

# Standards and Accreditation Bill

Government Bill

## Explanatory note

### General policy statement

This Bill updates the Acts concerning the Standards Council and the Testing Laboratory Registration Council, which are both Crown entities. The Bill's primary purpose is to modernise and simplify the governance arrangements of the entities by separating their governance and technical advisory functions. The Bill provides for a smaller governing board for each entity, directly appointed by the Minister of Commerce, to promote a better focus on governance. Complementing this, it requires each entity to establish distinct technical advice structures: for the Standards Council, sector advisory boards (**SABs**) to improve the strategic direction of standardisation in New Zealand, and for the Testing Laboratory Registration Council, professional advisory committees (**PACs**) to provide expert advice on accreditation programmes. These legislative changes codify initiatives already being progressed by each of the Crown entities.

The Bill also renames the entities using the trading names by which they are known to their stakeholders: Standards New Zealand (**Standards NZ**) and International Accreditation New Zealand (**IANZ**).

The Bill updates the functions of each entity. It clarifies that Standards NZ can endorse the processes by which standards are developed, in addition to endorsing standards per se. It adds "contributing to sustainability" to the objectives of Standards NZ. The Bill also

formalises IANZ's longstanding designation as New Zealand's good laboratory practice authority pursuant to Ministerial decisions in the Organisation for Economic Cooperation and Development (OECD). The Bill arose from a *Review of New Zealand's Standards and Conformance Infrastructure*, completed in May 2007, that found that the infrastructure was fundamentally sound but could be improved to meet future challenges. The Bill re-enacts the provisions of the Standards Act 1988 and Testing Laboratory Registration Act 1972. Those 2 Acts have been combined into 1 to emphasise the integrated and complementary nature of the 2 entities' core activities (standardisation and conformity assessment). The Bill also updates the enabling provisions in the current Standards Act that provide for New Zealand standards to be incorporated by reference in regulations and bylaws.

### **Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* provides that, if enacted, the Bill comes into force on a date to be appointed by the Governor-General by Order in Council. One or more orders may be made bringing different provisions into force on different dates.

## **Part 1**

### **Preliminary provisions**

*Clause 3* provides for the purpose of the Bill. The purpose is to continue the 2 Crown entities providing standards and accreditation. This is in order to promote and maintain best practice in standards and conformity assessment that is consistent with international practice and facilitates trade. The Bill also enables the incorporation by reference of New Zealand standards into regulations or bylaws.

*Clause 4* sets out definitions used in the Bill.

*Clause 5* provides that the Bill, if enacted, will bind the Crown.

## Part 2

### Governance, functions, and powers of Standards NZ and IANZ

#### Subpart 1—Standards NZ

*Clause 6* continues the Standards Council under the name of Standards New Zealand (**Standards NZ**).

*Clause 7* provides that Standards NZ's board consists of 6 members appointed by the Minister.

*Clause 8* sets out the functions of Standards NZ.

*Clauses 9 and 10* provide that Standards NZ has a duty to consult about its standards, and a duty not to amend, revise, revoke, or replace a standard that is cited in an enactment without Ministerial approval.

*Clause 11* allows Standards NZ to spend money in certain circumstances.

*Clauses 12 and 13* are concerned with Standards NZ's ability to establish 1 or more sector advisory boards to advise Standards NZ on standards priorities in New Zealand. Decisions relating to these boards must be publicised.

#### Subpart 2—IANZ

*Clause 14* continues the Testing Laboratory Registration Council under the name of International Accreditation New Zealand (**IANZ**).

*Clause 15* provides that IANZ's board consists of 6 members appointed by the Minister.

*Clauses 16, 17, and 18* set out the functions and powers of IANZ.

*Clauses 19 and 20* are concerned with IANZ's ability to establish 1 or more professional advisory committees to advise IANZ on accreditation matters in New Zealand. Decisions relating to these boards must be publicised.

## Part 3 General

### Subpart 1—Standards: incorporation by reference, citation, references, and proof

*Clauses 21 to 28* provide for the incorporation of New Zealand standards into regulations and bylaws. These clauses apply when *clause 21* (rather than another enactment) is relied on to incorporate a New Zealand standard by reference (*clause 22*). They set out—

- the effect of such an incorporation:
- the effect of amending or replacing an incorporated standard:
- the effect of the expiry or revocation of an incorporated standard:
- how to access an incorporated standard:
- that the Acts and Regulations Publication Act 1989 does not apply to an incorporated standard:
- that the Regulations (Disallowance) Act 1989 does not require an incorporated standard to be laid before the House of Representatives (but still applies to the regulation incorporating the standard).

*Clauses 29 and 30* provide for the citation of and references to New Zealand standards in enactments or bylaws.

*Clause 31* sets out evidential presumptions relating to New Zealand standards.

### Subpart 2—Accreditation: restricted words and misrepresentations

*Clauses 32 and 33* prohibit—

- people operating under a name containing the phrases testing laboratory registration, testing laboratory accreditation, or international accreditation; and
- representations that a conformity assessment body is accredited under the Bill when that is not the case.

### Subpart 3—Standards NZ and IANZ: funding and exemption from taxation

*Clause 34* provides that a local authority or public body may grant any amount out of its general funds to Standards NZ or IANZ.

*Clause 35* provides that Standards NZ and IANZ are exempt from income tax.

### Subpart 4—Transitional provisions, repeals and revocation, and consequential amendments

*Clause 36* provide that *clauses 24 and 26* apply only after the commencement of the Bill (if enacted).

*Clause 37* is a transitional provision providing that the present Council members remain until all 6 of the new board members on each board are appointed. This effectively means that the status quo remains until a specific day on which the new regime will begin. Section 43 of the Crown Entities Act 2004 means there is no compensation for members of the present councils who lose office.

*Clause 38* sets out the position with employees of Standards NZ who were contributors to the Government Superannuation Fund just before their employment with Standards NZ.

*Clauses 39 and 40* provide for repeals, a revocation, and that consequential amendments to other enactments are made in the Bill's schedule.

## Regulatory impact statement

### *Executive summary*

The Ministry of Economic Development (**MED**) completed a Review of New Zealand's Standards and Conformance Infrastructure (the **infrastructure**) in May 2007. The Review found that the infrastructure is basically sound. The Standards Council plays a key role in developing standards to meet New Zealand needs in both the regulated and voluntary sectors, including adopting international standards. The Testing Laboratory Registration Council's accreditation programmes for laboratories, inspection bodies, and other conformity assessment bodies are highly regarded both within New Zealand and overseas.

