

**Reprint
as at 21 October 2015**

Testing Laboratory Registration Amendment Act 2006

Public Act 2006 No 45
Date of assent 25 September 2006

Testing Laboratory Registration Amendment Act 2006: repealed, on 21 October 2015, pursuant to section 46(2) of the Standards and Accreditation Act 2015 (2015 No 91).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by the Ministry of Business, Innovation, and Employment.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Testing Laboratory Registration Amendment Act 2006.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act amended

This Act amends the Testing Laboratory Registration Act 1972.

4 Title repealed

The Title is repealed.

5 New section 1A inserted

The following section is inserted after section 1:

1A Purpose

The purpose of this Act is to provide for the development and maintenance of good conformity assessment practice in New Zealand that is consistent with international practice and facilitates trade.

6 Interpretation

- (1) Section 2 is amended by inserting the following definition before the definition of **Council**:

conformity assessment bodies include testing laboratories, inspection bodies, and certification bodies; and **conformity assessment** is the activity undertaken by conformity assessment bodies

- (2) Section 2 is amended by repealing the definition of **industrial design**.

- (3) Section 2 is amended by inserting the following definition before the definition of **testing**:

registration includes accreditation and other recognition.

7 New section 2A inserted

The following section is inserted after section 2:

2A Act binds the Crown

This Act binds the Crown.

8 Membership of Council

- (1) Section 4(2)(a) is amended by omitting “testing procedures, quality assurance, and industrial design” and substituting “conformity assessment”.
- (2) Section 4(2)(b) is amended by omitting “the testing of products and materials, quality assurance, and industrial design” and substituting “conformity assessment”.

9 New section 12 substituted

Section 12 is repealed and the following section substituted:

12 Functions of Council

The general functions of the Council are—

- (a) to promote the development and maintenance of good practice in conformity assessment; and to establish and maintain a registration scheme for conformity assessment bodies (except for certification bodies) that comply with that practice; and
- (b) to develop and maintain international recognition and acceptance of the Council’s registration scheme; and to maintain appropriate international relationships consistent with the Council’s functions under this section; and
- (c) if the Council chooses, to provide certification services; and
- (d) to perform any other functions that the Minister may direct the Council to perform in accordance with section 112 of the Crown Entities Act 2004.

10 Powers of Council

- (1) Section 13(2) is amended by repealing paragraphs (a) to (g) and substituting the following paragraphs:
 - (a) provide for the registration of conformity assessment bodies (except for certification bodies) that apply for registration and that, in the opinion of the Council, comply with the requirements prescribed by the Council, subject to any conditions, including the period of registration, as the Council thinks fit;
 - (b) provide for the revocation of the registration of a conformity assessment body registered under this Act, after consideration of any submissions made on its behalf, for failing to comply with all or any of the requirements or conditions prescribed by the Council on registration;
 - (c) require, for every conformity assessment body registered under this Act, the institution and maintenance, to the satisfaction of the Council, of control of the services for which the conformity assessment body is registered, and the main-

tenance of any records that, in the opinion of the Council, are necessary to establish that control is maintained:

- (d) authorise the endorsement, in the name of the Council, of conformity assessment documents issued for services that are services—
 - (i) offered by a conformity assessment body registered under this Act; and
 - (ii) for which the body is registered:
- (2) Section 13(2)(h) is amended by omitting “testing procedures” and substituting “conformity assessment practices”.
- (3) Section 13(2)(l) to (n) is repealed and the following paragraphs are substituted:
 - (l) collect and disseminate information relating to conformity assessment, including the publication of reports, pamphlets, books, journals, and other publications:
 - (m) provide advisory and other services in respect of conformity assessment:
 - (n) promote research into the methods of conformity assessment:
- (4) Section 13(2)(q) to (t) is repealed.
- (5) Section 13(2)(u) is amended by omitting “design centres,”.

