



Building (Forms) Amendment Regulations 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 14th day of November 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(k) 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 for Building and Construction, makes the following regulations.

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Regulations

- 1 Title**
These regulations are the Building (Forms) Amendment Regulations 2011.
- 2 Commencement**
These regulations come into force on 1 March 2012.
- 3 Principal regulations amended**
These regulations amend the Building (Forms) Regulations 2004.
- 4 Form 2 of Part 2 of Schedule amended**
- (1) Form 2 of Part 2 of the Schedule is amended by inserting the following item after the item relating to **The project**:
- “Restricted building work**
“Will the building work include any restricted building work?
“*Yes/*No
“*If Yes, provide the following details of all licensed building practitioners who will be involved in carrying out or supervising the restricted building work [*If these details are unknown at the time of the application, they must be supplied before the building work begins.*]:
- | Name | Licensing class | Licensed building practitioner number (or registration number if treated as being licensed under section 291 of Act) |
|------|-----------------|--|
| | | |
- “Note:** Continue on another page if necessary.”
- (2) The item relating to **Attachments** in form 2 of Part 2 of the Schedule is amended by inserting the following attachment item after the attachment item “Plans and specifications [*list*]”:

“†Memoranda from licensed building practitioner(s) who carried out or supervised any design work that is restricted building work”.

5 New forms 2A and 6A inserted in Part 2 of Schedule

Part 2 of the Schedule is amended by inserting, in their appropriate alphanumerical order, the forms 2A and 6A set out in the Schedule of these regulations.

6 Form 6 of Part 2 of Schedule amended

- (1) The item relating to **Application** in form 6 of Part 2 of the Schedule is amended by omitting the first 2 sentences and substituting the following:

“All building work to be carried out under the building consent specified on this form was completed on [*insert date*].

“The licensed building practitioner(s) who carried out or supervised the restricted building work is/are as follows:

Name	Licensing class	Licensed building practitioner number (or registration number if treated as being licensed under section 291 of Act)	Particular work carried out or supervised
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“The personnel who carried out building work other than restricted building work are as follows: [*list names, addresses, telephone numbers, and (where relevant and if not provided above) licensed building practitioner numbers or Plumbers, Gasfitters, and Drainlayers Board registration numbers*]

“**Note:** Continue on another page if necessary.”

- (2) The item relating to **Attachments** in form 6 of Part 2 of the Schedule is amended by omitting “Certificates” in the first place where it appears and substituting “Other documents”.
- (3) The item relating to **Attachments** in form 6 of Part 2 of the Schedule is amended by inserting the following attachment

item after the attachment item “Certificates from the personnel who carried out the work”:

“†Memoranda from licensed building practitioner(s) stating what restricted building work they carried out or supervised”.

Schedule

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**New forms 2A and 6A inserted in Part 2
of Schedule of principal regulations****Form 2A**Memorandum from licensed building
practitioner (certificate of design work)*Section 30C or 45, Building Act 2004***The building**

Street address of building:

The owner

Name:

Address:

Telephone number:

Email address:

Identification of design work that is restricted building workI carried out/supervised the following design work that is restricted
building work:

Design work that is restricted building work	Description of restricted building work	Carried out/super- vised	Refer- ence to plans and specifica- tions
[Tick]	[If appropriate, provide details of the restricted building work]	[Specify whether you carried out this design work or supervised someone else carrying out this design work]	[If appropriate, specify references]

Primary structureFoundations and
subfloor framing

Walls

Form 2A—*continued*

	Design work that is restricted building work	Description of restricted building work	Carried out/supervised	Reference to plans and specifications
Roof				
Columns and beams				
Bracing				
Other				
External moisture management systems				
Damp proofing				
Roof cladding or roof cladding system				
Ventilation system (for example, subfloor or cavity)				
Wall cladding or wall cladding system				
Waterproofing				
Other				
Fire safety systems				
Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other				

Note: The design of fire safety systems is only restricted building work when it involves small-to-medium apartment buildings as defined by the Building (Definition of Restricted Building Work) Order 2011.

Note: continue on another page if necessary.

Are waivers or modifications of the building code required?: Yes/No

If yes, provide details of the waivers or modifications below:

Clause	Waiver/modification required
<i>[List relevant numbers of building code.]</i>	<i>[Specify nature of waiver or modification of building code.]</i>

Note: continue on another page if necessary.

Form 2A—*continued***Issued by**

[*Name of licensed building practitioner who is licensed to carry out or supervise design work that is restricted building work*]

†Licensed building practitioner number [*if applicable*]:

†Registered architect number [*if applicable*]:

†Chartered professional engineer number [*if applicable*]:

Mailing address:

Street address or registered office:

Telephone number:

Mobile number:

Daytime number:

After hours number:

Fax number:

Email address:

Internet site:

†Delete if inapplicable. The completed form must provide 1 of these numbers.

Declaration

I, [*name of licensed building practitioner*], certify that the design work that is restricted building work recorded on this form—

- (a) complies with the building code; or
- (b) complies with the building code subject to any waiver or modification of the building code recorded on this form.

Date:

Signature:

Form 6A
Memorandum from licensed building
practitioner (record of building work)
Section 88, Building Act 2004

The building

Street address of building:

The project

Building consent number:

The owner

Name:

Address:

Telephone number:

Email address:

Record of work that is restricted building work

Work that is restricted building work <i>[Tick]</i>	Description of restricted building work <i>[If necessary, describe the restricted building work]</i>	State whether carried out or supervised <i>[Specify whether you carried out the restricted building work or supervised someone else carrying out the restricted building work]</i>

Primary structureFoundations and subfloor
framing

Walls

Roof

Columns and beams

Bracing

Other

Form 6A—*continued*

Work that is restricted building work	Description of restricted building work	State whether carried out or supervised
External moisture management systems		
	Damp proofing	
	Roof cladding or roof cladding system	
	Ventilation system (for example, subfloor or cavity)	
	Wall cladding or wall cladding system	
	Waterproofing	
	Other	

Note: continue on another page if necessary.

Issued by

[Name of licensed building practitioner who is licensed to carry out or supervise restricted building work]

†Licensed building practitioner number *[if applicable]*:

Class(es) licensed in:

†Plumbers, Gasfitters, and Drainlayers Board registration number *[if applicable]*:

Mailing address:

Street address or registered office:

Telephone number:

Mobile number:

Daytime number:

After hours number:

Fax number:

Email address:

Internet site:

†Delete if inapplicable. The completed form must provide 1 of these numbers.

Form 6A—*continued*

Declaration

I, [*name of licensed building practitioner*], carried out or supervised the restricted building work recorded on this form.

Date:

Signature:

Rebecca Kitteridge,
Clerk of the Executive Council.

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 1 March 2012, amend the Building (Forms) Regulations 2004 to make provision for the introduction of restricted building work. Under the Building Act 2004 (the **Act**), restricted building work as defined by regulations must be carried out or supervised by a licensed building practitioner (or other recognised professional), and the Building (Definition of Restricted Building Work) Order 2011, which also comes into force on 1 March 2012, now defines what is restricted building work for the purposes of the Act. These regulations make the necessary amendments to existing forms 2 and 6, and insert 2 new forms, *form 2A* (Memorandum from licensed building practitioner (certificate of design work)) and *form 6A* (Memorandum from licensed building practitioner (record of building work)).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 17 November 2011.
These regulations are administered by the Department of Building and Housing.