The governance arrangements for the 2 Crown entities are not optimal, however. The proposal in this paper is to modernise and simplify the governance arrangements of the entities by separating the governance and technical advisory functions within them, and to reduce the size of both boards. For the Standards Council, the paper also proposes the establishment of Sector Advisory Boards to improve the strategic direction of standardisation in New Zealand.

These changes can only be achieved by amendment of the Standards Act 1988 and Testing Laboratory Registration Act 1972, which establish the core frameworks of the 2 Crown entities.

### *Adequacy statement*

The MED confirms that the principles of the Code of Good Regulatory Practice and the regulatory impact analysis requirements, including the consultation requirements, have been complied with. A Regulatory Impact Statement was circulated with the draft Cabinet paper in April 2007 for interdepartmental consultation. It was revised and recirculated in August 2008.

### *Status quo and problem*

Currently, both the Standards and Testing Laboratory Registration (TLR) Councils have statutorily appointed governing boards that are relatively large and have roles that encompass both governance and technical advice. Under the Standards Act 1988, the board of the Standards Council comprises not more than 12 members, up to 4 of whom can be appointed directly by the Minister of Commerce and up to 8 of whom can be appointed by the Minister on the advice of the 17 nominating bodies set out in the Standards Regulations 2006. Under the Testing Laboratory Registration Act 1972, the board of the TLR Council consists of 9 members, 5 of whom must be appointed by the Minister and 4 of whom must be appointed by the Council itself.

The Review indicated that both the Standards and TLR Councils are facing an increasing complexity of issues as the international trade and regulatory environment evolves. The challenges faced by these Crown entities are particularly acute, and the current structure of both boards is no longer appropriate to meet them, as—

- there is a blurring of the governance and advisory functions of the boards; and

- the boards are too large in relation to the size of the organisations they are governing; and
- the mixed responsibility for nominations (in the case of the Standards Council) and appointments (in the case of the TLR Council) risks confused objectives.

In relation to the Standards Council, the Review also found insufficient strategic planning and consideration of the long-term public interest in some sectors.

Retention of the status quo is not the preferred option as it will not deliver modernisation and simplification of the governance arrangements for the Standards or TLR Council. In relation to the Standards Council, improvements in the strategic direction of standardisation will not be delivered by the status quo as there is insufficient input from relevant sector experts in determining standardisation priorities.

Given that substantial sections of both the Standards Act 1988 and the Testing Laboratory Registration Act 1972 are focused on the appointment of the respective boards, and there could be better alignment with the Crown Entities Act 2004, the paper sought Cabinet's agreement to repeal those 2 Acts and develop new legislation to replace them.

### *Objectives*

In relation to the governance of the 2 Crown entities, the objective that the options have been assessed against is to ensure that the size, appointment process, and composition of the boards of the Standards and TLR Councils is simplified and rationalised to ensure that each has an appropriate focus on the long-term health and strategic direction of their business. With any changes, cohesiveness and critical mass must be maintained.

The Review also pointed to the need to improve the co-ordination between the infrastructure as whole and the ability of MED, as the monitoring and policy department for both entities, to encourage alignment of the infrastructure with the Government's strategic priorities.

In relation to improving the functioning of the standards infrastructure, the objectives that the options have been assessed against are to—

- improve the prioritisation of standardisation proposals; and

- improve confidence on the part of stakeholders in the processes used by the standards infrastructure; and
- improve participation in domestic and international standardisation processes.

### *Alternative options*

A number of options for improving the functioning of the infrastructure were presented in a discussion document entitled *Standards, Accreditation and Measurement: Supporting Our Economy* (the **discussion document**) released by MED in August 2006.

#### **More active engagement between MED and the Crown entities**

One option presented in the discussion document to improve the ability of the Crown entities to deliver on their public policy objectives was for MED to pursue more active engagement with the Standards and TLR Councils. This would involve clarifying the Government's expectations of the infrastructure generally, and the Standards and TLR Councils specifically. This would be achieved through a clearer articulation of the Government's strategic priorities through the Minister's annual memorandum of understanding with the Chairperson of each of the councils, the boards' Statements of Intent, and the other accountability mechanisms introduced by the Crown Entities Act 2004.

MED had begun to adopt this approach in the latter months of the Review, and with the benefit of a high level of constructive engagement from both councils, there has been marked improvement in their alignment with the Government's strategic priorities. This is shown clearly in both Crown entities' recent Statements of Intent.

Implementation of modern governance structures, however, including achieving the value of separating the governance and advisory functions within the Crown entities, can only be achieved by amending their framework legislation.

#### **Establish a more centralised process to determine standardisation priorities**

In relation to improving the functioning of the standards infrastructure, one option presented in the discussion document was to establish a more centralised process for choosing which standards to



develop. This might have involved the establishment of a separate group or process independent of the Standards Council to advise on standardisation priorities. Although this option could provide some benefits, in that it could potentially identify more standards in the public interest, separating this advisory capacity from the Standards Council resource capacity to develop and manage new standards could lead to conflict between the separate body and the Standards Council. It could also interfere with the autonomous statutory functions of the Standards Council to develop the standards that it deems appropriate in light of the available resources. It is most constructive for recommendations on standardisation priorities to be an input into the Standards Council's decision-making.

### *Preferred option*

The preferred option presented in the Cabinet paper contains 2 proposals for legislative amendment of the Standards Act 1988 and the Testing Laboratory Registration Act 1972—

- to separate the governance and advisory functions of, and modernise and simplify the appointment process to, the Standards and TLR Councils; and
- to require the Standards Council to establish Sector Advisory Boards (SABs).

### **Improving the governance of the Standards Council and TELARC**

The proposal to separate the governance and advisory functions of the Standards and TLR Councils will better allow the boards to pursue the strategic, public interest, and financial objectives of each entity.

To ensure that governance experience is given high priority in appointments, it is more efficient that the Minister of Commerce appoint members of the boards directly, rather than having the choice constrained by sector nominees (in the case of the Standards Council) or the council appointing some members itself (in the case of the TLR Council). Under the Crown Entities Act 2004, the Minister appointing members of the councils will continue to have the duty of appointing board members who (in the Minister's opinion)

are equipped with the skills that the organisations need—with a focus on effectively governing the organisation.

