

Version
as at 17 June 2024



Building (Accreditation of Building Consent Authorities) Regulations 2006 (SR 2006/399)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 18th day of December 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(k) and (t)(i) 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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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.

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Regulations

1 Title

These regulations are the Building (Accreditation of Building Consent Authorities) Regulations 2006.

2 Commencement

These regulations come into force on 1 February 2007.

3 Interpretation

In these regulations, unless the context requires otherwise,—

Act means the Building Act 2004

applicant means a person who makes an application under section 250 of the Act

building control function means a function of a building consent authority under any of the following provisions of the Act:

- (a) section 19:
- (b) section 28:
- (c) section 31:

- (d) section 45:
- (da) section 45A(3):
- (e) section 46(3):
- (f) section 47(3):
- (g) sections 48 to 52:
- (h) section 53(2)(b):
- (i) section 54:
- (j) section 58:
- (k) section 63:
- (l) section 67:
- (m) sections 71 to 74:
- (n) section 77:
- (o) section 90:
- (p) section 91:
- (q) sections 93 to 95A:
- (r) section 102:
- (ra) sections 103 and 104:
- (s) section 112:
- (t) sections 164 to 166:
- (u) sections 238 to 240

specified New Zealand qualification means any of the following qualifications offered by a New Zealand tertiary education provider:

- (a) National Diploma in Building Control Surveying (Small Buildings):
- (b) National Diploma in Building Control Surveying (Medium and Large Buildings):
- (c) Diploma in Building Surveying:
- (d) Diploma in Construction Management:
- (e) Diploma in Construction:
- (f) Diploma in Quantity Surveying:
- (g) Diploma in Architectural Drafting:
- (h) Diploma in Architectural Technology:
- (i) Bachelor of Applied Technology - Building:
- (j) Bachelor of Architecture:
- (k) Bachelor of Architectural Studies:
- (l) Bachelor of Building Science:

- (m) Bachelor of Construction:
- (n) Bachelor of Engineering:
- (o) a qualification in the field of building design or construction—
 - (i) at or above level 6 in the New Zealand Qualifications and Credentials Framework administered by the New Zealand Qualifications Authority (continued by section 430 of the Education and Training Act 2020); or
 - (ii) equivalent to a qualification in subparagraph (i).

Regulation 3 **building control function** paragraph (da): inserted, on 30 November 2013, by regulation 4(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 3 **building control function** paragraph (q): amended, on 30 November 2013, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 3 **building control function** paragraph (r): replaced, on 1 July 2017, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 3 **building control function** paragraph (ra): inserted, on 1 July 2017, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 3 **specified New Zealand qualification**: inserted, on 1 July 2017, by regulation 4(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 3 **specified New Zealand qualification** paragraph (o)(i): amended, on 1 August 2022, by section 74 of the Education and Training Amendment Act 2022 (2022 No 38).

Regulation 3 **specified New Zealand qualification** paragraph (o)(i): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

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 1 July 2017, by regulation 5 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

4 Criteria and standards for accreditation as building consent authority

- (1) The criteria and standards that an applicant must meet to be accredited as a building consent authority are set out in regulations 5 to 18.
- (2) *[Revoked]*
- (3) *[Revoked]*
- (4) *[Revoked]*
- (4A) *[Revoked]*
- (5) *[Revoked]*

Regulation 4(2): revoked, on 1 July 2017, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 4(3): revoked, on 1 July 2017, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 4(4): revoked, on 1 July 2017, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 4(4A): revoked, on 1 July 2017, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 4(5): revoked, on 1 July 2017, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

5 Requirements for policies, procedures, and systems

The policies, procedures, and systems required by these regulations must be—

- (a) written or electronic; and
- (b) appropriate for their purposes; and
- (c) implemented in a consistent and effective manner.

Regulation 5(b): amended, on 1 July 2017, by regulation 7(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 5(c): inserted, on 1 July 2017, by regulation 7(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

6 Building consent authority's decisions under policies, procedures, and systems

A building consent authority must record—

- (a) *[Revoked]*
- (b) the decisions it makes under the policies, procedures, and systems required by these regulations; and
- (c) the reasons for the decisions; and
- (d) the outcomes of the decisions.

