

Version  
as at 7 September 2022



## Building (Forms) Regulations 2004 (SR 2004/385)

Silvia Cartwright, Governor-General

### Order in Council

At Wellington this 8th day of November 2004

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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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Ministry of Business, Innovation and Employment.**

*General provisions on forms*

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**Schedule 1****Transitional, savings, and related provisions**

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**Regulations****1 Title**

These regulations are the Building (Forms) Regulations 2004.

**2 Commencement**

- (1) These regulations (except regulations 5 and 8 and Part 2 of the Schedule) come into force on 30 November 2004.
- (2) Regulations 5 and 8 and Part 2 of the Schedule come into force on 31 March 2005.

**3 Interpretation**

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

**Act** means the Building Act 2004

**form** means a form set out in the Schedule.

- (2) A reference to a numbered form in these regulations is a reference to that form set out in the Schedule.

**3A Transitional, savings, and related provisions**

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

Regulation 3A: inserted, on 7 September 2022, by regulation 4 of the Building (Forms) Amendment Regulations 2022 (SL 2022/175).

*Forms***4 Form of agreement between commercial on-seller and purchaser**

An agreement between a commercial on-seller and a purchaser of a household unit under section 362V(2) of the Act (which relates to a transfer without a code compliance certificate) must be in form 1.

Regulation 4 heading: amended, on 10 January 2020, by regulation 4(1) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Regulation 4: amended, on 10 January 2020, by regulation 4(2) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

## 5 Other forms

The forms specified in the first column of the following table must be used in respect of the matters specified in the third column:

<b>Form</b>	<b>Relevant section(s) of Act</b>	<b>Matter</b>
2	33, 45	Application for project information memorandum and/or building consent
3	36	Development contribution notice
4	37	Certificate attached to project information memorandum
5	51	Building consent
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13	164, 165	Notice to fix
14	178	Application for determination
14A	178	Application for determination: decision relating to building affected by emergency
15	363A(1)	Application for certificate for public use
16	363A(3)	Certificate for public use

Regulation 5 table item 12A: inserted, on 31 March 2005, by regulation 3 of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Regulation 5 table item 14A: inserted, on 10 January 2020, by regulation 5 of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Regulation 5 table item 15: added, on 21 July 2005, by regulation 3 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Regulation 5 table item 16: added, on 21 July 2005, by regulation 3 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

### *General provisions on forms*

## 6 Use of forms

- (1) Form 1 may not contain any differences from the form that is prescribed.

- (2) Use of any other form is not invalid only because it contains minor differences from a form prescribed by these regulations as long as the form that is used—
  - (a) has the same effect as the prescribed form and is not misleading; and
  - (b) contains all the information required by the prescribed form and the information is in the same order as appears on the prescribed form.

#### **7 Forms must be accompanied by documents required by forms**

- (1) A form must be accompanied by a document that is required to be attached to the form.
- (2) The document referred to in subclause (1) is part of the form.

#### *Revocation*

#### **8 Revocation**

- (1) The Building Regulations 1992 (SR 1992/150) are revoked.
- (2) However, despite the revocation of the Building Regulations 1992,—
  - (a) regulation 3 and Schedule 1 of those regulations continue in force; and
  - (b) so much of regulation 4 and Schedule 2 of those regulations as relate to forms 16 (application for approval as an individual building certifier) and 17 (application for approval as a corporate building certifier) continue in force and apply for the purposes of section 441 of the Act until 31 May 2006.

## **Schedule 1**

### **Transitional, savings, and related provisions**

r 3A

Schedule 1: inserted, on 7 September 2022, by regulation 5 of the Building (Forms) Amendment Regulations 2022 (SL 2022/175).

#### **Part 1**

#### **Provision relating to Building (Forms) Amendment Regulations 2022**

Schedule 1 Part 1: inserted, on 7 September 2022, by regulation 5 of the Building (Forms) Amendment Regulations 2022 (SL 2022/175).

##### **1 Amendments to forms do not apply to applications for building consent made before 7 September 2022**

- (1) An application for a building consent made before 7 September 2022 must be dealt with as if the Building (Forms) Amendment Regulations 2022 had not been made.
- (2) An application for a code compliance certificate made before 7 September 2022 must be dealt with as if the Building (Forms) Amendment Regulations 2022 had not been made.

Schedule 1 clause 1: inserted, on 7 September 2022, by regulation 5 of the Building (Forms) Amendment Regulations 2022 (2022/175).

## Schedule 2

### Forms

rr 4, 5

Schedule 2 schedule number: replaced, on 7 September 2022, by clause 6(1) of the Building (Forms) Amendment Regulations 2022 (SL 20022/175).

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***Part 1***  
***Agreement between commercial on-seller and purchaser***

Heading: amended, on 10 January 2020, by regulation 6(1) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Form 1  
Agreement between commercial on-seller and purchaser  
*Section 362V(2), Building Act 2004*

**Information for purchasers**

- (1) Signing this form is optional.
- (2) You should take independent legal advice before signing this form.
- (3) Before signing this form, you should consider—
  - (a) the effect that the absence of a code compliance certificate for the household unit may have on you; for example,—
    - (i) will you be able to insure the household unit?
    - (ii) will you be able to draw down mortgage finance for the purchase of the household unit?
    - (iii) will you be able to sell the household unit?
  - (b) whether you (instead of the commercial on-seller) will have to pay a development contribution to obtain the code compliance certificate; and
  - (c) the extent of the work required to obtain the code compliance certificate.
- (4) If you sign this form, then you must apply for a code compliance certificate for the household unit as soon as practicable after all building work to be carried out under the building consent for the household has been completed.