Both governing boards will be reduced to 6 members, a number that is consistent with overseas practice and expected to maintain cohesiveness and critical mass. The net cost to each organisation of the reduced board is expected to be less than the status quo. With fewer board members, each Crown entity is expected to spend less in total on board member remuneration following legislative change. This factor might be counterbalanced to some extent, however, by an increase in the remuneration per board member to reflect the change in focus of the role. This has yet to be reviewed in accordance with the Cabinet Fees Framework.

### **Improving the strategic direction of standardisation through establishment of SABs**

In order to improve the functioning of the standards infrastructure, the preferred option is to amend the Standards Act 1988 to require the Standards Council to establish SABs that would be appointed by, and report to, the council. The technical advice that the governing boards receive will be improved. These SABs will encompass representatives from a range of stakeholder groups, including technical experts, consumers, the relevant regulator (if there is one), and Standards New Zealand. The benefits of this proposal are that the SAB members will discuss and agree on a set of recommendations for standardisation priorities and the strategic direction for standardisation for the relevant sector. This will include consideration of the best approach to dealing with older standards in the catalogue. This advisory mechanism is expected to lead to more up-to-date standards and increased transparency and accountability of the Standards Council to stakeholders.

The establishment of SABs is likely to result in increased costs to the Standards Council. The Cabinet paper noted that these costs are likely to be met by an allocation of funding to the Standards Council. These additional costs are likely to be outweighed by improved confidence on the part of stakeholders in the standards development process. In addition, broad agreement on the set of recommended priorities will be useful to the Standards Council in seeking funding from sector stakeholders to advance development of priority standards.

Neither of these proposals will have a direct impact on the stock of New Zealand's regulations. In the long term, however, more governance focused boards and strategic direction in standardisation are likely to lead to regulators having a better appreciation of the role of the infrastructure in supporting high quality, performance-based regulatory regimes. This is expected to lead to increased use of both Crown entities' services.

### *Implementation and review*

Given that both the Standards Act 1988 and the Testing Laboratory Registration Act 1972 are largely focused on appointments to the respective councils and have been in place for some time, the paper recommended that both Acts be repealed and new legislation be drafted to implement these changes.

### *Consultation*

MED released a discussion document in August 2006. The Ministry received 38 submissions from stakeholders on the discussion document. Aside from the Standards and TLR Councils, which both thought that the current arrangements were suitable, submitters did not comment on the governance arrangements of the 2 Crown entities.

The following agencies were consulted in April 2007: Accident Compensation Corporation; Civil Aviation Authority of New Zealand; Department of Building and Housing; Department of Labour; Energy Efficiency and Conservation Authority; Environmental Risk Management Authority; Maritime New Zealand; Ministry for the Environment; Ministry of Agriculture and Forestry; Ministry of Consumer Affairs; Ministry of Foreign Affairs and Trade; Ministry of Health; Ministry of Research, Science, and Technology; Ministry of Transport; New Zealand Food Safety Authority; New Zealand Trade and Enterprise; State Services Commission; and the Treasury.

The Department of Prime Minister and Cabinet was informed.

The following agencies were consulted in August 2008: Department of Building and Housing; Department of Internal Affairs; Department of Labour; Energy Efficiency and Conservation Authority; Ministry for the Environment; Ministry of Agriculture and

Forestry—Biosecurity New Zealand; Ministry of Consumer Affairs; Ministry of Foreign Affairs and Trade; Ministry of Health; Ministry of Transport; New Zealand Food Safety Authority; State Services Commission; and the Treasury.

The Department of Prime Minister and Cabinet was informed.

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*Hon Lianne Dalziel*

## **Standards and Accreditation Bill**

Government Bill

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Standards and Accreditation Act **2008**.

**2 Commencement**

This Act comes into force on a date to be appointed by the Governor-General by Order in Council; and 1 or more orders may be made bringing different provisions into force on different dates.

5

## **Part 1**

### **Preliminary provisions**

**3 Purpose**

- (1) The purpose of this Act is to continue the 2 Crown entities providing standards and accreditation to promote and maintain best practice in standards and conformity assessment that is consistent with international practice and facilitates trade. 10
- (2) The Act also enables the incorporation by reference of New Zealand standards into regulations or bylaws.

**4 Interpretation**

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In this Act, unless the context otherwise requires, —

**accreditation** means a procedure by which an authoritative body gives formal recognition that another body or person is competent to carry out specific tasks

**certification** means certifying that systems, products, or personnel fulfil specified requirements 20

**conformity assessment** means the assessment of whether specified requirements relating to a product, process, system, person, or body are fulfilled

**conformity assessment bodies** includes testing and calibration laboratories, inspection bodies, and certification bodies 25

**goods** includes products, substances, or things of any kind

**IANZ** means International Accreditation New Zealand, the autonomous Crown entity (within the meaning of section 7(1)(a) of the Crown Entities Act 2004) continued by **section 14** and previously known as the Testing Laboratory Registration Council 30

**mark** includes a device, brand, heading, label, ticket, name, signature, word, letter, or numeral, or a combination of these things 35



**Minister** means, subject to any enactment, the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

**New Zealand standard** means a standard promulgated by Standards NZ as a New Zealand standard under this Act or the Standards Act 1988 or as a standard specification under the Standards Act 1965

**services** includes rights, benefits, privileges, or facilities of any kind

**specification** means a description of, or instruction, requirement, statement, or principle relating to, goods, services, processes, or practices by reference to their nature, quality, design, finish, performance, strength, purity, composition, contents, quantity, dimensions, weight, grade, durability, origin, age, or other characteristics, and includes—

- (a) a description of goods by reference to a mark on the goods:
- (b) a model form of bylaws:
- (c) a code of practice:
- (d) a glossary of terms:
- (e) definitions or symbols

**standard** means a specification relating to goods, services, processes, or practices approved or adopted by Standards NZ or another standards organisation, and includes modifications to any such specification

**standard mark** means a mark adopted by Standards NZ in relation to any goods, services, processes, or practices to identify those goods, services, processes, or practices as conforming to a standard

**Standards NZ** means Standards New Zealand, the autonomous Crown entity (within the meaning of section 7(1)(a) of the Crown Entities Act 2004) continued by **section 6** and previously known as the Standards Council

**standards organisation** means an international, national, or regional organisation with functions similar to those of Standards NZ

**testing** means determining, in whole or in part, the composition or physical properties of a substance or product, calibrating a piece of equipment, or determining the ability of any substance, product, or piece of equipment to satisfy particular requirements; and **test** has a corresponding meaning 5

**testing laboratory** includes the equipment, facilities, staff, records, procedures, and places used in testing.

Compare: 1972 No 36 s 2; 1988 No 5 s 2

**5 Act binds the Crown**

This Act binds the Crown.

