



Non Compliant Product (NCP) Investigation Procedure Lighting Council New Zealand

The following are the procedures carried out by the LCNZ Executive Director (ED) when investigating a reported case of non compliant lighting product, i.e. lamp or control gear or luminaire (light fitting). Email to: admin@lightingcouncil.org.nz
LCNZ maintains a confidential NCP Complaints Register kept by the ED.

Non compliance refers to a failure by a lighting importing or manufacturing company to comply with:

- a) Mandatory AS/NZS safety standards (electrical, thermal, photobiological and physical safety)
- b) Mandatory Electromagnetic Compatibility (EMC) standards
- c) Voluntary AS/NZ performance standards (when claiming to do do).

These procedures cover four types of situations:

- **Scenario A** - Complaint received from LCNZ member company regarding a member company. Confidential.
- **Scenario B** - Complaint received from LCNZ member company regarding a non-member company. Non-confidential.
- **Scenario C** - Complaint received from non-member company regarding a member company. Confidential.
- **Scenario D** - Complaint received from third party regarding a non-member company. Non-confidential

Scenario A - Complaint received from LCNZ member company regarding a member company

All steps in this scenario are confidential unless otherwise noted.

- 1) ED receives notification by complainant of an alleged NCP infringement.
- 2) ED investigates the NCP general issue behind the scenes.
- 3) If allegation appears credible, ED contacts the alleged NCP infringer with a request for information.
- 4) Company provides information and explains their side of the issue.
- 5) ED assesses information and decides if allegation is to be supported.
- 6) If allegation is not supported the complainant is advised that there is no case, and the alleged infringer is advised there is no case. Case closed.
- 7) If the allegation is supported the ED liaises with the infringer to develop and agree on an acceptable rectification plan.
- 8) ED communicates the rectification plan to the complainant.
- 9) The Infringer implements rectification actions. This may include:
 - Ceasing the activity
 - Ceasing the activity and supply chain removal
 - Ceasing the activity, supply chain removal and installation removal
- 10) ED advises complainant of rectification actions completed.
- 11) ED advises LCNZ members on the nature of the infringement and the rectification actions. The names of the complainant and the infringer remain confidential. Case closed.

Scenario B - Complaint received from LCNZ member company regarding a non-member company

Non-confidential

- 1) ED receives notification by complainant of an alleged NCP infringement.
- 2) ED investigates the NCP general issue behind the scenes.
- 3) If allegation appears credible, ED contacts the alleged NCP infringer with a polite request for information.
- 4) Company may provide information and explain their side of the issue. Or, company may not willingly co-operate (consider referral to relevant Government regulator).
- 5) ED assesses information (if available) and decides if allegation is supported.
- 6) If allegation is not supported the complainant is advised that there is no case. Case closed.
- 7) If allegation is supported the ED liaises with the infringer to suggest a rectification plan and agreed next steps.
- 8) ED communicates the rectification plan and next steps to the complainant.
- 9) The Infringer implements rectification actions.
- 10) ED advises complainant of rectification actions completed.
- 11) ED advises LCNZ members on the nature of the infringement and the rectification actions. The name of the complainant remains confidential, but the name of the infringer does not. Case closed

Scenario C - Complaint received from non-member company regarding a member company

All steps in this scenario are confidential unless otherwise noted.

- 1) ED receives notification by complainant of an alleged NCP infringement.
- 2) ED investigates the NCP general issue behind the scenes.
- 3) If allegation appears credible, ED contacts the alleged NCP infringer with a request for information.
- 4) Company provides information and explains their side of the issue.
- 5) ED assesses information and decides if allegation is to be supported.
- 6) If allegation is not supported the complainant is advised that there is no case, and the alleged infringer is advised there is no case. Case closed.
- 7) If the allegation is supported the ED liaises with the infringer to develop and agree on an acceptable rectification plan.
- 8) ED communicates the rectification plan to the complainant.
- 9) The Infringer implements rectification actions. This may include:
 - Ceasing the activity
 - Ceasing the activity and supply chain removal
 - Ceasing the activity, supply chain removal and installation removal
- 10) ED advises complainant of rectification actions completed.
- 11) ED advises LCNZ members on the nature of the infringement and the rectification actions. The name of the the infringer remains confidential. Case closed.

Scenario D - Complaint received from third party regarding a non-member company

Non-confidential

- 1) ED receives notification by complainant of an alleged NCP infringement.
- 2) ED investigates the NCP general issue behind the scenes.
- 3) If allegation appears credible, ED contacts the alleged NCP infringer with a polite request for information.
- 4) Company may provide information and explain their side of the issue. Or, company may not willingly co-operate (consider referral to relevant Government regulator).
- 5) ED assesses information (if available) and decides if allegation is supported.
- 6) If allegation is not supported the complainant is advised that there is no case. Case closed.
- 7) If allegation is supported the ED liaises with the infringer to suggest a rectification plan and agreed next steps.
- 8) ED communicates the rectification plan and next steps to the complainant.
- 9) The Infringer implements rectification actions.
- 10) ED advises complainant of rectification actions completed
- 11) ED advises LCNZ members on the nature of the infringement and the rectification actions. The name of the complainant and the name of the infringer are not confidential. Case closed.

Email: admin@lightingcouncil.org.nz

**Lighting Council New Zealand
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