

Building (Consent Authorities) Amendment Act 2007

Public Act 2007 No 34
Date of assent 28 August 2007

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Building (Consent Authorities) Amendment Act 2007.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Building Act 2004.

4 Purpose of this Act

The purpose of this Act is to amend the principal Act to—

- (a) extend the period during which a territorial authority may act as a building consent authority (including in relation to a dam) even though the territorial authority has yet to be registered as a building consent authority; and
- (b) require a territorial authority registered as a building consent authority to act, until a specified time, as a building consent authority in relation to a dam within the territorial authority's district.

5 Territorial authority may act as building consent authority during transition to this Act

- (1) Section 450(3)(b)(ii) is amended by omitting “30 November 2007” and substituting “30 June 2008”.
- (2) Section 450 is amended by inserting the following subsections after subsection (3):
 - “(3A) A territorial authority that is registered under section 191 must, until the time specified in subsection (3B), act as a building consent authority in relation to a dam within the territorial authority's district.
 - “(3B) The time is the earlier of the following:
 - “(a) the close of the day before the date specified in subsection (3)(b)(ii); and
 - “(b) the time at which the regional authority whose region includes the territorial authority's district—
 - “(i) is registered under section 191; or
 - “(ii) transfers its functions as a building consent authority in relation to dams in that district to another regional authority, under subpart 4 of Part 3 of this Act or subpart 2 of Part 3 of the Local Government Act 2002.
 - “(3C) If a territorial authority acts as a building consent authority under subsection (1) or (3A),—
 - “(a) the territorial authority must be taken to have all the functions, duties, and powers of a building consent authority under this Act; and
 - “(b) this Act applies with all necessary modifications.

- “(3D) The Governor-General may, by Order in Council, before the date specified in subsection (3)(b)(ii), specify a later date in substitution for that date.
- “(3E) An order under subsection (3D) is a regulation for the purposes of the Regulations (Disallowance) Act 1989.”
- (3) Section 416(1)(f) is consequentially amended by omitting “30 November 2007” and substituting “the date specified in section 450(3)(b)(ii)”.
- (4) The heading to section 450 is consequentially amended by omitting “**Territorial authority may**” and substituting “**When territorial authority may and must**”.
- (5) Section 450(2) is consequentially repealed.

Legislative history

14 August 2007

Divided from Weathertight Homes Resolution
Services (Remedies) Amendment Bill (Bill 123-2)
by committee of the whole House as Bill 123-3A

21 August 2007

Third reading