10

**Part 2**

**Governance, functions, and powers of  
Standards NZ and IANZ**

**Subpart 1—Standards NZ**

**6 Standards Council continues as Standards NZ**

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(1) There continues to be a body corporate that is the same body as the Standards Council established under section 3 of the Standards Act 1988, but, on and from the date this Act comes into force,—

(a) the body is named Standards New Zealand (**Standards NZ**); and 20

(b) the body is established by this section.

(2) Standards NZ is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.

(3) The Crown Entities Act 2004 applies to Standards NZ except to the extent that this Act expressly provides otherwise. 25

(4) Standards NZ continues under this Act as specified in this Act, but otherwise without any change in its continuity, assets, rights, liabilities, contracts, or members.

(5) Unless the context otherwise requires, all references to the Standards Council in any enactment or document must be read as references to Standards NZ. 30

Compare: 1988 No 5 s 3

- 7 Membership of Standards NZ's board**
- (1) The board of Standards NZ consists of 6 members appointed by the Minister under section 28(1) of the Crown Entities Act 2004.
- (2) In appointing members of the board, the Minister must have regard to—
- (a) their knowledge of and experience in management; and
  - (b) their knowledge of and experience in the development and use of standards.
- 8 Functions of Standards NZ**
- (1) The primary functions of Standards NZ are to develop standards and to promote, encourage, and facilitate the use of standards in New Zealand with the object of—
- (a) improving the quality of goods or services, having regard to economy in their production or supply:
  - (b) promoting standardisation in industry, trade, or commerce:
  - (c) encouraging and facilitating industrial development, trade, or commerce:
  - (d) promoting public or occupational safety, health, or welfare:
  - (e) preventing or managing environmental risks and contributing to sustainability:
  - (f) promoting social responsibility.
- (2) Without limiting **subsection (1)**, Standards NZ's functions include the following:
- (a) to prepare draft standards and, when satisfactory to Standards NZ, to approve and promulgate them as New Zealand standards:
  - (b) to examine standards of other standards organisations and, if Standards NZ considers it appropriate, to adopt and promulgate the organisation's standards (with or without modification) as New Zealand standards:
  - (c) if Standards NZ considers it appropriate, to endorse the processes used to prepare standards:
  - (d) to examine New Zealand standards and, if Standards NZ considers it appropriate, to revoke those standards or

approve and promulgate standards to replace or modify them:

- (e) to recommend specifications other than standards:
- (f) to undertake and promote research and educational work in connection with the development and use of standards and other specifications: 5
- (g) to adopt and regulate the use of standard marks in relation to goods, services, processes, or practices:
- (h) to register under the Trade Marks Act 2002, as certification trade marks, standard marks adopted by Standards NZ: 10
- (i) to co-operate with other standards organisations and organisations or persons with similar or related functions with a view to furthering the functions of Standards NZ, and to become a member of or affiliate to any such organisation as Standards NZ considers appropriate: 15
- (j) to co-ordinate and promote New Zealand's participation in the preparation of international standards and other specifications and in their promulgation:
- (k) to perform any other functions conferred on it by or under this or any other enactment or that the Minister may direct it to perform in accordance with section 112 of the Crown Entities Act 2004. 20

Compare: 1988 No 5 s 10(1), (2)

- 9 Standards NZ must consult about standards** 25
- Standards NZ must, as part of its processes leading to the approval, adoption, endorsement, or revocation of standards, invite public comment and consult and co-operate with government and local government bodies, persons engaged in industry, trade, and commerce, consumer groups, and other persons with a view to ensuring, as far as is reasonably practicable, that Standards NZ's decisions with respect to the approval, adoption, endorsement, or revocation of any standard are supported by the bodies and persons having an interest in the standard. 30
- Compare: 1988 No 5 s 10(3) 35

**10 Standards NZ's duty in relation to New Zealand standard cited in enactment**

If a New Zealand standard is cited in an enactment, Standards NZ must not amend, revise, revoke, or replace that standard except with the approval of the Minister who is for the time 5  
being responsible for the administration of the enactment.

Compare: 1988 No 5 s 10(4)

**11 Standards NZ may grant or advance money or pay fees or subscriptions in certain circumstances**

(1) Standards NZ may grant or advance money, on any conditions 10  
that it thinks fit, or pay any fee or subscription, to any organisation or person with similar or related functions or carrying out work related to that of Standards NZ.

(2) This section does not limit sections 16 and 17 of the Crown 15  
Entities Act 2004.

Compare: 1988 No 5 s 11

*Sector advisory boards*

**12 Establishment of sector advisory boards**

(1) Standards NZ must establish 1 or more sector advisory boards 20  
relating to particular sectors as Standards NZ determines are necessary to advise Standards NZ on standards priorities in New Zealand.

(2) Standards NZ may—

(a) determine the sector or sectors to which each sector advisory board relates; and 25

(b) determine the number of sector advisory boards; and

(c) appoint the members of each sector advisory board in a way that ensures a balance of interests.

(3) Each sector advisory board must consist of 1 or more representatives of each of the following: 30

(a) the regulator (if any) for the relevant sector:

(b) Standards NZ:

(c) the relevant sector:

(d) interest groups other than those described in **paragraphs (a) to (c)**, which may include (as Standards 35  
NZ considers appropriate)—

- (i) consumers:
  - (ii) relevant non-governmental organisations:
  - (iii) the academic sector:
  - (iv) any other relevant interest group.
- (4) The functions of each sector advisory board are to— 5
- (a) develop and recommend strategies for standardisation in the relevant sector or sectors and inform Standards NZ of those strategies; and
  - (b) recommend to Standards NZ a programme for ensuring that standards relating to the relevant sector or sectors are reviewed and kept up to date; and 10
  - (c) advise Standards NZ on technical questions relating to standardisation in the relevant sector.