This agreement is made on *[insert date]*

This agreement is made between—

*[insert full name and address]*

**(commercial on-seller)**

and

*[insert full name and address]*

**(purchaser)**

(together the **parties**)



The commercial on-seller and the purchaser have entered or intend to enter into a contract for the sale and purchase of [*insert street address of household unit*] (**household unit**) dated [*insert date of contract, if any*] (**contract**).

### **Background**

As at the date of this agreement, a building consent has been granted in relation to the household unit but a code compliance certificate has not been issued.

Section 362V(1) of the Building Act 2004 (**Act**) provides that a commercial on-seller commits an offence if that commercial on-seller completes a sale of the household unit or allows the purchaser into possession of the household unit before a code compliance certificate has been issued for the household unit, unless the parties enter into an agreement in accordance with section 362V(2) of the Act.

The parties wish to enter into this agreement under section 362V(2) of the Act to enable the commercial on-seller to complete a sale of the household unit or to allow the purchaser of the household unit to enter into possession of the household unit before a code compliance certificate has been issued in relation to the household unit.

### **Agreement**

- (1) In consideration of entering into the contract, the parties agree that the commercial on-seller may, before a code compliance certificate has been issued in relation to the household unit,—
  - \*(a) complete the sale of the household unit:
  - \*(b) allow the purchaser to enter into possession of the household unit.
- (2) If there is any conflict between this agreement and the contract, the provisions of this agreement prevail.

Signed by the commercial )  
on-seller in the ) Signature of commercial  
presence of ) on-seller

.....

Witness signature

.....

Full name

.....

Address

.....

Occupation

Signed by the purchaser )  
in the presence of ) Signature of purchaser

.....

Witness signature

.....  
Full name

.....  
Address

.....  
Occupation

**\*Delete if inapplicable.**

Schedule 2 Part 1 form 1: amended, on 10 January 2020, by regulation 6(2)(a) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 1 form 1: amended, on 10 January 2020, by regulation 6(2)(b) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 1 form 1: amended, on 10 January 2020, by regulation 6(2)(c) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 1 form 1: amended, on 10 January 2020, by regulation 6(2)(d) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 1 form 1: amended, on 21 July 2005, by regulation 4 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

***Part 2***  
***Other forms***

**Form 2**

**Application for project information memorandum and/or building consent**

*Section 33 or section 45, Building Act 2004*

**The building**

Street address of building: *[for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection]*

Legal description of land where building is located: *[state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent]*

Building name:

Location of building within site/block number: *[include nearest street access]*

Number of levels: *[include ground level and any levels below ground]*

Level/unit number:

Area: *[total floor area; indicate area affected by the building work if less than the total area]*

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1]*

Year first constructed:

**The owner**

Name of owner: *[include preferred form of address, eg, Mr, Miss, Dr; if an individual]*

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application: [*copy of record of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building*]

### †Agent

†Name of agent: [*only required if application is being made on behalf of the owner*]

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Relationship to owner: [*state details of the authorisation from the owner to make the application on the owner's behalf*]

First point of contact for communications with the council/building consent authority: [*state full name, mailing address, phone number(s), facsimile number(s) and email address(es)‡*]

### Application

I request that you issue a †project information memorandum/†project information memorandum and building consent/†building consent for the building work described in this application.

Signature of †owner/†agent on behalf of and with the authority of the owner:

Date:

<i>space for council use</i>
------------------------------

### The project

Description of the building work:

Will the building work result in a change of use of the building?

†Yes/†No

†If Yes, provide details of the new use:

Intended life of the building if less than 50 years: ..... years

List building consents previously issued for this project (if any):

Estimated value of the building work on which the building levy will be calculated (including goods and services tax): \$ [*state estimated value as defined in section 7 of the Building Act 2004*]

### **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.

### **§ Project information memorandum**

The following matters are involved in the project:

†Subdivision

†Alterations to land contours

†New or altered connections to public utilities

†New or altered locations and/or external dimensions of buildings

†New or altered access for vehicles

†Building work over or adjacent to any road or public place

†Disposal of stormwater and wastewater

†Building work over any existing drains or sewers or in close proximity to wells or water mains

†Other matters known to the applicant that may require authorisations from the territorial authority: [*specify*]

### **|| Building consent**

¶The following plans and specifications are attached to this application:

The building work will comply with the building code as follows:

<b>Clause</b> <i>[list relevant clause numbers of building code]</i>	<b>Means of compliance</b> <i>[refer to the relevant compliance document(s) or detail of alternative solution in the plans and specifications]</i>	<b>Waiver/modification required</b> <i>[state nature of waiver or modification of building code required]</i>
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## || Compliance schedule

†The specified systems for the building are as follows: *[specified systems are defined in regulations]*

†The following specified systems are being altered, added to, or removed in the course of the building work:

†There are no specified systems in the building.

## † Attachments

The following documents are attached to this application:

†Plans and specifications *[list]*

†Current product certificate(s)

†Current manufacturer's certificate(s) referred to in section 45(1)(bb) of the Act

†Current manufacturer's certificate(s) referred to in section 45(1)(bc) of the Act

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

†Project information memorandum

†Development contribution notice

†Certificate attached to project information memorandum

\*Delete if the applicant is an individual.

†Delete if inapplicable.

‡Contact details must be in New Zealand.

§Delete this section if this is an application for a building consent only.

||Delete this section if this is an application for a project information memorandum only.

¶All plans and specifications must meet the minimum requirements set out in the regulations or required by the building consent authority.

Schedule 2 Part 2 form 2: amended, on 7 September 2022, by regulation 6(2) of the Building (Forms) Amendment Regulations 2022 (SL 2022/175).