Regulation 6 heading: amended, on 1 July 2017, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 6(a): revoked, on 1 July 2017, by regulation 8(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

6A Notice

- (1) A building consent authority must have a system for notifying the building consent accreditation body and the Ministry of any of the following matters within 20 working days of the matter taking place:
 - (a) a significant change in the legal, commercial, or organisational status of the building consent authority or the wider organisation in which it operates;
 - (b) the departure of any of the following from the building consent authority:

- (i) the authorised representative:
 - (ii) the responsible manager:
 - (iii) the quality assurance manager:
 - (c) in any one quarter of a calendar year, a reduction of 25% or more of employees doing technical jobs who are not replaced with employees who have equivalent qualifications and competence:
 - (d) a transfer under section 233 or 244 of the Act of—
 - (i) 1 or more functions of the building consent authority to another building consent authority:
 - (ii) 1 or more functions of another building consent authority to the building consent authority:
 - (e) an arrangement being made under section 213 of the Act for—
 - (i) another building consent authority to perform a significant amount of the functions of the building consent authority:
 - (ii) the building consent authority to perform a significant amount of the functions of another building consent authority:
 - (f) a material amendment to the building consent authority's policies, procedures, or systems required by these regulations.
- (2) A building consent authority that is not a territorial authority or a regional authority must also have a system for notifying the building consent accreditation body and the Ministry of any of the following matters within 20 working days of the matter taking place:
- (a) any professional misconduct of the building consent authority or its management (including conduct that may give rise to a professional misconduct action being taken by a professional association):
 - (b) a civil claim being made against the building consent authority or its management in relation to contract or tort:
 - (c) a conviction of, or pending proceedings against, the building consent authority or its management, in New Zealand or in another country, for—
 - (i) a crime involving dishonesty:
 - (ii) a building control offence.
- (3) In this regulation,—
- authorised representative**, in relation to a building consent authority, means the person authorised by the building consent authority as its representative for engaging with the building consent accreditation body and the Ministry
- building control offence** means an offence against any of the following Acts or against any regulations or orders made under those Acts:
- (a) Building Act 2004:

- (b) Construction Contracts Act 2002:
- (c) Resource Management Act 1991:
- (d) Weathertight Homes Resolution Services Act 2006

crime involving dishonesty has the same meaning as in section 2(1) of the Crimes Act 1961

management, in relation to a building consent authority, means the chief executive officer and every manager or director who is responsible for directing or controlling the building control functions of the authority

quality assurance manager, in relation to a building consent authority, means the person recorded under regulation 17(3) as responsible for managing the building consent authority's quality assurance system

responsible manager, in relation to a building consent authority, means the person responsible for managing day-to-day operations at the building consent authority.

Regulation 6A: inserted, on 1 July 2017, by regulation 9 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 6A(1)(b): replaced, on 17 June 2024, by regulation 4(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Regulation 6A(3) **authorised representative**: inserted, on 17 June 2024, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Regulation 6A(3) **building control offence** paragraph (c): replaced, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

Regulation 6A(3) **quality assurance manager**: inserted, on 17 June 2024, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Regulation 6A(3) **responsible manager**: inserted, on 17 June 2024, by regulation 4(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

7 Performing building control functions

- (1) A building consent authority must have policies and procedures for performing its building control functions.
- (2) The policies and procedures must cover the following:
 - (a) giving the following information, in writing or electronically, to a person who wants to apply for a building consent:
 - (i) how to apply for a building consent; and
 - (ii) how an application for a building consent is processed; and
 - (iii) how building work is inspected; and
 - (iv) how building work is certified; and
 - (b) receiving applications for building consents; and

- (c) checking that the applications comply with the requirements that the Act and any applicable regulations under the Act specify for applications; and
- (d) for applications that comply with the requirements that the Act and any applicable regulations under the Act specify for applications,—
 - (i) entering the applications in the building consent authority’s building consent processing system; and
 - (ii) assessing the content of the applications; and
 - (iii) allocating the applications to employees or contractors to process; and
 - (iv) processing the applications to establish whether they comply with the requirements that the Act, the building code, and any other applicable regulations under the Act specify for buildings; and
 - (v) granting, refusing to grant, and issuing building consents; and
- (e) planning, performing, and managing inspections; and
- (f) issuing and refusing to issue—
 - (i) code compliance certificates; and
 - (ii) compliance schedules; and
 - (iii) notices to fix; and
- (g) receiving and managing inquiries about building control functions, in addition to the inquiries that are received and managed under paragraph (a); and
- (h) receiving and managing complaints about building control functions.

Regulation 7(2)(f): replaced, on 17 June 2024, by regulation 5 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

8 Ensuring enough employees and contractors

- (1) A building consent authority must have a system for ensuring that it has enough employees and contractors to perform its building control functions.
- (2) A building consent authority must have a system for assessing the need to employ contractors if it does not have enough employees to perform its building control functions.

9 Allocating work to competent employees or contractors

A building consent authority must have a system for allocating its building control function work to employees or contractors who are competent to do the work.