### 13 Public notification about sector advisory boards

Standards NZ must make the following available free of charge, at all reasonable times, on an Internet site maintained by, or on behalf of, Standards NZ: 15

- (a) a decision to establish a sector advisory board:
- (b) the identity of the members of each sector advisory board: 20
- (c) each sector advisory board's strategies for standardisation in the relevant sector or sectors:
- (d) the criteria used by Standards NZ to prioritise the standardisation requests of all sector advisory boards:
- (e) the standard-making priorities of Standards NZ in relation to each sector or sectors to which a sector advisory board relates. 25

## Subpart 2—IANZ

### 14 Testing Laboratory Registration Council continues as IANZ 30

- (1) There continues to be a body corporate that is the same body as the Testing Laboratory Registration Council established under section 3 of the Testing Laboratory Registration Act 1972, but, on and from the date this Act comes into force,—
- (a) the body is named International Accreditation New Zealand (IANZ); and 35

- (b) the body is established by this section.
- (2) IANZ is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
- (3) The Crown Entities Act 2004 applies to IANZ except to the extent that this Act expressly provides otherwise. 5
- (4) IANZ continues under this Act as specified in this Act, but otherwise without any change in its continuity, assets, rights, liabilities, contracts, or members.
- (5) Unless the context otherwise requires, all references to the Testing Laboratory Registration Council in any enactment or document must be read as references to IANZ. 10

Compare: 1972 No 36 s 3

### **15 Membership of IANZ's board**

- (1) The board of IANZ consists of 6 members appointed by the Minister under section 28(1) of the Crown Entities Act 2004. 15
- (2) In appointing members of the board, the Minister must have regard to—
- (a) their knowledge of and experience in management; and
- (b) their knowledge of and experience in conformity assessment. 20

### **16 Functions of IANZ**

The general functions of IANZ are—

- (a) to promote the development and maintenance of good practice in conformity assessment; and
- (b) to establish and maintain an accreditation scheme for conformity assessment bodies (except in relation to certification) that comply with that practice; and 25
- (c) to develop and maintain international recognition and acceptance of IANZ's accreditation scheme; and
- (d) to maintain appropriate international relationships consistent with IANZ's functions under this section; and 30
- (e) if IANZ chooses, to provide certification services; and
- (f) to continue as New Zealand's good laboratory practice compliance monitoring authority; and

- (g) to perform any other functions that the Minister may direct IANZ to perform in accordance with section 112 of the Crown Entities Act 2004.

Compare: 1972 No 36 s 12

- 17 Powers of IANZ** 5
- Without limiting the generality of the powers of IANZ under sections 16 and 17 of the Crown Entities Act 2004, IANZ may—
- (a) provide for the accreditation of conformity assessment bodies (except in relation to certification) that apply for accreditation and that, in the opinion of IANZ, comply with the requirements prescribed by IANZ, subject to any conditions, including the period of accreditation, as IANZ thinks fit: 10
- (b) provide for the revocation of the accreditation of a conformity assessment body IANZ has accredited, after consideration of any submissions made on its behalf, for failing to comply with all or any of the requirements or conditions prescribed by IANZ on accreditation: 15
- (c) authorise the endorsement, in the name of IANZ, of conformity assessment documents issued for services that are services— 20
- (i) offered by a conformity assessment body accredited under this Act; and
- (ii) for which the body is accredited: 25
- (d) co-operate with persons, associations, or organisations engaged in the production of goods in New Zealand with the object of maintaining and improving the quality of such goods by the use of conformity assessment practices approved by IANZ: 30
- (e) co-operate with any person, association, or organisation outside New Zealand having similar or related functions, with a view to furthering the functions of IANZ:
- (f) become a member of or affiliate to any international body concerned with similar functions or objects: 35
- (g) establish and maintain libraries and other sources of information for reference in respect of matters relating to the functions of IANZ:



- (h) collect and disseminate information relating to conformity assessment, including the publication of reports, pamphlets, books, journals, and other publications:
- (i) provide advisory and other services in respect of conformity assessment: 5
- (j) promote research into the methods of conformity assessment:
- (k) promote the development of the testing of goods and its acceptance by producers of goods: 10
- (l) solicit and accept for the purposes of IANZ any money, land, or other property from any person, local authority, or public body by way of grant, subsidy, donation, gift, subscription, or otherwise; and extend concessions or benefits in its discretion to any such person, organisation, local authority, or public body: 15
- (m) establish training centres, consultancies, and other establishments considered necessary for the efficient exercise of its functions:
- (n) charge fees in respect of accreditation under this Act and of any other services rendered: 20
- (o) exercise any other powers and carry out any other duties that are conferred on IANZ by this Act or otherwise.

Compare: 1972 No 36 s 13

## **18 Powers of IANZ with respect to property** 25

- (1) Nothing in this Act or any other Act authorises the sale or exchange of any land granted by the Crown or by any Act as an endowment to IANZ.
- (2) IANZ may sell or exchange any land held by it in trust for a special purpose, despite the terms of the trust. The same or similar trusts apply (with any necessary modification) to the proceeds, land, or money obtained by such a sale or exchange. 30

Compare: 1972 No 36 s 14

### *Professional advisory committees*

## **19 Establishment of professional advisory committees** 35

- (1) IANZ must establish 1 or more professional advisory committees relating to particular programmes as IANZ determines

are necessary to advise IANZ on accreditation matters in New Zealand.

- (2) IANZ may—
- (a) determine the accreditation programme or programmes to which each professional advisory committee relates; 5  
and
  - (b) determine the number of professional advisory committees; and
  - (c) appoint the members of each professional advisory committee in a way that ensures a balance of interests. 10
- (3) The functions of each professional advisory committee are to—
- (a) develop criteria that are practicable for the relevant accreditation programme and recommend these criteria to IANZ; and 15
  - (b) advise IANZ on technical questions relating to conformity assessment in the relevant programme or programmes.

