



4 December 2023

Steve Foley
General Manager
Mulford Plastics & Alsynite One
7 De Leeuw Pl
Te Rapa

By email: Steve.Foley@mulford.co.nz

Dear Steve

Meeting your BPIR obligations

Thank you for asking me to assist in assessing your compliance with the BPIR Regulations, and for creating the BPIR declaration.

As you know the BPIR Regulations is not a form, it is a list of information that must be supplied so that a customer can make an informed decision on the choice of building product.

MY APPROACH

My approach is to provide clarity to your customer so that they see your product as the most risk-averse choice. This is achieved by,

- using the BPIR declaration as a “mini portal” – making sure that controlled information is only available in one place and linking the declaration to this place,
- making the document simple to read and making sure that the code clauses identified are the correct clauses, and
- demonstrating your due diligence when sourcing or manufacturing building products by linking to testing or other means of assurance.

I have not used the MBIE or BPIR Ready templates as I find them difficult to read. They also include controlled information that is typically provided elsewhere.

MANAGING POST 11 DECEMBER 2023

I have been swamped by requests for assistance and as a result have been unable to complete all your BPIR declarations. I also know that the focus of MBIE on the enforcement provisions have caused consternation amongst many of your customers. Their concern is that MBIE will prosecute them for supplying products for which the BPIR obligations have not been met.

MBIE have assured me, in writing, that any enforcement will be on a case by case basis. They have indicated that if there is evidence that a company is actively working towards meeting their obligations, but has yet to complete the work, no enforcement action will occur.

To that end I have written to MBIE and provided them a list of the companies I am working with. I will continue to keep them informed as to my progress so there can be no doubt that your BPIR are in progress.

Yesterday I received the following response from Simon Thomas, Head of Building Systems Delivery and Assurance (he leads the enforcement team) which is a close as you will get to them saying that they will take no enforcement action.

Thanks Louise,

Great to see you and your clients are making progress.

I'm sure Lisa will reiterate this point too, but we will be taking a very measured approach to enforcement. Your clients are taking the right steps so that's a good start.

**Ngā mihi,
Simon**

I have also contacted a number of merchants and other retailers advising them of my involvement, approach, and MBIE's attitude. Simply put, there is no doubt in my mind that any of your customers who sell your product after 11 December 2023, will not be prosecuted.

I believe that the BPIR declarations I am preparing for your company meet the full policy intent of the regulation.

YOUR RECOMMENDED NEXT STEPS

I suggest that you ensure your website has the BPIR tab and landing page created. I also recommend that you use the BPIR logo I have created to let your market know that you are using my services. I would hope that this will give your customers assurance that you will have met the BPIR obligations.

Feel free to send this letter to your customers. They are very welcome to contact me directly to discuss any concerns.

Also please feel free to send me details of any customer you would like me to contact either on your behalf or more generally.

I will keep working steadily through the holiday period and will endeavour to complete all work as soon as possible.

Thank you for your confidence in me and your patience during the course of this process.

Take care

Louise

Louise

Attach: BPIR Action Checklist
BPIR logo link

