Self-contained Vehicles

Enforcement Authorities

Guidance document

28 May 2026

Version 1.2

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1 Introduction

The Self-contained Motor Vehicles Legislation Act 2023 amended the **Freedom Camping Act 2011** and the **Plumbers, Gasfitters and Drainlayers Act 2006** (**Act**) to establish a new, nationally regulated system for the certification of self-contained vehicles (**SCVs**) used for freedom camping, and to strengthen the freedom camping regulatory settings to better manage freedom camping on public land.

The Plumbers, Gasfitters, and Drainlayers Board (**Board**) is the regulator of the self-contained vehicles system. This role includes establishing and maintaining the self-contained vehicles register (**Register**), which allows the public to search for a vehicle to understand (among other things) if it has been certified as self-contained in accordance with the Act.

The Act and the Freedom Camping Act 2011 contain rules and requirements for people wishing to freedom camp in a self-contained vehicle. There are infringement offences and penalties for breaching rules associated with freedom camping in a SCV. The regulatory framework gives enforcement powers to a range of authorities, including local authorities (regional councils and territorial authorities), the Department of Conservation (**DoC**), and Land Information New Zealand (**LINZ**) (together, **Enforcement Authorities**).

Under the new regulatory framework, persons appointed by Enforcement Authorities as enforcement officers in accordance with the Freedom Camping Act 2011 (**Enforcement Officers**) will have the ability to search the Register to ascertain certain information about vehicles that have been certified as self-contained under the green warrant system. If a vehicle has been used in the commission of an offence under the Freedom Camping Act 2011, Enforcement Officers will also be able to enter information into the Register about the vehicle (and review any other information entered into the Register by other Enforcement Officers about the vehicle).

Under the green warrant system, vehicles will need to meet the requirements contained in the Act and the **Plumbers, Gasfitters, and Drainlayers (Self-Contained Vehicles) Regulations 2023** (the **Regulations**) to be certified as self-contained and receive a green warrant card. All SCVs certified under the green warrant system will be entered into the Register, accessible at **nzscv.co.nz**.

The transition period has now ended. For vehicle-based freedom camping on public land, the default position under the Freedom Camping Act 2011 is that only vehicles certified as self-contained under the current legal requirements may freedom camp, unless local rules allow otherwise.

The Ministry of Business, Innovation and Employment (MBIE) has published guidance for local authorities on **key changes to freedom camping rules** as well as information on **infringement offences and fines**.

2 Purpose

This guidance is for Enforcement Authorities and their Enforcement Officers. It explains the self-contained vehicles certification system, the purpose and use of the Register, how to search the Register appropriately, and how to get access to the Register.

3 Blue warrants no longer valid for freedom camping

Blue warrant cards issued under the old self-contained vehicles system no longer prove that a vehicle is self-contained for freedom camping.

Vehicles that meet the requirements under the Act and the Regulations are issued with a certificate of self-containment and green warrant card. Those vehicles are also entered into the national Register.

For a vehicle to be certified as self-contained and receive a green warrant, the vehicle must have a toilet that is permanently fixed to and usable within the vehicle and meet other requirements in relation to its water supply system, wastewater system, ventilation system, sink, and rubbish storage. All the requirements must be capable of servicing the maximum number of occupants the vehicle is certified for, as displayed on the vehicle's Certificate and warrant card. For further information about the requirements a vehicle must meet, see: **Vehicle inspection guidance**.

Note: Green stickers are not part of the self-containment documentation issued by Certification Authorities and have no legal status. The easiest way to check whether a vehicle has been certified as self-contained under the green warrant requirements is to check the green warrant card displayed (in most cases) in the windscreen of the vehicle or check on the Register by searching the vehicle's registration number.

4 Register of SCVs

The Register is accessible at **www.nzscv.co.nz**. Its key purpose is to provide a single national source of truth showing whether a vehicle is certified as self-contained under the current legal requirements. The Register includes publicly available search functions and additional functions for authorised Enforcement Officers.

Using the Register, Enforcement Officers can confirm information about a specific vehicle beyond what is publicly available, including:

- whether the vehicle holds a current certificate of self-containment
- whether the vehicle has previously held a certificate that has since expired or been revoked
- the expiry date of the vehicle's current, expired, or revoked certificate of self-containment
- the information contained in the vehicle's certificate of self-containment
- vehicle inspection details, and
- any relevant enforcement information recorded against the vehicle by Enforcement Officers.