10 Establishing and assessing competence of employees

- (1) A building consent authority must have a system for establishing the competence of a person who applies to it for employment as an employee performing building control functions.
- (2) A building consent authority must have a system for assessing every 2 years (or more frequently) the competence of its employees performing building control functions.
- (3) The competence assessment system must cover the following:
 - (a) employees' understanding of the philosophy and principles of building design and construction; and
 - (b) employees' understanding and knowledge of building products and methods; and
 - (c) employees' knowledge and skill in applying the Act, the building code, and any other applicable regulations under the Act; and
 - (d) employees' ability to—
 - (i) process applications for building consents; and
 - (ii) inspect building work; and
 - (iii) certify building work; and
 - (e) employees' ability to communicate with internal and external persons; and
 - (f) employees' ability to comply with the building consent authority's policies, procedures, and systems.

Regulation 10(2): amended, on 17 June 2024, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Regulation 10(2): amended, on 1 July 2017, by regulation 10 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 10(2): amended, on 30 November 2013, by regulation 6 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

11 Training employees

- (1) A building consent authority must have a system for training its employees who perform the authority's building control functions by doing a technical job.
- (2) The system must cover the following:
 - (a) making annual (or more frequent) training needs assessments; and
 - (b) preparing training plans that specify the training outcomes required; and
 - (c) ensuring that employees receive the training agreed for them; and
 - (d) monitoring and reviewing employees' application of the training they have received, including by observing relevant activities; and
 - (e) supervising employees under training; and

- (f) recording employees' qualifications, experience, and training; and
- (g) recording continuing training information.

Regulation 11(2)(a): amended, on 1 July 2017, by regulation 11 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

12 Choosing and using contractors

- (1) A building consent authority must have a system for choosing and using contractors to perform its building control functions.
- (2) The system must cover the following:
 - (a) establishing contractors' competence; and
 - (b) engaging contractors; and
 - (c) making written or electronic agreements with contractors; and
 - (d) recording contractors' qualifications; and
 - (e) monitoring and reviewing contractors' performance; and
 - (f) annually (or more frequently) assessing contractors' competence.

Regulation 12(2)(f): amended, on 1 July 2017, by regulation 12 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

13 Ensuring technical leadership

A building consent authority must have a system for—

- (a) identifying employees and contractors who are competent to provide technical leadership; and
- (b) giving the employees and contractors the powers and authorities to enable them to provide the leadership.

14 Ensuring necessary technical resources

A building consent authority must have a system for providing, and for ensuring the continuing availability of and continuing appropriateness of (including, without limitation, the continuing fitness for purpose of), the technical information, facilities, and equipment that its employees and contractors need to perform building control functions effectively.

Regulation 14 heading: amended, on 30 November 2013, by regulation 7(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 14: amended, on 30 November 2013, by regulation 7(2)(a) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 14: amended, on 30 November 2013, by regulation 7(2)(b) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

15 Keeping organisational records

- (1) A building consent authority must—
 - (a) record its organisational structure; and
 - (b) record, in the structure,—

- (i) the reporting lines and accountabilities; and
 - (ii) any relationships the authority has with external organisations.
- (2) A building consent authority must record the following for its employees and contractors performing its building control functions:
 - (a) roles; and
 - (b) responsibilities; and
 - (c) powers; and
 - (d) authorities; and
 - (e) limitations on powers and authorities.

16 Filing applications for building consents

- (1) A building consent authority must have a system for giving every application for a building consent its own uniquely identified file.
- (2) A building consent authority must have a system for ensuring that all information relevant to an application for a building consent is—
 - (a) put on the application's file; and
 - (b) kept in a way that makes it readily accessible and retrievable; and
 - (c) stored securely.

17 Assuring quality

- (1) A building consent authority must have a system for assuring the quality of its performance of its building control functions and of the policies, procedures, and systems required by these regulations.
- (2) The quality assurance system must cover the following:
 - (a) the policies, procedures, and systems described in regulations 5 to 16 and 18; and
 - (b) the policy on quality; and
 - (c) the procedure for ensuring that the building consent authority operates within its scope of accreditation; and
 - (d) the procedure for the building consent authority's management to review annually (or more frequently) the authority's performance; and
 - (e) the procedure for continuous improvement in the performance of the building consent authority's functions; and
 - (f) *[Revoked]*
 - (g) *[Revoked]*
 - (h) the procedure for ensuring that an internal audit of every building control function occurs annually (or more frequently); and
 - (i) the procedure for identifying and managing conflicts of interest; and