**20 Public notification about professional advisory committees**

IANZ must make the following available free of charge, at all reasonable times, on an Internet site maintained by, or on behalf of, IANZ: 20

- (a) a decision to establish a professional advisory committee;
- (b) the identity of the members of each professional advisory committee. 25

### Part 3 General

#### Subpart 1—Standards: incorporation by reference, citation, references, and proof

*New Zealand standards incorporated by reference into regulations* 5

#### **21 Regulations and bylaws may be made by referring to or incorporating New Zealand standards**

- (1) If regulations or bylaws may be made under any Act prescribing, defining, or making other provision in relation to goods, services, processes, or practices of any kind, then the regulation or bylaw may be made by referring to or incorporating in whole or in part, with or without modification, a New Zealand standard relating to goods, services, processes, or practices of that kind. 10  
15
- (2) If a bylaw is made or is proposed to be made by referring to a New Zealand standard,—
- (a) no resolution making the bylaw and no copy of the bylaw is complete unless it has attached to it a copy of the standard or the part of the standard referred to (together with any text that the standard or part incorporates by reference) and states or shows any modification made to it by the person or body making the bylaw: 20
- (b) the object or purport of the bylaw is sufficiently stated for the purposes of any enactment requiring that public notice be given of it if the notice refers to the standard by the title and number given to it by Standards NZ and, in the case of a bylaw referring to part only of a standard, states the number and heading of the part referred to. 25  
30

Compare: 1988 No 5 s 22 30

#### **22 Application of sections 23 to 28**

**Sections 23 to 28** apply when **section 21** (rather than another enactment) is relied on to incorporate a New Zealand standard by reference.

- 23 Effect of New Zealand standard incorporated by reference in regulations or bylaw**  
A New Zealand standard incorporated by reference in regulations or a bylaw has effect as part of the regulations or bylaw.
- 24 Effect of amendments to, or replacement of, New Zealand standard incorporated by reference in regulations or bylaw** 5  
An amendment to, or replacement of, a New Zealand standard incorporated by reference in regulations or a bylaw (**instrument A**) has legal effect as part of instrument A only if regulations or a bylaw made after the making of instrument A state that the particular amendment or replacement has that effect. 10
- 25 Effect of expiry or revocation of New Zealand standard incorporated by reference**  
A New Zealand standard incorporated by reference in regulations or a bylaw that expires or is revoked by Standards NZ, or that ceases to have effect, ceases to have legal effect as part of the regulations or bylaw only if the regulations or bylaw state that the standard is revoked or ceases to have legal effect. 15
- 26 Access to New Zealand standard incorporated by reference** 20
- (1) The chief executive of the department that administers a regulation that incorporates a New Zealand standard by reference—
- (a) must make the New Zealand standard referred to in **subsection (2)** available for inspection during working hours free of charge at the head office of the department and at any other places that the chief executive determines are appropriate; and 25
- (b) must advise where copies of the New Zealand standard can be purchased; and 30
- (c) may make copies of the New Zealand standard available in any other way that the chief executive considers appropriate in the circumstances (for example, on an Internet site); and 35
- (d) must give notice in the *Gazette* stating that—

- (i) the New Zealand standard is incorporated in the regulations and the date on which the regulations were made; and
- (ii) the New Zealand standard is available for inspection during working hours, free of charge, and the location of the place or places at which it can be inspected; and 5
- (iii) copies of the New Zealand standard can be purchased and the location of the place or places at which they can be purchased; and 10
- (iv) if copies of the New Zealand standard are available under **paragraph (c)**, that it is available in those other ways, and giving the details of how and where it can be accessed and obtained.
- (2) In this clause, **New Zealand standard** is— 15
- (a) a New Zealand standard incorporated by reference in regulations:
- (b) any amendment to, or replacement of,—
- (i) that standard that is incorporated in the regulations; or 20
- (ii) the standard referred to in **paragraph (a)** with the amendments or replacement standard incorporated within it.
- (3) A failure to comply with this clause does not invalidate regulations that incorporate a New Zealand standard by reference. 25

**27 Acts and Regulations Publication Act 1989 not applicable to New Zealand standard incorporated by reference**

The Acts and Regulations Publication Act 1989 does not apply to a New Zealand standard incorporated by reference in regulations or a bylaw or to an amendment to, or replacement of, that standard. 30

**28 Application of Regulations (Disallowance) Act 1989 to New Zealand standard incorporated by reference**

- (1) Nothing in section 4 of the Regulations (Disallowance) Act 1989 requires a New Zealand standard that is incorporated by reference in regulations or a bylaw to be laid before the House of Representatives. 35

- (2) The Regulations (Disallowance) Act 1989, apart from the modification to the application of section 4 of that Act made by **subsection (1)** of this section, applies to regulations (as defined in that Act) that incorporate a New Zealand standard by reference. 5

*Citation of New Zealand standards*

**29 Citation of New Zealand standards**

- (1) A New Zealand standard may be cited in an enactment or bylaw by the title and number given to it by Standards NZ.
- (2) **Subsection (1)** applies without prejudice to any other mode of citation of a New Zealand standard. 10
- (3) In **subsection (1)**, **citation of a New Zealand standard** in an enactment or bylaw refers to the latest standard with that citation that has been promulgated by Standards NZ before the standard is cited in the enactment or bylaw. 15
- (4) For the purposes of **subsection (3)**, the **latest standard** includes any modifications to that standard made before the standard is cited.

Compare: 1988 No 5 s 23

*References to New Zealand standards* 20

**30 References to New Zealand standards in enactment or bylaw**

A reference in an enactment or bylaw to a standard, standard specification, or New Zealand standard is a reference to a New Zealand standard as defined in **section 4**. 25

Compare: 1988 No 5 s 24

*Proof of New Zealand standards*

**31 Proof of New Zealand standards**

- (1) The fact that any specification has been approved or adopted by Standards NZ and promulgated as a New Zealand standard is, in the absence of proof to the contrary, sufficient evidence that it is a New Zealand standard made and promulgated in accordance with the requirements of this Act. 30

- (2) Without affecting any other method of proof and in the absence of proof to the contrary, the production in any proceedings of a copy of a specification purporting to be a New Zealand standard is sufficient evidence that it is a New Zealand standard made and promulgated in accordance with the requirements of this Act. 5

Compare: 1988 No 5 s 25

### Subpart 2—Accreditation: restricted words and misrepresentations

#### 32 Restriction on use of certain words in certain circumstances 10

- (1) Except as authorised by the Governor-General by Order in Council, no person may operate under a name that contains any of the following phrases (or an abbreviation of them):
- (a) testing laboratory registration: 15
  - (b) testing laboratory accreditation:
  - (c) international accreditation.
- (2) A registering authority acting under any Act may refuse to register a person under a name if, in the registering body's opinion, the use by that person of that name, or of any word in that name, would breach **subsection (1)**. 20
- (3) A person who breaches **subsection (1)** commits an offence and is liable on summary conviction to a fine not exceeding \$5,000.
- (4) This section does not apply to either of the following situations: 25
- (a) the use by any association or person of a name that was in use in New Zealand by that association or person, or a predecessor in business of that association or person, immediately before the commencement of this Act; or 30
  - (b) the use by an individual of his or her own name.

