the changes outlined in this proposal alongside changes being made in other relevant areas. This includes aligning communications with the Building Product Information Requirements guidelines also being developed by MBIE.