

Version
as at 29 August 2024



Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023

(SL 2023/217)

Cindy Kiro, Governor-General

Order in Council

At Wellington this 28th day of August 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 172(1A), 172A, and 172B of the Plumbers, Gasfitters, and Drainlayers Act 2006—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Tourism made—
 - (i) after consultation in accordance with clause 2 of Schedule 1AA of that Act; and
 - (ii) on being satisfied of the matter set out in section 172C(1)(b) of that Act.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

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Regulations

- 1 Title**

These regulations are the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023.
- 2 Commencement**

These regulations come into force on 6 December 2023.
- 3 Interpretation**

In these regulations, unless the context otherwise requires,—

Act means the Plumbers, Gasfitters, and Drainlayers Act 2006

blackwater means the wastewater described in paragraph (a)(i) of the definition of wastewater

Board means the Plumbers, Gasfitters, and Drainlayers Board

certificate of self-containment means a certificate issued under section 87U(3)(d) of the Act

enforcement officer has the same meaning as in section 4 of the Freedom Camping Act 2011

greywater means the wastewater described in paragraph (a)(ii) of the definition of wastewater

self-containment certification authority or **authority** means a person appointed under section 87C of the Act, or reappointed under section 87E of the Act, as a self-containment certification authority

self-containment levy means a levy described in section 172B of the Act

warrant card means a warrant card described in section 87X(1)(b) of the Act

wastewater—

(a) means—

- (i) any water or other material discharged from a fixture that is used to receive, process, or discharge human excrement:
- (ii) any water, other than water referred to in subparagraph (i), discharged from a fixture (for example, a kitchen sink); and

(b) includes solid waste material from a waterless toilet

wastewater system means the pipes and other fixtures that transport wastewater from the place where water is received or used to the place where it is ultimately discharged.

4 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

Part 1

Appointment of self-containment certification authorities and motor vehicle inspectors

Appointment of self-containment certification authority

5 Information to be provided by applicant for appointment as self-containment certification authority

A person who applies for appointment as a self-containment certification authority under section 87C of the Act must provide the Board with the following information:

- (a) the applicant's legal name:
- (b) the applicant's trading name (if applicable and if different from their legal name):
- (c) the applicant's New Zealand Business Number (if applicable):
- (d) the physical address of the applicant's principal place of business:
- (e) the applicant's postal address (if different from the physical address of their principal place of business):

- (f) the applicant's contact details (including an email address and phone number):
- (g) the applicant's Internet site address (if applicable):
- (h) details of an individual who is responsible for the application (for example, an employee with detailed knowledge and understanding of the applicant's operations) including—
 - (i) their full name; and
 - (ii) their title or role (in relation to the applicant); and
 - (iii) their contact details (including email address and phone number):
- (i) details of the individual who will be responsible for the day-to-day management of the authority, including—
 - (i) their full name; and
 - (ii) their title or role (in relation to the applicant); and
 - (iii) their contact details (including their email address and phone number):
- (j) the extent of the proposed authority's operations (for example, whether it is proposed that the authority operate in a particular town, city, or region, or nationally):
- (k) the types of vehicles for which the proposed authority will offer a certification process (for example, any type of self-contained motor vehicle or 1 or more particular types of self-contained motor vehicle):
- (l) any other information required by the Board, by written notice to the applicant.

6 Requirements for appointment as self-containment certification authority

Before appointing a person as a self-containment certification authority under section 87C of the Act, the Board must be satisfied that the person has, or will have, procedures in place to—

- (a) enable persons to apply to be appointed as motor vehicle inspectors, including having detailed information on each step of that process and on how the proposed authority will ensure that applicants meet the competency requirements set out in regulation 11; and
- (b) ensure that the motor vehicle inspectors appointed by the authority, in making certification decisions, have regard to, or comply with, as the case requires, any notices issued by the Board under section 87F of the Act or other guidance or directions issued by the Board; and
- (c) ensure that those inspectors are provided with technical advice and assistance on the requirements for self-containment inspection and certification set out in Part 2, including the specifications set out in regulations 16 to 20, and how to interpret these; and

- (d) monitor the performance of those inspectors to ensure that they are consistently making correct certification decisions and that inspections are robust; and
- (e) assess the ongoing competency of those inspectors; and
- (f) carry out the following activities (supported by suitable record-keeping processes and information technology facilities):
 - (i) recording inspection details in the national register of self-contained motor vehicles established under section 87Z of the Act;
 - (ii) reviewing inspection details before a certificate of self-containment and warrant card are issued;
 - (iii) issuing certificates of self-containment and warrant cards; and
- (g) if the applicant is involved in processing the self-containment certification of vehicles it owns, properly manage any conflicts of interest and maintain impartiality; and
- (h) manage complaints from customers; and
- (i) collect and handle the self-containment levy and transfer it to the Board.