Compare: 1972 No 36 s 29

#### 33 Statements or representations about conformity assessment body

- (1) No person may make any statement or representation or use any mark with reference to any goods that conveys or is likely 35

to convey the impression that a conformity assessment body that is not accredited under this Act is so accredited.

- (2) A person who breaches **subsection (1)** commits an offence and is liable on summary conviction to a fine not exceeding \$5,000. 5

Compare: 1972 No 36 s 30

### Subpart 3—Standards NZ and IANZ: funding and exemption from taxation

#### 34 **Local authorities and public bodies may contribute to Standards NZ's or IANZ's funds** 10

A local authority or public body may grant any amount out of its general funds to—

- (a) Standards NZ to fund the performance of Standards NZ's functions; or  
(b) IANZ to fund the performance of IANZ's functions. 15

Compare: 1972 No 36 s 24; 1988 No 5 s 18

#### 35 **Exemption from taxation**

Standards NZ and IANZ are exempt from income tax.

Compare: 1972 No 36 s 21; 1988 No 5 s 20

### Subpart 4—Transitional provisions, repeals and revocation, and consequential amendments 20

#### *Transitional provisions*

#### 36 **Application of sections 24 and 26** **Sections 24 and 26** apply only after the commencement of this Act. 25

#### 37 **Members of Standards Council and Testing Laboratory Registration Council appointed before commencement of this Act**

- (1) Members of the Standards Council appointed under the Standards Act 1988 before the commencement of this Act— 30  
(a) continue as members of the board of Standards NZ under this Act; but



- (b) cease to be members of the board of Standards NZ when all 6 new members of the board of Standards NZ have been appointed under **section 7**.
- (2) Members of the Testing Laboratory Registration Council appointed under the Testing Laboratory Registration Act 1972 before the commencement of this Act—
  - (a) continue as members of the board of IANZ under this Act; but
  - (b) cease to be members of the board of IANZ when all 6 new members of the board of IANZ have been appointed under **section 15** of this Act.

### **38 Government Superannuation Fund and Standards NZ's officers or employees**

If a person (A) is a contributor to the Government Superannuation Fund under Part 2 or 2A of the Government Superannuation Fund Act 1956 immediately before A became or becomes an officer or employee of Standards NZ,—

- (a) that Act applies to A as if A's service while A is an officer or employee of Standards NZ is Government service; and
- (b) Standards NZ is the controlling authority for the purposes of that Act in relation to A; but
- (c) subject to that Act, A is not entitled to become a contributor to the Government Superannuation Fund after ceasing to be a contributor to that fund.

### *Repeals and revocation*

### **39 Repeals and revocation**

- (1) The following Acts are repealed:
  - (a) the Standards Act 1988 (1988 No 5);
  - (b) the Testing Laboratory Registration Act 1972 (1972 No 36).
- (2) The Standards Regulations 2006 (SR 2006/327) are revoked.

*Consequential amendments*

**40 Consequential amendments**

The enactments specified in the **Schedule** are consequentially amended in the manner indicated in the **Schedule**.

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**Schedule** **s 39**  
**Amendments to other enactments**

Part 1

Amendments to Acts

- Animal Products Act 1999 (1999 No 93)** 5  
 Section 161(5)(a)(ivb): omit “Testing Laboratory Registration Act 1972” and substitute “Standards and Accreditation Act **2008**”.
- Animal Welfare Act 1999 (1999 No 142)**  
 Section 33(d): omit “Standards Act 1988” and substitute “Standards and Accreditation Act **2008**”. 10
- Building Act 2004 (2004 No 72)**  
 Section 119(4): omit “the Standards Council” and substitute “Standards NZ”.  
 Section 119(5): repeal and substitute:  
 “(5) In this section, **Standards NZ** means Standards NZ as continued in existence under **section 6** of the Standards and Accreditation Act **2008**.” 15
- Heading to section 413: omit “**Standards Act 1988**” and substitute “**Standards and Accreditation Act 2008**”.
- Section 413: omit “sections 22 to 25 of the Standards Act 1988” and substitute “**sections 21 to 30** of the Standards and Accreditation Act **2008**”. 20
- Commerce Act 1986 (1986 No 5)**  
 Section 44(1)(e): omit “the Standards Association of New Zealand” and substitute “Standards NZ”. 25

Part 1—*continued***Crown Entities Act 2004 (2004 No 115)**

Part 2 of Schedule 1: insert the following item in its appropriate alphabetical order:

IANZ

Item relating to the Standards Council in Part 2 of Schedule 1: omit and substitute: 5

Standards NZ

Item relating to the Testing Laboratory Registration Council in Part 2 of Schedule 1: omit.

**Electricity Act 1992 (1992 No 122)**

Definition of **official standard** in section 2(1): omit “Standards Act 1988” and substitute “Standards and Accreditation Act **2008**”. 10

**Fair Trading Act 1986 (1986 No 121)**

Definition of **official standard** in section 2(1): omit “section 2 of the Standards Act 1988” in each place where it appears and substitute in each case “**section 4** of the Standards and Accreditation Act **2008**”.

Definition of **official standard** in section 2(1): omit “the Standards Council” and substitute “Standards NZ”. 15

**Fire Service Act 1975 (1975 No 42)**

Section 21: omit “the Standards Association of New Zealand” in each place where it appears and substitute in each case “Standards NZ”. 20

**Flags, Emblems, and Names Protection Act 1981 (1981 No 47)**

Item relating to the Testing Laboratory Registration Act 1972 in Schedule 3: omit and substitute:

|   |   |
|---|---|
| Standards and Accreditation Act <b>2008: section 31</b> | testing laboratory registration;<br>testing laboratory accreditation;<br>international accreditation. |
|---|---|

Part 1—*continued***Gas Act 1992 (1992 No 124)**

Definition of **official standard** in section 2(1): omit “Standards Act 1998” and substitute “Standards and Accreditation Act **2008**”.

**Health Act 1956 (1956 No 65)**

Section 69ZY(2): omit “Testing Laboratory Registration Act 1972” 5  
and substitute “Standards and Accreditation Act **2008**”.