Schedule 2 Part 2 form 2: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Schedule 2 Part 2 form 2: amended, on 1 March 2012, by regulation 4(1) of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Schedule 2 Part 2 form 2: amended, on 1 March 2012, by regulation 4(2) of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Schedule 2 Part 2 form 2: amended, on 31 March 2005, by regulation 4(1)(a) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Schedule 2 Part 2 form 2: amended, on 31 March 2005, by regulation 4(1)(b) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

## 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 work**

I carried out/supervised the following design work that is restricted building work:

<b>Design work that is restricted building work</b> [Tick]	<b>Description of restricted building work</b> [If appropriate, provide details of the restricted building work]	<b>Carried out/supervised</b> [Specify whether you carried out this design work or supervised someone else carrying out this design work]	<b>Reference to plans and specifications</b> [If appropriate, specify references]
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**Primary structure**

Foundations and subfloor framing

Walls

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



<b>Design work that is restricted building work</b>	<b>Description of restricted building work</b>	<b>Carried out/supervised</b>	<b>Reference to plans and specifications</b>
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**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:

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

**Note:** continue on another page if necessary.

**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:

Schedule 2 Part 2 form 2A: inserted, on 1 March 2012, by regulation 5 of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Form 2B  
Statutory declaration as to owner-builder status  
*Sections 45, 87A, and 90D, 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 work that has been carried out by owner-builder**

**Note:** Complete the following section if this form is attached to an application for a building consent that is accompanied by plans or specifications containing design work that is restricted building work that has been carried out by the owner-builder (section 45(5)(b) of the Building Act 2004).

The design work that is restricted building work that I, [*name, place of abode, occupation*], carried out as an owner-builder is—

\*all of the design work that is restricted building work described in the attached application for a building consent; or

\*the design work that is restricted building work as set out below:

\*Strike out words which do not apply.

<b>Description of restricted building work</b>	<b>Reference to plans and specifications</b>
<b>Primary structure</b> Foundations and subfloor framing Walls Roof Columns and beams Bracing Other	<i>[If appropriate, provide details of restricted building work]</i> <i>[If appropriate, specify references]</i>
<b>External moisture management systems</b> Damp proofing Roof cladding or roof cladding system Ventilation system (for example, sub-floor or cavity)	

	<b>Description of restricted building work</b> <i>[If appropriate, provide details of restricted building work]</i>	<b>Reference to plans and specifications</b> <i>[If appropriate, specify references]</i>
Wall cladding or wall cladding system		
Waterproofing		
Other		
<b>Fire safety systems</b>		
Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, other		

**Note:**

- 1 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.
- 2 Continue on another page if necessary.

**Identification of building work that is restricted building work intended to be carried out under owner-builder exemption**

**Note:** The following section is to be completed if—

- (a) this form is accompanying an application for a building consent and the owner intends to carry out building work that is restricted building work (section 45(5)(a) of the Building Act 2004); or
- (b) the application for a building consent was not accompanied by a statutory declaration in this form and the owner intends to carry out building work that is restricted building work (section 87A(2) of the Building Act 2004); or
- (c) under a building consent, there has been a change in the owner-builder carrying out the restricted building work and the new owner-builder has not already submitted to the building consent authority a statutory declaration in this form to that effect (section 87A(3)(a) of the Building Act 2004).

The building work that is restricted building work that I, [*name, place of abode, occupation*], intend to carry out as an owner-builder is—

\*all of the building work that is restricted building work described in the attached application for a building consent

**or**

\*the building work that is restricted building work as set out below:

\*Strike out words which do not apply.

**Description of restricted building work**

*[If necessary, describe the restricted building work]*

**Primary structure**

Foundations and sub-floor framing

**Description of restricted building work**

*[If necessary, describe the restricted building work]*

Walls

Roof

Columns and beams

Bracing

Other

**External moisture management systems**

Damp proofing

Roof cladding or roof cladding system

Ventilation system (for example, sub-floor or cavity)

Wall cladding or wall cladding system

Waterproofing

Other

**Note:** continue on another page if necessary.

**Status as owner-builder**

I, [*name, place of abode, occupation*], am an owner-builder for the purposes of the Building Act 2004 as I—

- (a) have a relevant interest in the land or the building on which the restricted building work is carried out; and
- (b) reside or intend to reside in the household unit in relation to which the restricted building work is carried out; and
- (c) \*have carried out the design work that is restricted building work myself or with the assistance of my unpaid friends and family members; and
- (d) \*will carry out the restricted building work myself or with the assistance of my unpaid friends and family members; and
- (e) have not, under the owner-builder exemption, carried out restricted building work in relation to a different household unit within the previous 3 years.

\*Delete if the paragraph does not apply.

**Defined terms**

**relevant interest**, in relation to the land or the building on which restricted building work is to be carried out, means a legal or equitable interest in the land or building and includes—

- (a) a right of occupancy of the land or building or part of the building; or
- (b) a right, power, or privilege over, or in connection with, the land or building

**reside** includes temporarily reside.

**Statutory declaration**

I, [*name, place of abode, occupation*], solemnly and sincerely declare that the statements contained in this form are true, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at [*place, date*]

Before me

(Justice of the Peace, barrister and solicitor of the High Court, or other person authorised by law to take statutory declarations\*)

Signature:

\*Select one.

Schedule 2 Part 2 form 2B: inserted, on 30 March 2012, by regulation 4 of the Building (Forms) Amendment Regulations 2012 (SR 2012/58).

Form 2C  
Notice of owner-builder  
*Sections 87A and 90D, Building Act 2004*

**The building consent**

Building consent number:

Issued by: [*name of building consent authority that granted building consent*]

**The owner**

Name:

Address:

Telephone number:

Email address:

**\*Agent**

Name of agent: [*only required if notification is being given on behalf of the owner*]

†Contact person:

Mailing address:

Street address/registered office:

Telephone number:

Mobile number:

Daytime number:

After hours number:

Fax number:

Email address:

Internet site:

Relationship to owner: [*Specify details of authorisation from the owner to give the notification on the owner's behalf*]

First point of contact for communications with the building consent authority: [*full name, mailing address, telephone number(s), fax number(s) and email address(es)†‡*]

\*Delete this section if the notification is not being given on behalf of the owner.