- (j) the procedure for communicating with internal and external persons.
 - (k) *[Revoked]*
 - (l) *[Revoked]*
 - (m) *[Revoked]*
 - (n) *[Revoked]*
- (3) A building consent authority must record who is responsible for managing its quality assurance system.
- (3A) The quality assurance system must also include a system that ensures that the building consent authority considers whether to make, and makes whenever they appear to it necessary or desirable, complaints to relevant occupational or professional authorities about practitioners—
- (a) who are practitioners of or within an occupation or profession; and
 - (b) who are not its employees or contractors; and
 - (c) whose work it scrutinises, or otherwise becomes aware of, in performing its building control functions.
- (4) A building consent authority must have a system for ensuring that—
- (a) its employees comply with the authority’s quality assurance system; and
 - (b) its contractors comply with—
 - (i) the authority’s quality assurance system; or
 - (ii) the contractor’s quality assurance system.
- (5) A building consent authority must have a system for annually (or more frequently)—
- (a) reviewing its quality assurance system; and
 - (b) making appropriate changes in the quality assurance system.

Regulation 17(1): amended, on 1 July 2017, by regulation 13(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 17(2)(a): amended, on 1 July 2017, by regulation 13(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 17(2)(d): amended, on 1 July 2017, by regulation 13(3) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 17(2)(f): revoked, on 30 November 2013, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(2)(g): revoked, on 30 November 2013, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(2)(h): amended, on 1 July 2017, by regulation 13(4) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 17(2)(k): revoked, on 30 November 2013, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(2)(l): revoked, on 30 November 2013, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(2)(m): revoked, on 30 November 2013, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(2)(n): revoked, on 1 July 2017, by regulation 13(5) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Regulation 17(3A): inserted, on 1 March 2014, by regulation 8(2) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456).

Regulation 17(5): amended, on 1 July 2017, by regulation 13(6) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

18 Requiring technical qualifications

- (1) A building consent authority must have a system for ensuring that each employee and contractor who performs the authority's building control functions by doing a technical job—
 - (a) has an appropriate specified New Zealand qualification; or
 - (b) is working towards having an appropriate specified New Zealand qualification within a reasonable time; or
 - (c) has an appropriate foreign qualification recognised in New Zealand that is equivalent to a specified New Zealand qualification.
- (2) However, subclause (1) does not apply in respect of employees and contractors identified and recorded by the building consent authority's system required by subclause (3).
- (3) The building consent authority must have a system for—
 - (a) establishing circumstances of employees and contractors that would make it unreasonable and impractical for the authority to implement the system referred to in subclause (1) in respect of those employees and contractors; and
 - (b) identifying and recording which employees and contractors have those circumstances.

Regulation 18: replaced, on 1 July 2017, by regulation 14 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

19 Fees

- (1) The fees set out in Schedule 2 are payable in respect of the matters to which they relate.
- (2) The fees set out in Schedule 2 are exclusive of goods and services tax.

Regulation 19: replaced, on 1 July 2017, by regulation 14 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Schedule 1

Transitional, savings, and related provisions

r 3A

Schedule 1: replaced, on 1 July 2017, by regulation 15 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Part 1

Provisions relating to Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017

1 Administrative overhead cost

- (1) This clause applies if a building consent authority has been granted accreditation before commencement.
- (2) In the case of the first audit of the building consent authority to take place on or after commencement,—
 - (a) for the purposes of clause 6(1) of Schedule 2, the date that the building consent authority was originally granted accreditation is deemed to be commencement; and
 - (b) for the purposes of clause 6(2) of Schedule 2, the date that the previous audit took place is deemed to be commencement.
- (3) In this clause, **commencement** means 1 July 2017.

Part 2

Provisions relating to Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024

Schedule 1 Part 2: inserted, on 17 June 2024, by regulation 7(a) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

2 Changes do not apply to applications made or audits started before 17 June 2024

- (1) This clause applies to—
 - (a) an application for accreditation under section 250 of the Act that is made before 17 June 2024;
 - (b) an audit under section 249(1)(a) of the Act that is started before 17 June 2024.
- (2) The building consent accreditation body must determine the application, or conduct the audit, as if the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 had not been made.

Schedule 1 clause 2: inserted, on 17 June 2024, by regulation 7(a) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2

Fees

r 19

Schedule 2: inserted, on 1 July 2017, by regulation 15 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Part 1

Fees payable

1 Accreditation application fee

The accreditation application fee payable by an applicant in connection with an application made under section 250 of the Act is the amount calculated in accordance with the following formula:

$$a + b + c = d$$

where—

- a is the personnel cost calculated in accordance with clause 3 of Part 2
- b is the technical expert cost calculated in accordance with clause 4 of Part 2
- c is the disbursement cost calculated in accordance with clause 5 of Part 2
- d is the amount payable.