11 Transitional provision for registrations by Council of certification bodies before commencement of this Act

- (1) This Act does not affect registrations of certification bodies if the registrations were given by the Council before the commencement of this Act.
- (2) The powers under section 13 of the principal Act continue to apply to the registrations referred to in subsection (1).

12 Transitional provision for certifications by certification bodies registered before commencement of this Act

- (1) This Act does not affect any certifications given by a certification body that was registered by the Council before the commencement of this Act.
- (2) Subsection (1) applies whether those certifications were given before or after the commencement of this Act.

13 Amendments to regulations

The regulations specified in the Schedule are amended in the manner indicated in that schedule.

Schedule Amendments to regulations

s 13

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

Definition of **certificate of fitness** in regulation 2: omit “a certifying authority” and substitute “an inspection body”.

Definition of **certifying authority** in regulation 2: revoke.

Regulation 2: insert after the definition of **fixed installation**:

inspection body means a person or organisation recognised by the Secretary under regulation 24.

Heading to regulation 24: omit “**certifying authorities**” and substitute “**inspection bodies**”.

Regulation 24(1): omit “a certifying authority” and substitute “an inspection body”.

Regulation 24(2): omit “a certifying authority” and substitute “an inspection body”.

Regulation 24(2)(a) and (b): omit “certifying authority” wherever it appears and substitute in each case “inspection body”.

Regulation 24(3): omit “a certifying authority” and substitute “an inspection body”.

Regulation 24(3)(b): omit “The certifying authority” and substitute “The inspection body”.

Regulation 24(4): omit “a certifying authority” and substitute “an inspection body”.

Regulation 24(4): omit “the certifying authority” and substitute “the inspection body”.

Regulation 24(4): omit “the certifying authority’s” and substitute “the inspection body’s”.

Heading to regulation 25: omit “**Certifying authority**” and substitute “**Inspection body**”.

Regulation 25: omit “A certifying authority” and substitute “An inspection body”.

Regulation 28(6): omit “certifying authority” wherever it appears and substitute in each case “inspection body”.

Form in Schedule 5: omit “[Certifying authority]” and substitute “[Inspection body]”.

Form in Schedule 5: omit “a certifying authority” and substitute “an inspection body”.

Health and Safety in Employment (Pipelines) Regulations 1999 (SR 1999/350)

Definition of **certificate of fitness** in regulation 2: omit “a certifying authority” and substitute “an inspection body”.

Definition of **certifying authority** in regulation 2: revoke.

Regulation 2: insert after the definition of **geothermal fluid**:

inspection body means a person or organisation recognised by the Secretary under regulation 9.

Heading to regulation 9: omit “**certifying authorities**” and substitute “**inspection bodies**”.

Regulation 9(1): omit “a certifying authority” and substitute “an inspection body”.

Regulation 9(2): omit “a certifying authority” and substitute “an inspection body”.

Regulation 9(2)(a) and (b): omit “certifying authority” wherever it appears and substitute in each case “inspection body”.

Regulation 9(3): omit “a certifying authority” and substitute “an inspection body”.

Regulation 9(3)(b): omit “the certifying authority” and substitute “the inspection body”.

Regulation 9(4): omit “a certifying authority” and substitute “an inspection body”.

Regulation 9(4): omit “the certifying authority” and substitute “the inspection body”.

Regulation 9(4): omit “the certifying authority’s” and substitute “the inspection body’s”.

Heading to regulation 10: omit “**Certifying authority**” and substitute “**Inspection body**”.

Regulation 10(1): omit “A certifying authority” and substitute “An inspection body”.

Regulation 10(2): omit “a certifying authority” and substitute “an inspection body”.

Regulation 11(5): omit “certifying authority” wherever it appears and substitute in each case “inspection body”.

Form in Schedule 1: omit “[Certifying authority]” and substitute “[Inspection body]”.

Form in Schedule 1: omit “a certifying authority” and substitute “an inspection body”.

Eprint notes

1 *General*

This is an eprint of the Testing Laboratory Registration Amendment Act 2006 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Standards and Accreditation Act 2015 (2015 No 91): section 46(2)