†Delete if the agent is an individual.

‡Contact details must be in New Zealand.

**Notice**

I, [*name, place of abode, occupation*], give notice under section 87A of the Building Act 2004 that—

\*I intend to carry out restricted building work under the owner-builder exemption, but did not include a statutory declaration to that effect with my application for a building consent.

*or*

\*There has been a change in the owner-builder carrying out the restricted building work. I intend to carry out restricted building work under the owner-builder exemption, and attach a statutory declaration to that effect.

*or*

\*I have ceased to carry out some or all of the restricted building work under the owner-builder exemption.

\*Select the statement that applies.

**Date change is effective from:**

If the notice affects some but not all of the restricted building work identified in the application for the building consent, please include details on a separate page.

**Attachments**

Statutory declaration as to owner-builder status (form 2B).

Schedule 2 Part 2 form 2C: inserted, on 30 March 2012, by regulation 4 of the Building (Forms) Amendment Regulations 2012 (SR 2012/58).



Form 3  
Development contribution notice

*Section 36, Building Act 2004*

**To:** *[name and address of owner]*

A code compliance certificate for the building work referred to in the attached project information memorandum will not be issued until a development contribution of \$... is paid. The development contribution must be paid to *[name of territorial authority and address of place/s where payment can be made]*.

If the development contribution is not paid,—

- (a) the Council may, under section 208(b) of the Local Government Act 2002, withhold the code compliance certificate that would be issued under section 95 of the Building Act 2004:
- (b) the building consent authority, under section 94(4) of the Building Act 2004, must refuse to issue a code compliance certificate for the building work until it has received—
  - (i) evidence that the development contribution has been paid or made by the owner to the Council; or
  - (ii) a copy of a written agreement between the owner and the Council that the code compliance certificate may be issued:
- (c) the Council may, under section 208(d) of the Local Government Act 2002, register the development contribution under subpart 5 of Part 3 of the Land Transfer Act 2017 as a charge on the title of the land in respect of which the development contribution was required.

Signature:

Position:

On behalf of: *[name of Council]*

Date:

Schedule 2 Part 2 form 3: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Form 4  
Certificate attached to project information memorandum  
*Section 37, Building Act 2004*

**Restrictions on commencing building work under the Resource Management Act 1991**

The building work referred to in the attached project information memorandum is also required to have the following resource consents under the Resource Management Act 1991:

*[list resource consents required]*

As these resource consents will or may materially affect the building work to which the attached project information memorandum relates, until they have been granted \*no building work may proceed/\*building work may only proceed to the extent stated below:

Failure to comply with the requirements of this notice may result in legal action being taken against you under the Resource Management Act 1991.

Signature:

Position:

On behalf of: *[name of Council]*

Date:

\*Delete if inapplicable.

Form 5  
Building consent

*Section 51, 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:

**The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

First point of contact for communications with the building consent authority: [*state full name, mailing address, and any phone number(s), facsimile number(s), and email address(es)†*]

**Building work**

The following building work is authorised by this building consent:

This building consent is issued under section 51 of the Building Act 2004. This building consent does not relieve the owner of the building (or proposed building) of any duty or responsibility under any other Act relating to or affecting the building (or proposed building). This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

‡This building consent is subject to the following conditions:

§(a) the building must be altered, removed, or demolished on or before the end of [insert number] years from the date of issue of this consent (being the specified intended life of the building); and

‡(b) [state any other conditions]

### Compliance schedule

A compliance schedule ‡is/‡is not required for the building.

‡The compliance schedule must contain the following specified systems and comply with the performance standards for those systems required by the building code: [list required systems]

### ‡Attachments

Copies of the following documents are attached to this building consent:

‡Project information memorandum number .....

‡Development contribution notice

‡Certificate attached to project information memorandum

Signature:

Position:

On behalf of: [name of building consent authority]

Date:

\*Delete if the applicant is an individual.

†Contact details must be in New Zealand.

‡Delete if inapplicable.

§Delete if the building is intended to have a life of 50 years or more.

Schedule 2 Part 2 form 5: amended, on 31 March 2005, by regulation 4(2) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Form 6  
Application for code compliance certificate  
*Section 92, Building Act 2004*

**The building consent**

Building consent number:

Issued by: [*name of building consent authority that granted building consent*]

**\*The owner**

Name of owner: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

†Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application: [*copy of record of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building*]

**‡Agent**

Name of agent: [*only required if application is being made on behalf of the owner*]

§Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Relationship to owner: [*state details of authorisation from the owner to make the application on the owner's behalf*]

First point of contact for communications with the building consent authority: [*state full name, mailing address, phone number(s), facsimile number(s) and email address(es)*] ]

### Application

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
------	-----------------	--	---

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.

The following specified systems are contained on the compliance schedule for the building and, in the opinion of the personnel who installed them, are capable of performing to the performance standards set out in the building consent:

[*list specified systems*]

I request that you issue a code compliance certificate for this work under section 95 of the Building Act 2004.

The code compliance certificate should be sent to: [*state which address, and whether owner or agent*]

Signature of ¶owner/¶agent on behalf of and with the authority of the owner:

Name of person signing:

Date:

### Attachments

The following documents are attached to this application:

¶Other documents from the personnel who carried out the work

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

- ¶ Certificates that relate to the energy work
- ¶ Evidence that specified systems are capable of performing to the performance standards set out in the building consent
- ¶ Current manufacturer's certificate, if applicable
- \* Delete this section if details have not changed from the building consent.
- † Delete if owner is an individual.
- ‡ Delete this section if the application is not being made on behalf of the owner.
- § Delete if the agent is an individual.
- || Contact details must be in New Zealand.
- ¶ Delete if inapplicable.