2 Audit fee

The audit fee payable by a building consent authority in connection with an audit conducted under section 249(1)(a) of the Act is the amount calculated in accordance with the following formula:

$$a + b + c + d = e$$

where—

- a is the personnel cost calculated in accordance with clause 3 of Part 2
- b is the technical expert cost calculated in accordance with clause 4 of Part 2
- c is the disbursement cost calculated in accordance with clause 5 of Part 2
- d is the administrative overhead cost calculated in accordance with clause 6 of Part 2
- e is the amount payable.

Schedule 2 clause 2: amended, on 17 June 2024, by regulation 8(1) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Part 2

Calculation of costs

3 Personnel cost

- (1) The personnel cost is calculated in accordance with the following formula:

$$(a \times \$283) + (b \times \$141)$$

where—

- a is the sum of the number of hours (including part-hours) spent by each building consent accreditation body staff member performing the accreditation assessment or the audit (as applicable)
- b is the sum of the number of hours (including part-hours) spent by each building consent accreditation body staff member travelling for the purpose of performing the accreditation assessment or the audit (as applicable).
- (2) However, the maximum amount of the personnel cost in respect of any one building consent accreditation body staff member for any one day is capped at \$2,264.
- (3) For the purposes of this clause and clause 5, **performing the accreditation assessment or the audit** may include the following (as applicable):
- (a) accepting and processing an application for accreditation:
 - (b) desk-based document review:
 - (c) on-site pre-assessment meeting:
 - (d) on-site assessment, including witnessing and auditing and engagement on corrective actions:
 - (e) report writing:
 - (f) following up on an audit, including corrective actions:
 - (g) confirmation of accreditation (or revocation) proceedings:
 - (h) any follow-up on-site assessment required.

Schedule 2 clause 3(1) formula: amended, on 17 June 2024, by regulation 8(2)(a) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2 clause 3(1) formula: amended, on 17 June 2024, by regulation 8(2)(b) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2 clause 3(2): amended, on 17 June 2024, by regulation 8(3) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

4 Technical expert cost

- (1) The technical expert cost is calculated in accordance with the following formula:

$$(a \times \$240) + (b \times \$141)$$

where—

- a is the sum of the number of hours (including part-hours) spent by each building consent accreditation body technical expert supporting the accreditation assessment or the audit (as applicable)
 - b is the sum of the number of hours (including part-hours) spent by each building consent accreditation body technical expert travelling for the purpose of supporting the accreditation assessment or the audit (as applicable).
- (2) However, the maximum amount of the technical expert cost in respect of any one building consent accreditation body technical expert for any one day is capped at \$1,920.

Schedule 2 clause 4(1) formula: amended, on 17 June 2024, by regulation 8(4)(a) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2 clause 4(1) formula: amended, on 17 June 2024, by regulation 8(4)(b) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2 clause 4(2): amended, on 17 June 2024, by regulation 8(5) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

5 Disbursement cost

The disbursement cost is the actual and reasonable costs incurred by—

- (a) each building consent accreditation body staff member in connection with performing the accreditation assessment or the audit (as applicable), including accommodation and travel costs; and
- (b) each building consent accreditation body technical expert in connection with supporting the accreditation assessment or the audit (as applicable), including accommodation and travel costs.

6 Administrative overhead cost

- (1) If the building consent authority has not had a previous audit, the administrative overhead cost is calculated in accordance with the following formula:

$$a \times \$140$$

where—

- a is the number of whole months since the date that the building consent authority was originally granted accreditation.
- (2) If the building consent authority has had a previous audit, the administrative overhead cost is calculated in accordance with the following formula:

$$b \times \$140$$

where—

- b is the number of whole months since the date that the previous audit took place.

Schedule 2 clause 6(1) formula: amended, on 17 June 2024, by regulation 8(6) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Schedule 2 clause 6(2) formula: amended, on 17 June 2024, by regulation 8(6) of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70).

Rebecca Kitteridge,
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 21 December 2006.

Notes

1 *General*

This is a consolidation of the Building (Accreditation of Building Consent Authorities) Regulations 2006 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 (Accreditation of Building Consent Authorities) Amendment Regulations 2024 (SL 2024/70)

Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68): section 6

Education and Training Amendment Act 2022 (2022 No 38): section 74

Education and Training Act 2020 (2020 No 38): section 668

Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14)

Building (Accreditation of Building Consent Authorities) Amendment Regulations 2013 (SR 2013/456)