



Proposed changes to the LBP scheme

This is summary of the proposed changes only – please refer to the consultation document for more detailed information.

INTRODUCING A CODE OF ETHICS

PROPOSAL 1

Introduce a code of ethics for LBPs – this would provide the tools to help manage poor performance and behaviour, and to support LBPs to understand the level of professional behaviour that is expected.

CHANGES TO LBP LICENSING ADMINISTRATION PROCESS

PROPOSAL 2

Move the process for renewing licences from the Building Act 2004 to the LBP rules. This means MBIE could be more flexible and make changes as the industry evolves.

PROPOSAL 3

Increase the maximum licensing term to 5 years in the Building Act 2004 and LBP rules as the current one-year licensing term is inefficient and creates unnecessary admin for LBPs. The intent is to set a two-year licence term, which aligns with the two year cycle for skills maintenance requirements.

PROPOSAL 4

Make changes to give clarity to consumers around why an LBP doesn't have a valid licence, and reduce any confusion that their licence is suspended for disciplinary reasons:

- › licences that are not renewed by the due date are labelled expired, not suspended
- › LBPs with expired licences can't undertake or supervise restricted building work
- › Expired licences will be removed from the public register like a cancelled licence

PROPOSAL 5

When a licence is due to be suspended because the LBP isn't meeting their skills maintenance requirements at the same time their licence is also due to expire – the licence would be expired rather than suspended.

PROPOSAL 6

Provide a better balance between having assurance about a LBPs competence, while providing an opportunity for an LBP to rectify a missed renewal:

- › Introduce a 90 day 'expiry pending period' where an LBP can renew their licence, which is meant to capture the late renewals which would normally be considered suspended
- › A licence in this period would be recorded as 'expiry pending period' on the public register for three years

PROPOSAL 7

The Board can take disciplinary action against an LBP who undertakes restricted building work during the proposed 'expiry pending period'. The purpose of this would be to increase accountability and increase confidence in the licensing scheme.

CHANGES TO THE COMPLAINTS AND DISCIPLINARY PROCESS

PROPOSAL 8

Update the complaints and disciplinary process in the Building Act 2004 to create a clear separation of roles between the party prosecuting the complaint, the party judging the complaint.

PROPOSAL 9

Allow the Registrar to dismiss a complaint on initial review if it is minor. This would allow the Board to focus their time on important issues.

PROPOSAL 10

Allow complainants the right to appeal to the Board if the Registrar decides not to proceed with a complaint they considered to be minor.