Schedule 2 Part 2 form 6: amended, on 7 September 2022, by regulation 6(3) of the Building (Forms) Amendment Regulations 2022 (SL 2022/175).

Schedule 2 Part 2 form 6: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Schedule 2 Part 2 form 6: amended, on 1 March 2012, by regulation 6(1) of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Schedule 2 Part 2 form 6: amended, on 1 March 2012, by regulation 6(2) of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Schedule 2 Part 2 form 6: amended, on 1 March 2012, by regulation 6(3) of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

## 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**

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

**Primary structure**

Foundations and subfloor framing

Walls

Roof

Columns and beams

Bracing

Other

**External moisture management  
systems**

Damp proofing

Roof cladding or roof cladding  
systemVentilation 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.

**Declaration**

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

Date:

Signature:

Schedule 2 Part 2 form 6A: inserted, on 1 March 2012, by regulation 5 of the Building (Forms) Amendment Regulations 2011 (SR 2011/418).

Form 7  
Code compliance certificate  
*Section 95, 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:

Current, lawfully established, use: [*include number of occupants per level and per use if more than 1*]

Year first constructed:

**The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

First point of contact for communications with the building consent authority: [*state full name, mailing address, phone number(s), facsimile number(s), and email address(es)†*]

**Building work**

Building consent number:

Issued by: [*name of building consent authority that issued the building consent*]

**Code compliance**

The building consent authority named below is satisfied, on reasonable grounds, that—

- (a) the building work complies with the building consent; and
- ‡(b) the specified systems in the building are capable of performing to the performance standards set out in the building consent.

‡**Attachment**

‡Compliance schedule

Signature:

Position:

On behalf of: [*name of building consent authority*]

Date:

\*Delete if the applicant is an individual.

†Contact details must be in New Zealand.

‡Delete if inapplicable.

Form 8  
Application for certificate of acceptance

*Section 97, Building Act 2004*

**The building**

Street address of building: *[for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection]*

Legal description of land where building is located: *[state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent]*

Building name:

Location of building within site/block number: *[include nearest street access]*

Number of levels: *[include ground level and any levels below ground]*

Level/unit number:

Area: *[total floor area—indicate area affected by the building work if less than the total area]*

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1. If use was changed by the building work this application relates to, state previous use.]*

Year first constructed:

**The owner**

Name of owner: *[include preferred form of address, eg, Mr, Miss, Dr, if an individual]*

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

The following evidence of ownership is attached to this application: *[copy of record of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building]*

**†Agent**

Name of agent: [*only required if application is being made on behalf of the owner*]

‡Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Relationship to owner: [*state details of authorisation from owner to make the application on the owner's behalf*]

First point of contact for communications with the council: [*state full name, mailing address, phone number(s), facsimile number(s) and email address(es)*]

**Application**

I request that you issue a certificate of acceptance for the building work described in this application.

Signature of || owner/ || agent on behalf of and with the authority of the owner:

Date:

*space for council use*

**Building work**

Description of the building work:

Date building work carried out:

The personnel who carried out the building work are as follows: [*list names, addresses, phone numbers, and (where relevant) registration numbers*]

Did the building work result in a change of use of the building?

|| Yes/ || No

|| If Yes, provide details of the new use:

Intended life of the building if 50 years or less: ..... years

List building consents previously issued for this project (if any):

¶ Estimated value of the building work on which building levy will be calculated (including goods and services tax): \$ [*state estimated value as defined in section 7 of the Building Act 2004*]

\*\*The following plans and specifications are attached to this application:

Reasons why a certificate of acceptance is required:

|| The owner, or the owner's predecessor in title, carried out building work for which a building consent was required, but a building consent was not obtained because: [*explain in detail*]

|| A building consent could not practicably be obtained in advance because the building work had to be carried out urgently: [*delete one of the following*]

|| (a) for the purpose of saving or protecting life or health or preventing serious damage to property as follows: [*explain in detail*]

|| (b) in order to ensure that a specified system was maintained in a safe condition or made safe as follows: [*explain in detail*]

|| The building consent authority that granted the building consent is unable or refuses to issue a code compliance certificate in relation to the building work, and no other building consent authority will agree to issue a code compliance certificate for the building work: [*state details of name of building consent authority and building consent granted*]

### **Compliance schedule**

|| The specified systems for the building are as follows: [*specified systems are defined in regulations*]

|| The following specified systems were altered, added to, or removed in the course of the building work:

|| There are no specified systems in the building.

### **Attachments**

The following are attached to this application:

|| Project information memorandum

|| Plans and specifications

|| Certificates from personnel who carried out the building work

|| Energy work certificate

\*Delete if the applicant is an individual.

†Delete this section if the application is not being made on behalf of the owner.

‡Delete if the agent is an individual.

§Contact details must be in New Zealand.

|| Delete if inapplicable.

¶Delete if inapplicable, only applies if an application for a certificate of acceptance is made under section 96(1)(a) of the Building Act 2004.

\*\*All plans and specifications must meet the minimum requirements set out in the regulations or any other requirements of the building consent authority.

