



## Building (Forms) Amendment Regulations 2005

Silvia Cartwright, Governor-General

### Order in Council

At Wellington this 21st day of February 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 402 of the Building Act 2004, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Building Issues, makes the following regulations.

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1	Title		<b>Schedule</b>
2	Commencement		<b>New form 12A inserted</b>
3	Other forms		
4	Part 2 of Schedule amended		

#### Regulations

- 1 Title**
- (1) These regulations are the Building (Forms) Amendment Regulations 2005.
- (2) In these regulations, the Building (Forms) Regulations 2004<sup>1</sup> are called “the principal regulations”.

<sup>1</sup> SR 2004/385

**2 Commencement**

These regulations come into force on 31 March 2005.

**3 Other forms**

The table in regulation 5 of the principal regulations is amended by inserting, after the item relating to form 12, the following item:

12A	108	Certificate of compliance with inspection, maintenance, and reporting procedures
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**4 Part 2 of Schedule amended**

- (1) Part 2 of the Schedule of the principal regulations is amended by—
  - (a) omitting from form 2 the heading “**Compliance schedule**”, and substituting the heading “**Compliance schedule**”; and
  - (b) omitting from form 2 the heading “**Attachments**”, and substituting the heading “**Attachments**”.
- (2) Part 2 of the Schedule of the principal regulations is amended by omitting from form 5 the heading “**Attachments**”, and substituting the heading “**Attachments**”.
- (3) Part 2 of the Schedule of the principal regulations is amended by omitting from form 8 the words “\*\*The following are attached to this application:”, and substituting the words “\*\*The following plans and specifications are attached to this application:”.
- (4) Part 2 of the Schedule of the principal regulations is amended by omitting from form 10 the words “\*Delete if the applicant is an individual.”, and substituting the words “\*Delete if the owner is an individual.”
- (5) Part 2 of the Schedule of the principal regulations is amended by inserting, after form 12, the form set out in the Schedule.
- (6) Part 2 of the Schedule of the principal regulations is amended by omitting from form 14 all the words that come after the heading “**Matter for determination**” and before the heading “**Related applications**”, and substituting the following words:

“I apply for a determination in relation to the following matter/s:  
[include, for each applicable item, all relevant details, including any  
reasons given by the building consent authority, territorial authority,  
or regional authority for its decision]

“†(a) Whether the following building work complies with the  
building code: [state details of the building work]

“†(b) The decision of the [name of building consent authority]  
to—

“†(i) †issue/†refuse to issue a †building consent/†code  
compliance certificate/†compliance schedule for  
the following building work: [state details of the  
building work]

“†(ii) refuse to allow an extension of the period during  
which the following building work must be com-  
menced before the building consent lapses: [state  
details of the building work]

“†(iii) issue a notice to fix for the following building  
work: [state details of the building work]

“†(iv) refuse to allow an extension of the period during  
which it must decide whether to issue a code  
compliance certificate for the following building  
work: [state details of the building work]

“†(v) amend a †building consent/†notice to fix/†code  
compliance certificate for the following building  
work: [state details of the building work]

“†(vi) †impose a condition/†amend a condition on a  
†notice to fix/†compliance schedule for the fol-  
lowing building work: [state details of the build-  
ing work]

“†(c) The decision of [name of territorial authority] to—

“†(i) †grant/†refuse an application for a waiver or  
modification of the building code for the follow-  
ing building work: [state details of the building  
work]

“†(ii) †issue/†refuse to issue a certificate of acceptance  
for the following building work: [state details of  
the building work]

“†(iii) amend the compliance schedule for the building  
in the following manner: [state details of the  
building work]

- “(iv) †issue/†amend/†impose a condition on a notice to fix for the following building work: [*state details of the building work*]
- “(d) [*Name of territorial authority*]’s exercise of its power to require the following building work as the result of an alteration to or change of use of the building: [*state details of the building work*]
- “(e) The issue of a certificate under section 224(f) of the Resource Management Act 1991 by the [*name of territorial authority*] that the building complies or will comply with the building code: [*state details of the subdivision and the effect it will have on the building*]
- “(f) [*Name of territorial authority*]’s †exercise of/†failure to exercise its power to deal with a †dangerous/†earthquake-prone/†insanitary building as follows: [*state details of the building work*]
- “(g) [*Name of regional authority*]’s †exercise of/†failure to exercise its powers in relation to the dam as follows: [*state details of the building work*]”.

r 4(5)

**Schedule**  
**New form 12A inserted**

Form 12A

Certificate of compliance with inspection, maintenance, and reporting procedures

*Section 108(3)(c), Building Act 2004*

**The building**

Street address of building:

Legal description of land where building is located:

Building name:

Location of building within site/block number:

Level/unit number:

Form 12A—*continued***The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address:

†Registered office:

**Compliance**

The inspection, maintenance, and reporting procedures of the compliance schedule have been fully complied with during the 12 months prior to the date stated below in relation to the following specified system/s:

[*state specified system(s)*].

Signature of licensed building practitioner:

\*Delete if applicant is individual.

†Delete if inapplicable.

Rebecca Kitteridge,  
Acting for Clerk of the Executive Council.

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**Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 31 March 2005, amend the Building (Forms) Regulations 2004 (“the principal regulations”) by—

- inserting a *new form 12A* (certificate of compliance with inspection, maintenance, and reporting procedures) into Part 2 of the Schedule of the principal regulations; and
  - correcting minor errors in Part 2 of the Schedule of the principal regulations.
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**Building (Forms) Amendment  
Regulations 2005**

2005/31

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 24 February 2005.

These regulations are administered in the Department of Building and Housing.

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