Heading to section 112ZO: omit “**Standards Act 1988**” and substitute “**Standards and Accreditation Act 2008**”.

Section 112ZO: omit “sections 22 to 25 of the Standards Act 1988”  
and substitute “**sections 21 to 30** of the Standards and Accreditation Act **2008**”. 10

**Land Transport Act 1998 (1998 No 110)**

Section 165(1)(b): omit “New Zealand Standards Association” and substitute “Standards NZ”.

Section 165(1)(b): omit “New Zealand Standards Council” and substitute “Standards NZ”. 15

**Local Authorities (Members’ Interests) Act 1968 (1968 No 147)**

Part 2 of Schedule 1: insert the following item in its appropriate alphabetical order:

|      |  |
|------|--|
| IANZ | <b>2008 No 00</b> —Standards and Accreditation Act <b>2008</b> |
|------|--|

Item relating to the Standards Council in Part 2 of Schedule 1: omit 20  
and substitute:

|              |  |
|--------------|--|
| Standards NZ | <b>2008 No 00</b> —Standards and Accreditation Act <b>2008</b> |
|--------------|--|

Part 1—*continued***Local Authorities (Members' Interests) Act 1968 (1968 No 147)**—*continued*

Item relating to the Testing Laboratory Registration Council in Part 2 of Schedule 1: omit.

**Ombudsmen Act 1975 (1975 No 9)**

Part 2 of Schedule 1: insert the following item in its appropriate alphabetical order: 5

IANZ

Item relating to the Standards Council in Part 2 of Schedule 1: omit and substitute:

Standards NZ

Item relating to the Testing Laboratory Registration Council in Part 2 of Schedule 1: omit.

**Public Bodies Contracts Act 1959 (1959 No 98)**

10

Part 2 of Schedule 1: insert the following item in its appropriate alphabetical order:

IANZ **2008 No 00**—Standards and Accreditation Act **2008**

Item relating to the Standards Council in Part 2 of Schedule 1: omit and substitute:

Standards NZ **2008 No 00**—Standards and Accreditation Act **2008**

Item relating to the Testing Laboratory Registration Council in Part 2 of Schedule 1: omit 15

**Radiocommunications Act 1989 (1989 No 148)**

Section 133(3): omit “Standards Act 1988” and substitute “Standards and Accreditation Act **2008**”.

Part 1—*continued***Radiocommunications Act 1989 (1989 No 148)**—*continued*

Clause 8 of Schedule 8: omit “sections 22 to 25 of the Standards Act 1988” and substitute “**sections 21 to 30** of the Standards and Accreditation Act **2008**”.

**Securities Act 1978 (1978 No 103)**

Heading to section 70AAF: omit “**Standards Act 1988**” and substitute “**Standards and Accreditation Act 2008**”. 5

Section 70AAF: omit “sections 22 to 25 of the Standards Act 1988” and substitute “**sections 21 to 30** of the Standards and Accreditation Act **2008**”.

**Sports Anti-Doping Act 2006 (2006 No 58)** 10

Heading to section 26: omit “**Standards Act 1988**” and substitute “**Standards and Accreditation Act 2008**”.

Section 26: omit “sections 22 to 25 of the Standards Act 1988” and substitute “**sections 21 to 30** of the Standards and Accreditation Act **2008**”. 15

## Part 2

## Amendments to regulations

**Accident Insurance (Occupational Hearing Assessment Procedures) Regulations 1999 (SR 1999/167)**

Definition of **audiometer** in clause 2: omit “the Testing Laboratory Registration Council” and substitute “IANZ”. 20

Definition of **audiometer** in clause 2: omit “Testing Laboratory Registration Act 1972” and substitute “Standards and Accreditation Act **2008**”.

**Building (Designation of Building Work Licence Classes) Order 2007 (SR 2007/126)** 25

Definition of **standard** in clause 3(1): omit “section 2 of the Standards Act 1988” and substitute “**section 4** of the Standards and Accreditation Act **2008**”.

Part 2—*continued***Corrections Regulations 2005 (SR 2005/53)**

Definition of **specified laboratory** in clause 3: omit “Testing Laboratory Registration Act 1972” and substitute “Standards and Accreditation Act **2008**”.

**Energy Efficiency (Energy Using Products) Regulations 2002 (SR 2002/9)** 5

Definition of **accredited laboratory** in clause 3: omit “the Testing Laboratory Registration Council of New Zealand operating as International Accreditation New Zealand” and substitute “IANZ”.

**Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 (SR 2001/116)** 10

Definition of **NZS** in clause 54: omit “the Standards Association of New Zealand” and substitute “Standards NZ”.

**Hazardous Substances (Compressed Gases) Regulations 2004 (SR 2004/43)** 15

Definition of **standard** in regulation 3: omit “section 2 of the Standards Act 1988 ” and substitute “**section 4** of the Standards and Accreditation Act **2008**”.

**Health and Safety in Employment (Asbestos) Regulations 1998 (SR 1998/443)** 20

Definition of **New Zealand accredited laboratory** in clause 2: omit “International Accreditation New Zealand on behalf of the Testing Laboratory Registration Council:” and substitute “IANZ”.

**Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 1999 (SR 1999/349)** 25

Clause 24(1)(c): omit “International Accreditation New Zealand on behalf of the Testing Laboratory Registration Council” and substitute “IANZ”.



Part 2—*continued***Health and Safety in Employment (Pipelines) Regulations 1999  
(SR 1999/350)**

Clause 9(1)(c): omit “International Accreditation New Zealand on behalf of the Testing Laboratory Registration Council” and substitute “IANZ”. 5

**Health and Safety in Employment (Pressure Equipment,  
Cranes, and Passenger Ropeways) Regulations 1999 (SR  
1999/128)**

Clause 25(1)(a): omit “International Accreditation New Zealand on behalf of the Testing Laboratory Registration Council” and substitute “IANZ”. 10

Clause 25(1)(g): omit “International Accreditation New Zealand on behalf of the Testing Laboratory Registration Council” and substitute “IANZ”.

**Weights and Measures Regulations 1999 (SR 1999/373) 15**

Paragraph (a) of the definition of **competent organisation** in clause 16: omit this paragraph and substitute the following paragraph:  
“(a) Standards New Zealand”.

Paragraph (d) of the definition of **competent organisation** in clause 16: omit this paragraph and substitute the following paragraph: 20  
“(d) IANZ”.