Schedule 2 Part 2 form 8: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Schedule 2 Part 2 form 8: amended, on 31 March 2005, by regulation 4(3) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Form 9  
Certificate of acceptance  
*Section 99, 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:

**The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

First point of contact for communications with the council: [*state full name, mailing address, phone number(s), facsimile number(s) and email address(es)*†]

**Acceptance of compliance**

The territorial authority named below is satisfied, to the best of its knowledge and belief and on reasonable grounds, that, insofar as it can ascertain, the building work described below complies with the building code:

‡The territorial authority was only able to inspect the following parts of the building work and this certificate is qualified as follows:

Nothing in this certificate limits the requirement that a person must not carry out building work except in accordance with a building consent, nor does it relieve any person from the requirement to obtain a building consent for building work.



‡**Attachments**

‡Compliance schedule

Signature:

Position:

On behalf of: [*name of territorial authority*]

Date:

\*Delete if the owner is an individual.

†Contact details must be in New Zealand.

‡Delete if inapplicable.

Form 10  
Compliance schedule statement  
*Section 105, 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:

Current, lawfully established, use:

Year first constructed:

**The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

**Specified systems**

The following specified systems are covered by the compliance schedule for this building:

The compliance schedule is kept at:

Signature:

Position:

On behalf of: [*name of territorial authority*]

Date:

This statement is valid for 12 months after the date stated above.

\*Delete if the owner is an individual.

Schedule 2 Part 2 form 10: amended, on 31 March 2005, by regulation 4(4) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Form 11  
Application for amendment to compliance schedule  
*Section 106, Building Act 2004*

**The building**

Street address of building: *[for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection]*

Legal description of land where building is located: *[state legal description as at the date of application, and if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent]*

Building name:

Location of building within site/block number: *[include nearest street access]*

Level/unit number:

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1]*

**The owner**

Name of owner: *[include preferred form of address, eg, Mr, Miss, Dr, if an individual]*

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Evidence of ownership: *[copy of record of title, lease, agreement for sale and purchase, or other document showing full name of legal owner(s) of the building]*

**†Agent**

Name of agent: *[only required if application is being made on behalf of the owner]*

‡Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

Relationship with owner: *[state details of authorisation from owner to make the application on the owner's behalf]*

First point of contact for communications with the council: *[state full name, mailing address, phone number(s), facsimile number(s) and email address(es)]*

### **Application**

I request that the compliance schedule for the above building be amended as follows:

<b>Specified system</b>	<b>Amendment</b>	<b>Reason</b>
		<i>[state why amendment is required to ensure that the specified system meets the performance standards]</i>

### **Attachments**

Copy of existing compliance schedule

Signature of || owner/ || agent on behalf of, and with the authority of, the owner:

Date:

\*Delete if the owner is an individual.

†Delete this section if the application is not being made on behalf of the owner.

‡Delete if the agent is an individual.

§Contact details must be in New Zealand.

|| Delete if inapplicable.

Schedule 2 Part 2 form 11: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Form 12  
Warrant of fitness

*Section 108, 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:

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1]*

Year first constructed:

Intended life of the building if 50 years or less: ..... years

Highest fire hazard category for building use: *[state number]*

**The owner**

Name of owner:

\*Contact person:

Mailing address:

Street address/registered office:

Phone number:

Landline:

Mobile:

Daytime:

After hours:

Facsimile number:

Email address:

Website:

**‡ Agent**

Name of agent: *[only required if warrant is being supplied on behalf of the owner]*

§Contact person:

Mailing address:

Phone number:

Daytime:

After hours:

Facsimile number:

Email address:

Relationship to owner: [*state details of authorisation from the owner to supply the warrant on the owner's behalf*].

### **Warrant**

†The maximum number of occupants that can safely use this building is:

The inspection, maintenance, and reporting procedures of the compliance schedule for the above building have been fully complied with during the 12 months prior to the date stated below.

The compliance schedule is kept at:

### **Attachments**

†Certificates relating to inspections, maintenance, and reporting

†Recommendations for amendments to the compliance schedule

Signature of †owner/†agent on behalf of and with the authority of the owner:

Date:

\*Delete if the owner is an individual.

†Delete if inapplicable.

‡Delete this section if the warrant is not being supplied on behalf of the owner.

§Delete if the agent is an individual.

Schedule 2 Part 2 form 12: amended, on 21 July 2005, by regulation 5(1) of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Schedule 2 Part 2 form 12: amended, on 21 July 2005, by regulation 5(2) of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Schedule 2 Part 2 form 12: amended, on 21 July 2005, by regulation 5(3) of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

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:

**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.

Schedule 2 Part 2 form 12A: inserted, on 31 March 2005, by regulation 4(5) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).



Form 13  
Notice to fix

*Sections 164 and 165, Building Act 2004*

**To:** *[name and address of owner]*

**\*And to:** *[name and address of person carrying out or supervising the building work]*

**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:

**Particulars of contravention or non-compliance**

*[Insert details of failure or error with reference to any relevant building consent]*

To remedy the contravention or non-compliance you must: *[state any building work that must be carried out and whether a certificate of acceptance must be applied for]*

This notice must be complied with by: *[date or time frame]*

**Further particulars**

\*You must contact the *[state whether the persons to whom the notice is given must contact the territorial authority for the district within which the building is situated, the regional authority for the region within which the building is situated, or both]* on completion of the required building work.

\*All building work must cease immediately until the authority that issued this notice is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act.

\*The following building work must cease immediately until the authority that issued this notice is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act: *[insert details of building work]*

If you do not comply with this notice you commit an offence under section 168 of the Building Act 2004 and may be liable to a fine of up to \$200,000 and a further fine of up to \$20,000 for each day or part of a day that you fail to comply with this notice.

Signature:

Position:

On behalf of: *[name of territorial authority]*

Date:

\*Delete if inapplicable.

Schedule 2 Part 2 form 13: amended, on 14 April 2005, by section 15(2) of the Building Amendment Act 2005 (2005 No 31).

