

Regulation of Methamphetamine Contamination in Rental Housing

It is unclear what to do when residential rental premises are found to contain methamphetamine residue. Specifically, it is not clear at what level residue becomes a problem which should be addressed. This is confusing for stakeholders and has led to disproportionate responses to low levels of methamphetamine residue where there is a low probability of harm.

New Zealand currently uses two different 'acceptable' levels for methamphetamine contamination, one from the New Zealand Standard NZS 8510:2017, and the other from the 2018 report by the Prime Minister's former Chief Science Advisor, Professor Sir Peter Gluckman, on methamphetamine contamination. However, neither of these are mentioned in legislation, therefore neither are legally binding.

Regulations are needed to provide certainty around what to do when residential rental premises are contaminated with methamphetamine.

About the proposed regulations

The proposals include:

- a maximum acceptable level of methamphetamine residue in rental housing, above which premises will be considered to be contaminated,
- a maximum inhabitable level of methamphetamine residue, above which tenancies can be terminated in certain circumstances;
- requirements for landlords on when and how to test for methamphetamine residue;
- what types of testing would be permitted under the regulations;
- how to decontaminate premises, including while the landlord continues to provide the premises to the tenant, and
- what to do with possessions which are left behind in contaminated premises.

Once relevant regulations are in place, landlords will not be able to knowingly rent out premises that are contaminated above the prescribed levels without decontaminating in accordance with the regulations. They will be liable for a financial penalty of up to \$4,000 if they do so.

The proposals take a proportionate approach that includes risk assessment, testing, and decontamination, in accordance with international best practice. They aim to provide greater certainty for stakeholders and minimise disruption to landlords and tenants where there is a low probability of harm.

To support this work, the Ministry has commissioned up-to-date scientific advice on the health effects of unintended methamphetamine exposure and has used this to inform the regulatory proposals.

Public consultation

Public consultation will begin on 22 November 2022 and will continue until Monday 20 February 2023. During this time, we invite the public to make submissions on the proposals.

Please read the proposal summary and the discussion document and make a submission [on our consultation website](#).

Indicative timeframes

Milestone	Target Date
Discussion paper released, public consultation begins	22 November 2022
Submission period ends	20 February 2023
Analysis of submissions, Cabinet decisions and drafting of regulations	March – December 2023
Anticipated time regulations may come into force	First half of 2024