



## **Building Practitioners (Register of Licensed Building Practitioners) Regulations 2010**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 1st day of March 2010

Present:

His Excellency the Governor-General in Council

Pursuant to sections 301(1)(k) and 402(1)(g) and (zc) of the Building Act 2004, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister (as defined by section 7 of that Act), makes the following regulations.

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## Regulations

### 1 Title

These regulations are the Building Practitioners (Register of Licensed Building Practitioners) Regulations 2010.

### 2 Commencement

- (1) Regulation 6(h) comes into force on 1 July 2010.
- (2) The rest of these regulations come into force on 1 April 2010.

### 3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

**Act** means the Building Act 2004

**area of practice**, in relation to a building practitioner's application to be licensed in the licensing class called bricklaying and blocklaying, external plastering, foundations, or roofing, means a category of building work of that kind (for example, in relation to roofing, metal-tile roofing and torch-on membrane roofing are areas of practice)

**area of practice 1, area of practice 2, and area of practice 3**, in relation to licensing, or an application to be licensed, in a licensing class, have the same meanings as in the rules

**area of practice information**,—

- (a) for a building practitioner licensed in the licensing class called bricklaying and blocklaying, external plastering, foundations, or roofing, means information about every area of practice—
  - (i) in respect of which his or her application to be so licensed was made; and
  - (ii) in respect of which he or she has demonstrated that he or she has met the minimum standards of competence prescribed by the rules for that licensing class; and
- (b) for a building practitioner licensed in the licensing class called design or site, means information about the area

of practice (whether area of practice 1, area of practice 2, or area of practice 3)—

- (i) in respect of which his or her application to be so licensed was made; and
  - (ii) in respect of which he or she has demonstrated that he or she has met the minimum standards of competence prescribed by the rules for that licensing class.
- (2) Terms or expressions used and not defined in these regulations but defined in the Act have, in these regulations, the same meanings as they have in the Act.

**4 Licensed building practitioner's area of practice information to be entered in register**

A licensed building practitioner's area of practice information (if any) is prescribed information for the purposes of section 301(1)(k) of the Act.

**5 Further provision for suspension of operation of register**

- (1) The Registrar may refuse access to the register or otherwise suspend the operation of the register, in whole or in part, for all or any of the following reasons:
- (a) for the maintenance of the register;
  - (b) in response to technical difficulties in the maintenance or operation of the register;
  - (c) to ensure the security or integrity of the register.
- (2) This regulation does not limit or affect the Registrar's powers under section 300(2)(a) and (3) of the Act to suspend operation of the register.

**6 Search criteria for register**

The following search criteria are (whether each is used individually, or in combination with some or all of the others, in a search or searches of the register) specified for the purposes of section 306 of the Act:

- (a) the name, or any part of the name, of a person;
- (b) the alias, or any part of the alias, of a person;
- (c) the name of a town or city;
- (d) any New Zealand post code:

- (e) the name of any company or body corporate:
- (f) any unique identifier issued to a licensed building practitioner by the Registrar:
- (g) any licensing class:
- (h) a licensed building practitioner's area of practice information (if any).

## 7 Revocation

The Building Practitioners (Register of Licensed Building Practitioners) Regulations 2008 (SR 2008/98) are revoked.

Rebecca Kitteridge,  
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, most of which come into force on 1 April 2010, and all of which are made under the Building Act 2004, revoke and replace the Building Practitioners (Register of Licensed Building Practitioners) Regulations 2008 (the **2008 Regulations**). These regulations continue the limits on operation of the register, and search criteria for the register, in the 2008 Regulations, but also—

- require a licensed building practitioner's area of practice information (if any) to be entered in the register:
  - specify the following 2 additional criteria by reference to which the register may be searched:
    - the alias, or any part of the alias, of a person:
    - a licensed building practitioner's area of practice information (if any) (but this criterion is specified with effect only on and after 1 July 2010).
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Issued under the authority of the Acts and Regulations Publication Act 1989.

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

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