Form 14  
Application for determination  
*Section 178, Building Act 2004*

**Applicant**

Name: *[include preferred form of address, eg, Mr, Miss, Dr, if an individual]*

\*Contact person:

Mailing address:

Phone number:

Email address:

The applicant is:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The owner of other property (as defined in section 7 of the Building Act 2004) affected by the building work *[include details of the property so affected: street address and legal description and the provision of the building code that requires the property to be protected]*

†The regional authority of the region in which the dam is located

†A person who has a direct interest in the matter for determination if the matter for determination relates to the provision of access and facilities for persons with disabilities *[state the nature of the direct interest]*

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about Building Act matters *[state details of the relevant right or obligation]*

**Other parties**

The other parties to this application are *[state names and mailing addresses]*:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The regional authority of the region in which the dam is located

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about Building Act matters *[give details of the relevant right or obligation]*

Copies of this application have been sent to all the above-named parties.

**The †building/†dam**

Street address: *[for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection]*

Legal description of land where †building/†dam is located: *[state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent]*

†Building/†Dam name:

Current, lawfully established, use: *[include number of occupants per level and per use if more than 1]*

Year first constructed:

**Matter for determination**

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 commenced 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 following building work: *[state details of the building 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 following 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*]
- †(iiia) †issue/†refuse to issue a certificate for public use for the following †premises/†part of premises [*state details of the premises or part of premises*]
- †(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*].

### †Related applications

The following applications have been made and are related to this application [*give date of application and name of applicant*]

### Attachments

The following documents are attached to this application: [*list plans, specifications, other documents, and correspondence provided in support of this application*]

†I wish to give written/spoken evidence in te reo Māori.

Signed by the applicant:

‡Name and position (print):

Date:

\*Delete if the applicant is an individual.

†Delete if inapplicable.

‡Only required if applicant is not an individual and application is signed by an authorised officer or agent of the applicant.

Schedule 2 Part 2 form 14: amended, on 10 January 2020, by regulation 6(3)(a) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 2 form 14: amended, on 10 January 2020, by regulation 6(3)(b) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 2 form 14: amended, on 10 January 2020, by regulation 6(4) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Schedule 2 Part 2 form 14: amended, on 21 July 2005, by regulation 6 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Schedule 2 Part 2 form 14: amended, on 31 March 2005, by regulation 4(6) of the Building (Forms) Amendment Regulations 2005 (SR 2005/31).

Form 14A

Application for determination: decision relating to building affected by  
emergency

*Section 178, Building Act 2004*

**Applicant**

Name: *[include preferred form of address, eg, Mr, Ms, Dr, if an individual]*

\*Contact person:

Mailing address:

Phone number:

Email address:

The applicant is:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The owner of other property (as defined in section 7 of the Building Act 2004) affected by the building work *[include details of the property so affected: street address and legal description and the provision of the building code that requires the property to be protected]*

†The regional authority of the region in which the dam is located

†A person who has a direct interest in the matter for determination if that matter relates to the provision of access and facilities for persons with disabilities *[state the nature of the direct interest]*

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about Building Act matters *[state details of the relevant right or obligation]*

†A responsible person (as defined in section 133BB of the Building Act 2004, but not including the people specified in section 177(6) of that Act)

**Other parties**

The other parties to this application are *[state names and mailing addresses]*:

†The owner of the building

†The territorial authority of the district in which the building is located

†The building consent authority responsible for consenting to the building work

†The licensed building practitioner concerned with the relevant building work

†The regional authority of the region in which the dam is located

†A person or organisation who or that has a right or obligation under any other Act to give written notice to a territorial authority about Building Act matters [*give details of the relevant right or obligation*]

†A responsible person (as defined in section 133BB of the Building Act 2004, but not including the people specified in section 177(6) of that Act)

Copies of this application have been sent to all the above-named parties.

### **The †building/†dam**

Street address: [*for structures that do not have a street address, state the nearest street intersection and the distance and direction from that intersection*]

Legal description of land where †building/†dam is located: [*state legal description as at the date of application and, if the land is proposed to be subdivided, include details of relevant lot numbers and subdivision consent*]

†Building/†Dam name:

Description of †building/†dam: [*describe the building or dam, including, for example, its use, size, construction type, number of occupants*]

Current state of †building/†dam: [*describe the state of the building, including, for example, how it has been affected by the emergency*]

Year first constructed:

### **Matter for determination**

I apply for a determination in relation to the decision of the responsible person—

- †(a) to put in place measures to keep people at a safe distance or protect the †building/†dam under section 133BS of the Building Act 2004:
- †(b) to place a sign or notice on a †building/†dam under section 133BT of the Building Act 2004:
- †(c) to †carry out/†direct work in relation to a †building/†dam under section 133BW of the Building Act 2004:
- †(d) to direct works in relation to a †building/†dam under section 133BX of the Building Act 2004:
- †(e) not to exercise a power referred to in any of paragraphs (a) to (d).

Key details relevant to decision: [*for each decision, give all details relevant to the decision (include dates and times of key events). If the responsible person gave reasons for the decision, state the reasons. If no reasons were given, state that no reasons were given.*]

Reasons for application: [*for each decision, set out the reasons the decision did not comply with the Building Act 2004 or was otherwise wrong*]



**†Related applications**

The following applications have been made and are related to this application [*give date of application and name of applicant*]

**Attachments**

The following documents are attached to this application:

- †(a) a copy of the †sign/†notice/†direction/†other document that was †placed/†given/†provided by the responsible person in relation to the decision:
- †(b) [*list plans, specifications, other documents, and correspondence provided in support of this application*].

†I wish to give written/spoken evidence in te reo Māori.

Signed by the applicant:

‡Name and position (print):

Date:

\*Delete if the applicant is an individual.

†Delete if inapplicable.