7 Evidential requirements to be met in order to satisfy regulation 6

The evidential requirements that must be met in order for the Board to be satisfied of the matters described in regulation 6 are set out in Schedule 2.

Reappointment of self-containment certification authority

8 Timing of application for reappointment as self-containment certification authority

If an authority wishes to be reappointed under section 87E of the Act, it must apply to the Board no earlier than 3 months prior to the date on which the 5-year term of the authority's appointment expires.

9 Updated information to be provided by applicant for reappointment as self-containment certification authority

- (1) An authority applying for reappointment is not required to provide the information set out in regulation 5 again, but if any of that information is no longer accurate, must—
 - (a) update it; and
 - (b) give the Board the updated information.
- (2) The Board may, by written notice to an authority applying for reappointment, require the applicant to give additional information to the Board.

10 Declaration relating to requirements for reappointment as self-containment certification authority

An authority applying for reappointment must complete and give to the Board a declaration that it continues to have procedures in place to address the matters set out in regulation 6, if that is the case.

Appointment of motor vehicle inspectors

11 Competency requirements for appointment as motor vehicle inspector

Before appointing a person as a motor vehicle inspector under section 87T of the Act an authority must be satisfied that the person demonstrates competency in the following matters:

- (a) knowledge and understanding of the requirements for self-containment and specifications for facilities of self-contained motor vehicles set out in Part 2 of these regulations; and
- (b) knowledge and understanding of how to correctly interpret those requirements and specifications when inspecting a motor vehicle; and
- (c) knowledge of how to seek assistance in understanding and interpreting those requirements and specifications, if necessary; and
- (d) the capability to record inspection details in a form that could be entered on the national register of self-contained motor vehicles.

Part 2

Inspection and certification of self-contained motor vehicles

Objective

12 Objective of this Part

The objective of this Part is to protect the natural environment from contamination and pollution from wastewater and solid waste by ensuring that all certified self-contained motor vehicles provide the prescribed minimum facilities needed to contain the waste that vehicle occupants produce and to be capable of providing the fresh water those occupants require.

Requirements for self-containment certification

13 Requirements for self-containment

The requirements for self-containment for a self-contained motor vehicle as referred to in section 87U(4)(b) of the Act are as follows:

- (a) a water supply system that stores and conveys water in a secure manner that prevents contamination of the water:
- (b) a fixed toilet that collects human waste securely and hygienically:

- (c) a wastewater system that both stores and collects greywater and black-water securely and hygienically;
- (d) a sink that is installed safely and drains to the wastewater system's tank;
- (e) a means of loading water into the motor vehicle securely and in a way that does not contaminate that water;
- (f) a means of disposing of wastewater hygienically to an appropriate out-fall;
- (g) secure rubbish storage;
- (h) a ventilation system that removes odours from the motor vehicle and minimises the extent to which foul air and gases can enter the motor vehicle.

14 Requirements for self-containment: further detail

- (1) In order for a self-containment certification authority to be satisfied that a motor vehicle meets the requirements for self-containment set out in regulation 13, the facilities described in the requirements must—
 - (a) be of sufficient size, volume, and durability to be able to operate for a minimum of 3 days for the maximum number of occupants for which the self-contained vehicle is certified; and
 - (b) be constructed from fittings or items of equipment that are—
 - (i) fit for purpose; and
 - (ii) made from suitable materials, including,—
 - (A) for pipes and fittings that reticulate water, such as taps and valves, materials that will not contaminate water; and
 - (B) for appliances, fixtures, fittings, tanks, pipes, pipe fittings, and valves used in the wastewater system, non-toxic, non-corrodible, and stable materials; and
 - (iii) installed in a sound and appropriate manner, including in particular that—
 - (A) water tanks are securely mounted and capped to avoid damage or leaks from water movement while the motor vehicle is moving; and
 - (B) water reticulation pipes are fitted in a way that ensures they do not fail or leak at the system's design pressure; and
 - (C) appliances, fixtures, fittings, tanks, and pipes used in a wastewater system are securely fixed or fastened; and
 - (c) meet the specifications set out in regulations 16 to 20.
- (2) In this regulation, **fit for purpose**, in relation to an element of a motor vehicle's self-containment facilities, means the element has been designed for the purpose or function for which it has been used, and it has been installed and is

being used in a way that ensures it remains functional for at least the period of the certification.