The Register supports Enforcement Officers' compliance and enforcement functions by helping them confirm certification status in the field and record relevant enforcement events.

Actively using the Register to log events can help Enforcement Officers carry out their role and inform their enforcement decisions. For example, if an Enforcement Officer records that they issued a warning in relation to a particular vehicle, another Enforcement Officer may be able to view that event and decide to issue an infringement notice if the same vehicle is being used in a similar way in another location.

4.1 Searching the Register

As an Enforcement Authority you should have processes and training in place to ensure the Register is being used, and searches are being performed, appropriately and in accordance with the Act.

Enforcement Officers must only search the Register, in relation to a specific vehicle, to ascertain:

- whether a vehicle holds a current Certificate
- whether a vehicle has previously held a Certificate that has subsequently expired or been revoked
- the expiry date of a vehicle's current, expired, or revoked Certificate
- all the information contained in a vehicle's Certificate, and
- any information entered into the Register about the vehicle by an Enforcement Officer.

> **Note:** Section 87ZH of the Act provides that a search of the Register for personal information that has not been carried out in accordance with sections 87ZF and 87ZG of the Act constitutes an action that is an interference with the privacy of an individual under section 69 of the Privacy Act 2020.

When you are provided access to the Register, you will be provided with guidance documents and instructional videos to help Enforcement Authorities and Enforcement Officers navigate the Register.

5 Getting access to the Register

To give Enforcement Officers access to the Register, an Enforcement Authority must complete the Enforcement Authority application form and send it to the Board. Once the application is processed, we will provide further information about how to set up appointed Enforcement Officers and other authorised users in the Register.

We aim to process your application within 10 working days following receipt of all of the necessary information. You will need to provide the following details:

- name and contact details of your council or agency

- name and contact details of the person responsible for the application. For example, a manager in your council or agency with operational responsibility for enforcement activities under the Freedom Camping Act 2011, and
- name and contact details of the person in your council or agency who will be responsible for setting up and administering Enforcement Officers or other Enforcement Authority admin users in the Register. (Note: you can provide contact details for more than one administrator).

We also encourage Enforcement Authorities to enter into the memorandum of understanding (**MOU**) attached to the application form. The MOU helps to ensure the respective roles and responsibilities of Enforcement Authorities (and their Enforcement Officers) and the Board are well understood and facilitates co-operation and communication between Enforcement Authorities and the Board.

You should review the MOU, complete it, and return it to the Board with your application form.

If we need further information we will contact you.

Once we have processed your application we will write to you confirming that you have access to the Register and add the people you nominated on your application form. We will send you and your nominated person or people details of how to access the Register, and associated guidance material to help you add your Enforcement Officers to the Register.

6 Complaints to the Board

You may complain to the Board about Certification Authorities or notify the Board about an offence you consider has been committed.

6.1 Complaints about Certification Authorities

You can make a complaint to the Board about a Certification Authority if you believe it has not properly carried out one of its core functions.

In practice, many complaints relate to concerns that a vehicle may have been certified as self-contained when it may not meet the self-containment requirements. This may indicate that the Certification Authority has not properly carried out its core function of issuing certificates of self-containment.

The Board can consider a complaint where a Certification Authority has allegedly:

- failed or is failing to carry out one or more of its core functions; or
- been negligent in carrying out one or more of its core functions; or
- carried out one or more of its core functions improperly.

A Certification Authority's core functions are:

- appointing vehicle inspectors; and
- issuing certificates of self-containment, including ensuring inspections are carried out against and in accordance with the Regulations and the Notice; and

- making entries in the Register.

If the Board receives a complaint about a Certification Authority it must follow the process contained in the Act. This includes notifying the Certification Authority about the complaint, deciding whether to accept the complaint, and investigating the complaint where appropriate.

Following investigation, the Board may (if it considers the Certification Authority has breached one of its core functions) take disciplinary action against the Certification Authority and impose a penalty.

You can make a complaint from the Board's website: **www.pgdb.co.nz**.

6.2 Notifying us about an offence

You may also notify us about an offence you consider has been committed under s125A of the Act, including if a person:

- has issued a Certificate, or a warrant card, without being appointed as a Certification Authority (or when their appointment was suspended or revoked)
- has represented that they are a Certification Authority when they are not.

You can notify the Board from the Board's website: **www.pgdb.co.nz**.