

Supplementary Departmental Disclosure Statement

Building and Construction Sector (Self-certification by Plumbers and Drainlayers) Amendment Bill

A supplementary departmental disclosure statement for a Bill the government is proposing to amend seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill in amended form.

It highlights material changes to previous disclosures relating to:

- the general policy intent of the Bill and other background policy material;
- some of the key quality assurance products and processes used to develop and test the content of the Bill;
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

The original disclosure statement for the Building and Construction Sector (Self-certification by Plumbers and Drainlayers) Amendment Bill, dated 29 October 2025, can be found at this link <https://disclosure.legislation.govt.nz/bill/government/2025/221>

This supplementary disclosure statement was prepared by the Ministry of Business, Innovation and Employment.

The Ministry of Business, Innovation and Employment certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

24 April 2026.

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The Main Areas of Change to the Original Disclosures

This is a supplementary disclosure statement for the Building and Construction Sector (Self-certification by Plumbers and Drainlayers) Amendment Bill.

A supplementary disclosure statement supplements the original disclosure statement for the Bill by reporting the additions and changes that would need to be made to the original disclosure statement to accurately reflect the Bill with the proposed government amendments incorporated.

Where the Bill now also incorporates changes made by a select committee of the House, the supplementary disclosure statement will note these if relevant but will not explain them further.

The main areas of change to the original disclosure statement include:

- clause 5 is replaced because a declaration from a building professional will no longer be required to accompany an application for a building consent when self-certification of plumbing or drainlaying work is anticipated
- clauses 45 and 45A are deleted, which will permit a wider range of sanitary plumbing and drainlaying work to be included within the definitions of self-certifiable drainlaying and self-certifiable plumbing
- a new clause is inserted into Schedule 1AA of the Act that explicitly permits the Board to use money it holds at the time the Bill, when enacted, commences for the purpose of performing its duties under the Bill.

Part One: General Policy Statement

The Amendment Paper will enable greater flexibility in defining the scope of self-certifiable plumbing and drainlaying through regulations. This supports the Bill's key purpose of speeding up the building of houses in New Zealand by reducing the number of inspections required for plumbing and drainlaying work.

It achieves this by removing the requirement for the Minister to be satisfied that self-certifiable plumbing and drainlaying work is routine, not complex, and poses a low risk to public health and safety. This change allows a broader range of sanitary plumbing and drainlaying work to be prescribed as self-certifiable plumbing and drainlaying through regulations, increasing the potential benefits of the scheme. It also allows for regulations to be simpler and more easily understood.

The Amendment Paper also removes the requirement for building consent applications to include a declaration that the plumbing or drainlaying work is self-certifiable. As the Amendment Paper allows for simpler regulations, it will be much easier for a lay person to understand if the work is self-certifiable and so a declaration is no longer necessary. Removing this requirement is intended to improve the efficiency of the building consent process.

In addition, the Amendment Paper enables the Board to use its existing funds to perform its duties under the Bill.

Part Two: Background Material and Policy Information

Published reviews or evaluations

2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill?	NO

Relevant international treaties

2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty?	NO

Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	YES
<p>A Supplementary Analysis Report is being prepared to support Cabinet Legislation Committee decisions on regulations. This Supplementary Analysis Report addresses the likely impacts of policy decisions in the Amendment Paper and will be made publicly available after the regulations have been made.</p> <p>A Regulatory Impact Statement dated 11 May 2025, <i>Establishing self-certification schemes for simple residential building work</i>, was prepared by the Ministry of Business, Innovation and Employment accompanying the policy decisions taken in 2025.</p> <p>https://www.mbie.govt.nz/dmsdocument/30864-regulatory-impact-statement-establishing-self-certification-schemes-for-simple-residential-building-work-proactiverelease-pdf</p> <p>https://www.regulation.govt.nz/our-work/regulatory-impact-statements/regulatory-impact-statement-establishing-self-certification-schemes-for-simple-residential-building-work/</p>	

2.3.1. If so, did the Ministry for Regulation provide an independent opinion on the quality of any of these regulatory impact statements?	YES
<p>The Supplementary Analysis Report has not yet been finalised.</p> <p>A quality assurance panel made up of representatives from the Ministry of Business, Innovation and Employment and the Ministry for Regulation reviewed the 2025 regulatory impact statement. The panel considers it meets the quality assurance criteria, but notes that the impact assessment was limited by a constrained timeframe which only allowed for an interim Cost Benefit Analysis and limited consultation.</p>	