15 Critical self-containment elements

The facilities set out in regulation 13 are the critical self-containment elements referred to in section 87X(3)(a) of the Act.

Specifications for facilities of self-contained motor vehicles

16 Water supply system specifications

In order to meet the requirement for self-containment relating to a water supply system in regulation 13(a), a motor vehicle's water supply system must—

- (a) be capable of storing and reticulating water to the motor vehicle's other facilities; and
- (b) be protected from contamination from external sources; and
- (c) be installed in a manner that—
 - (i) avoids the likelihood of contamination within the system; and
 - (ii) uses components that will not contaminate the water; and
 - (iii) pipes water to sanitary fixtures (such as toilets, showers, and sinks) and sanitary appliances (such as dishwashers) at flow rates that are adequate for the correct functioning of those fixtures and appliances under normal conditions; and
- (d) be constructed in a way that allows air to enter the tank in order to displace the water leaving the tank; and
- (e) include pipes and fittings that are made of an opaque material that is suitable for contact with potable water; and
- (f) include 1 or more water storage tanks that are—
 - (i) protected from the risk of deterioration from sun exposure, either by being—
 - (A) made of a material that is resistant to ultraviolet light; or
 - (B) stored in a way that avoids exposure to sunlight; and
 - (ii) protected from the risk of the growth of legionella bacteria within the tanks, either by being—
 - (A) located away from heating sources; or
 - (B) sufficiently insulated to prevent bacteria growth; and
 - (iii) adequately supported and secured to avoid creating any hazard while the motor vehicle is in motion.

17 Toilet specifications

- (1) In order to meet the requirement for self-containment relating to toilets in regulation 13(b), a motor vehicle must have toilets that—
 - (a) are fit for purpose and installed in accordance with their design and specifications; and
 - (b) are fixed to the motor vehicle with the base of the toilet rigidly mounted in position and do not require removal in order to empty human waste; and
 - (c) drain or flush directly into—
 - (i) a suitably designed and fitted blackwater tank; or
 - (ii) a removable blackwater holding tank.
- (2) In this regulation, a **removable blackwater holding tank** means,—
 - (a) if the toilet is a cassette-type toilet, a removable cassette;
 - (b) if the toilet is a waterless toilet, a removable chamber.

Regulation 17(1)(a): amended, on 29 August 2024, by regulation 4 of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144).

18 Wastewater system specifications

- (1) In order to meet the requirement for self-containment relating to a wastewater system in regulation 13(c), a motor vehicle must have a wastewater system that—
 - (a) safely and reliably conveys wastewater from the motor vehicle's facilities to storage tanks or vessels and stores this wastewater securely until the tanks or vessels are emptied; and
 - (b) either stores greywater and blackwater separately or, if greywater and blackwater are combined, stores them as blackwater; and
 - (c) has water drainage pipes that are a sufficient size, watertightness, and gradient to allow for the effective and convenient egress of wastewater from any sinks, basins, and showers into greywater storage.
- (2) If a motor vehicle's wastewater system stores greywater separately from blackwater, the storage of greywater referred to in subclause (1)(b) must be in—
 - (a) 1 or more fixed tanks that are connected to the motor vehicle; or
 - (b) 1 or more portable tanks that are connected to the motor vehicle.
- (3) The storage of blackwater referred to in subclause (1)(b) (regardless of whether it is made up of blackwater alone or greywater and blackwater combined) must be in—
 - (a) removable cassettes that are compatible with the motor vehicle's toilet;
or

- (b) 1 or more fixed tanks that have an isolating valve that allows the system to be emptied safely.