‡Only required if applicant is not an individual and application is signed by an authorised officer or agent of the applicant.

Schedule 2 Part 2 form 14A: inserted, on 10 January 2020, by regulation 6(5) of the Building (Forms) Amendment Regulations 2019 (LI 2019/309).

Form 15  
Application for certificate for public use

*Section 363A, Building Act 2004*

**\*Premises/\*Part of premises**

Description of \*premises/\*part of premises for which certificate is sought: [*identify the building in which the premises or part of the premises are located and describe those premises or that part of the premises. If appropriate, provide plans or diagrams that clearly delineate the premises or part of the premises.*]

**Building work affecting \*premises/\*part of premises**

Building \*consent number/\*consent numbers:

Issued by: [*name of building consent authority that issued the building consent*]

**The applicant (person who owns, occupies, or controls premises)**

Name of applicant: [*include preferred form of address, eg, Mr, Miss, Dr, if an individual*]

†Contact person:

Mailing address:

Phone number:

Daytime:

After hours:

Facsimile number:

Email address:

The applicant is the person who \*owns/\*occupies/\*controls the premises.

The following evidence of the applicant's status as \*owner/\*occupier/\*person in control is attached to this application: [*eg, copy of record of title, lease, agreement for sale and purchase, licence, or property management agreement, being a document that shows the full name of the applicant*]

‡The owner's name and address is: [*state owner's name and address*]

**§Agent**

Name of agent: [*only required if application is being made on behalf of the owner, occupier, or person in control of premises*]

|| Contact person:

Mailing address:

Phone number:

Daytime:

After hours:

Facsimile number:

Email address:

Relationship to \*owner/\*occupier/\*person in control of the premises: [*state details of authorisation from the \*owner/\*occupier/\*person in control of premises to make the application on the person's behalf*]

### Application

I confirm that no code compliance certificate has been issued for the building work.

It is intended to permit members of the public to use the \*premises/\*part of the premises described above for the following purposes and in the following circumstances: [*describe purposes and circumstances*]

Members of the public can use the \*premises/\*part of the premises described above safely because: [*state reasons for statement, and include any precautions taken to protect the public, information on any specified systems in the premises or part of the premises, and the management of any special risks (eg, means of escape from fire) on site (provide information in attachments, if necessary)*]

The personnel who carry out the building work are as follows: [*if known, list names, addresses, phone numbers, and (where relevant) registration numbers*]

I request that you issue, under section 363A(2) of the Building Act 2004, a certificate for public use for the premises or the part of the premises described above.

Signature of \*owner/\*occupier/\*person in control of premises/\*agent on behalf of, and with the authority of, the \*owner/\*occupier/\*person:

Name of person signing:

Date:

*space for council use*

### Attachments

The following documents are attached to this application:

\*Evidence of applicant's status

\*Plans and diagrams showing the premises or part of the premises described above

\*Documentation relevant to the safety of the \*premises/\*part of the premises (eg, an engineer's report, certificates concerning specified systems)

\*Delete if inapplicable.

†Delete if owner/occupier/person in control is an individual.

‡Delete if the applicant is the owner.

§Delete this section if the application is not being made on behalf of the owner/occupier/person in control.

|| Delete if the agent is an individual.

Schedule 2 Part 2 form 15: added, on 21 July 2005, by regulation 7 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Schedule 2 Part 2 form 15: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Form 16  
Certificate for public use  
*Section 363A, Building Act 2004*

**\*Premises/\*Part of premises**

Description of \*premises/\*part of premises for which certificate is issued: [*identify the building in which the premises or part of the premises are located and describe those premises or that part of the premises. If appropriate, refer to plans or diagrams that clearly delineate the premises or part of the premises.*]

**Building work affecting \*premises/\*part of premises**

Building \*consent number/\*consent numbers:

Issued by: [*name of building consent authority that issued the building consent*]

**The applicant (person who owns, occupies, or controls premises)**

Name and description of applicant: [*state whether applicant owns, occupies, or controls the premises*]

†Contact person:

Mailing address:

Phone number:

Daytime:

After hours:

Facsimile number:

Email address:

**Public use of \*premises/\*part of premises**

The territorial authority named below, being satisfied on reasonable grounds, in relation to the building work described above, that members of the public can safely use the \*premises/\*part of the premises described above, issues under section 363A(2) of the Building Act 2004 this certificate for public use in respect of \*those premises/\*that part of the premises. \*This certificate is subject to the following conditions: [*state conditions*]

Nothing in this certificate limits the duty of the owner to apply for a code compliance certificate, nor does it relieve any person from compliance with any other legislative requirement.

**\*Attachments**

The following documents are attached to this application:

\*Plans and diagrams showing the premises or part of the premises in respect of which the certificate is issued

\*Any other documentation the territorial authority considers relevant to the territorial authority's certificate

Signature:

Position:

On behalf of: [*name of territorial authority*]

Date:

\*Delete if inapplicable.

†Delete if applicant is an individual.

Schedule 2 Part 2 form 16: added, on 21 July 2005, by regulation 7 of the Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170).

Diane Morcom,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 11 November 2004.

## Notes

### **1** *General*

This is a consolidation of the Building (Forms) Regulations 2004 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Building (Forms) Amendment Regulations 2022 (SL 2022/175)

Building (Forms) Amendment Regulations 2019 (LI 2019/309)

Land Transfer Act 2017 (2017 No 30): section 250

Building (Forms) Amendment Regulations 2012 (SR 2012/58)

Building (Forms) Amendment Regulations 2011 (SR 2011/418)

Building (Forms) Amendment Regulations (No 2) 2005 (SR 2005/170)

Building Amendment Act 2005 (2005 No 31): section 15(2)

Building (Forms) Amendment Regulations 2005 (SR 2005/31)