2.3.2. Are there aspects of the policy to be given effect by this Bill that were not addressed by, or that now vary materially from, the policy options analysed in these regulatory impact statements?	NO
<p>The Supplementary Analysis Report addresses the likely impacts of removing the requirement for the Minister to be satisfied that self-certifiable plumbing and drainlaying work is routine, not complex, and poses a low risk to public health and safety.</p>	

Extent of impact analysis available

2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill?	YES
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The Ministry of Business, Innovation and Employment commissioned a cost benefit analysis report from economic consultants Sapere. The report provided indicative analysis to support policy development.

https://www3.parliament.nz/en/pb/sc/submissions-and-advice/document/54SCTIN_ADV_1c7fdacd-9d4e-4dd6-6c2d-08de20b5b51d_TIN8715/ministry-of-business-innovation-and-employment-supplementary

2.5. For the policy to be given effect by this Bill, is there analysis available on:	
(a) the size of the potential costs and benefits?	NO
(b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth?	NO

The Supplementary Analysis Report will be made publicly available after the regulations have been considered by Cabinet.

2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be affected by:	
(a) the level of effective compliance or non-compliance with applicable obligations or standards?	YES
(b) the nature and level of regulator effort put into encouraging or securing compliance?	YES

While the Amendment Paper does not create new obligations or standards, allowing for simpler and broader regulations will influence how the level of compliance affects costs and benefits.

Simpler regulations will make the scheme easier to comply with, increasing the likelihood of compliance and reducing unintentional non-compliance. They will also reduce effort required by the Plumbers, Gasfitters and Drainlayers Board and the Ministry of Business, Innovation and Employment to communicate the scope of the scheme, and help ensure that owners, building consent authorities and practitioners have a clear understanding of who is authorised to carry out which work.

Over time, the extent, nature and rate of defects observed under an expanded scheme will impact how the scheme's anticipated benefits are realised.

The Amendment Paper removes a person's obligation to declare the work is self-certifiable in a building consent application.

Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations?

The Ministry of Business, Innovation and Employment considers that the Amendment Paper does not contain any inconsistencies with New Zealand's international obligations.

Consistency with the government's Treaty of Waitangi obligations

3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi?

The additional proposals given effect by the Amendment Paper do not change the treaty impact assessment carried out in relation to proposals in the Building and Construction Sector (Self-certification by Plumbers and Drainlayers) Amendment Bill.

Consistency with the New Zealand Bill of Rights Act 1990

3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990?

NO

Offences, penalties and court jurisdictions

3.4. Does this Bill create, amend, or remove:

(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)?

NO

(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?

NO

Privacy issues

3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information?

NO

External consultation

3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill?	YES
<p>The original Bill was subject to targeted engagement and Select Committee consideration, which included receipt and hearing of public submissions.</p> <p>The Amendment Paper that is the subject of this Disclosure Statement responds to the submissions made by a range of stakeholders during the Select Committee's consideration of the Bill.</p> <p>The policy informing the Amendment Paper underwent limited targeted engagement, including with the Plumbers, Gasfitters and Drainlayers Board, Master Plumbers and a building consent authority. The consultation with the building consent authority focused on removing the requirement for a declaration to be filed with a consent application and on the expansion of the definition of self-certifiable plumbing and drainlaying in regulations.</p>	

Other testing of proposals

3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete?	NO

Part Four: Significant Legislative Features

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	NO

Charges in the nature of a tax

4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax?	NO

Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO

Strict liability or reversal of the burden of proof for offences

4.4. Does this Bill:	
(a) create or amend a strict or absolute liability offence?	NO
(b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding?	NO

Civil or criminal immunity

4.5. Does this Bill create or amend a civil or criminal immunity for any person?	NO

Significant decision-making powers

4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?	NO

Powers to make delegated legislation

4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?	NO
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4.8. Does this Bill create or amend any other powers to make delegated legislation?	YES
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The Amendment Paper removes clause 45A, which requires the Minister to be satisfied that self-certifiable plumbing and drainlaying work is routine, not complex, and poses a low risk to public health and safety. Removing this requirement provides greater flexibility when setting regulations to determine the scope of the self-certification scheme.

Any other unusual provisions or features

4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment?	NO
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