19 Loading and offloading mechanism specifications

- (1) In order to meet the requirement for self-containment relating to a loading and offloading mechanism in regulation 13(e), a motor vehicle must have a water tank inlet that is fitted with a seal capable of preventing the entry of foreign matter into the motor vehicle's water tanks.
- (2) In order to meet the requirement for self-containment relating to a wastewater system in regulation 13(f),—
 - (a) any pipes and hoses used for discharging wastewater from the motor vehicle must be of a sufficient size, strength, and durability for the clean, convenient, and safe discharge of wastewater; and
 - (b) the motor vehicle must have appropriate storage for the pipes and hoses used to discharge wastewater that minimises the health risks associated with residual contaminants on the pipes and hoses (if applicable); and
 - (c) the motor vehicle must have sufficient facilities for the safe and secure offloading of waste from a waterless toilet (if applicable).

20 Ventilation system specifications

- (1) In order to meet the requirement for self-containment relating to a ventilation system in regulation 13(h), a motor vehicle must have a ventilation system that—
 - (a) ensures unpleasant or unhealthy odours and foul air easily escape to the exterior of the motor vehicle; and
 - (b) ventilates wastewater storage tanks directly to the exterior of the motor vehicle to ensure that foul air and noxious gases do not accumulate inside the tanks; and
 - (c) includes vent outlets for wastewater storage tanks that—
 - (i) are installed at a height that safely prevents wastewater leakage; and
 - (ii) terminate outside the motor vehicle and away from doors, windows, or openings; and
 - (iii) are fitted with a means to prevent the entry of birds and vermin into the system; and
 - (d) includes pipes connecting sanitary appliances and sanitary fixtures to wastewater storage tanks that are fitted with a means of limiting the escape of foul air and noxious gases from the tanks to the interior of the motor vehicle, such as a water trap.

- (2) The requirements in subclause (1)(b) and (c) do not apply to a wastewater storage tank that is a removable blackwater holding tank within the meaning of regulation 17(2).

Regulation 20(2): inserted, on 29 August 2024, by regulation 5 of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144).

Part 3

Requirements for certificate of self-containment and warrant card

Certificate of self-containment

21 Details to be set out in certificate of self-containment

A certificate of self-containment issued under section 87U(3)(d) of the Act must include the following information:

- (a) the name of the owner of the motor vehicle:
- (b) a statement that the motor vehicle holds a certificate of self-containment:
- (c) details that identify the motor vehicle:
- (d) a technical description of the motor vehicle's self-containment facilities:
- (e) the name of the self-containment certification authority that issued the certificate:
- (f) the date on which the self-containment certification authority issued the certificate:
- (g) the expiry date of the certificate:
- (h) the maximum number of people for which the motor vehicle is certified for use as a self-contained motor vehicle:
- (i) the unique number issued to the motor vehicle for the purpose of the certificate and warrant card.

Warrant card

22 Form and content of warrant card

- (1) A warrant card must set out the following information:
- (a) the numbers, letters, and any other distinguishing mark shown on the registration plates of the motor vehicle or, if the motor vehicle does not have registration plates, details about the make and model of the motor vehicle:
 - (b) the date of issue of the warrant card:
 - (c) the expiry date of the warrant card:
 - (d) the name of the self-containment certification authority that issued the certificate of self-containment:

- (e) the maximum number of people for which the motor vehicle is certified for use as a self-contained motor vehicle;
 - (f) the unique number issued to the motor vehicle for the purpose of the certificate and warrant card.
- (2) A warrant card—
 - (a) must be coloured green; and
 - (b) may include a unique scannable code or symbol, such as a quick response (QR) code or barcode, which enables an enforcement officer to access information on the national register of self-contained motor vehicles about the motor vehicle.

23 Display of warrant card

- (1) This regulation applies to a person using a motor vehicle who is required to display a warrant card under section 87Y of the Act.
- (2) The person must display the warrant card—
 - (a) so that all details of the licence are or, as the case requires, can be made easily visible from outside the motor vehicle; and
 - (b) in accordance with the relevant requirements of subclause (3) or (4).
- (3) If the motor vehicle does not have a windscreen, the warrant card must be displayed in an upright position—
 - (a) as close as possible to the front left-hand side of the vehicle; or
 - (b) on the towing vehicle, in an upright position on the inside of the windscreen facing outwards on the opposite side to the steering wheel.
- (4) For any other motor vehicle, the warrant card must be displayed in an upright position on the inside of the windscreen facing outwards on the opposite side to the steering wheel.

Part 4 Fees and levies

Fee for appointment as self-containment certification authority

24 Fee for appointment as self-containment certification authority

- (1) A person must pay the fee for the amount set out in subclause (2) if—
 - (a) the person applies under section 87C(1) of the Act to the Board to be appointed as a self-containment certification authority;
 - (b) the person applies under section 87E(1) to the Board to be reappointed as a self-containment certification authority.
- (2) The amount of the fee is \$375.
- (3) The fee is payable to the Board.

- (4) The fee specified in subclause (2) is exclusive of goods and services tax.

Levy of owners of motor vehicles with certificate of self-containment

25 Levy for certification of self-contained motor vehicles imposed

- (1) A person must pay the levy for the amount set out in subclause (2) if—
- (a) the person applies under section 87U(1) of the Act to a self-containment certification authority for a certificate of self-containment for a motor vehicle;
 - (b) the person applies under section 87V(1) to any self-containment certification authority to renew a current certificate of self-containment for a motor vehicle.
- (2) The amount of the levy is \$104.35.
- (3) The levy is payable to the self-containment certification authority to which the person applies.
- (4) A self-containment certification authority that receives a levy must pay the levy to the Board.
- (5) The levy specified in subclause (2) is exclusive of goods and services tax.

Refunds and waivers

26 Board may refund or waive fees and levies

The Board may refund or waive some or all of a fee or levy that is payable under these regulations if satisfied that—

- (a) the refund or waiver is necessary to correct an administrative error; or
- (b) it is unreasonable or unfair in the circumstances to recover, in whole or part, the fee or levy.

27 Self-containment certification authority may refund levy if criteria for certificate of self-containment not met

A self-containment certification authority may refund a levy paid under regulation 25(1) in relation to an application if, after following the process specified in section 87U(3) of the Act, it is not satisfied that the application meets the criteria in section 87U(4) of the Act.

Regulation 27: inserted, on 29 August 2024, by regulation 6 of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144).

Schedule 1

Transitional, savings, and related provisions

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Part 1

Provisions relating to these regulations as made

There are no transitional, savings, or related provisions in these regulations as made.

Part 2

Provision relating to Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024

Schedule 1 Part 2: inserted, on 29 August 2024, by regulation 7(a) of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144).

1 Refund of levies by self-containment certification authority

A self-containment certification authority may only refund a levy under regulation 27 if the application to which the levy relates was made on or after 29 August 2024.

Schedule 1 clause 1: inserted, on 29 August 2024, by regulation 7(a) of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144).

Schedule 2

Evidence required to satisfy Board that regulation 6 has been met

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The evidence required to satisfy the Board that the requirements in regulation 6 have been met is set out in the following table:

Regulations	Required evidence to be contained in application or other document forwarded by applicant
<i>Regulation 6(a)</i>	Details of the appointment process from application through to appointment. Details of each step and what must be undertaken in order to move to the next step. Details of what happens at each step if a person does not meet the requirements to move to the next step.
<i>Regulation 6(b)</i>	Process for checking motor vehicle inspector adherence to formal guidance.
<i>Regulation 6(c)</i>	Details of a centralised help desk or contact point for motor vehicle inspector queries. Process for providing updates to motor vehicle inspectors.
<i>Regulation 6(d)</i>	Details of the process whereby a technically competent person reviews each certificate prior to issuing.
<i>Regulation 6(e)</i>	Proposed auditing plan of motor vehicle inspector performance.
<i>Regulation 6(f)</i>	Details of information technology facilities that are, or will be, in place.
<i>Regulation 6(g)</i>	Details of what involvement (if any) the motor vehicle inspector has in any installation or manufacturing operation of the applicant. Details of written procedures for transparently and appropriately managing conflicts of interest. Process whereby a technically competent person reviews each certificate prior to issuing. Details of internal auditing arrangements.
<i>Regulation 6(h)</i>	Process for receiving and handling disputes and complaints in an appropriate manner.
<i>Regulation 6(i)</i>	Details of the process to be used to collect and pass on the levy.

Rachel Hayward,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 31 August 2023.

Notes

1 *General*

This is a consolidation of the Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Amendment Regulations 2024 (SL 2024/144)