



BUILDING AMENDMENT REGULATIONS 1997

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of August 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Building Act 1991, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Building Amendment Regulations 1997, and are part of the Building Regulations 1992* (“the principal regulations”).

(2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

2. Amending building code: Durability—Clause B2 of the First Schedule of the principal regulations is amended by repealing subclause B2.3, and substituting the following subclause:

*S.R. 1992/150
Amendment No. 1: S.R. 1994/263

“**B2.3.1** *Building elements* must, with only normal maintenance, continue to satisfy the performance requirements of this code for the lesser of the *specified intended life* of the *building*, if stated, or:

(a) The life of the building, being not less than 50 years, if:

(i) Those *building elements* (including floors, walls, and fixings) provide structural stability to the *building*, or

(ii) Those *building elements* are difficult to access or replace, or

(iii) Failure of those *building elements* to comply with the *building code* would go undetected during both normal use and maintenance of the *building*.

(b) 15 years if:

(i) Those *building elements* (including the *building* envelope, exposed plumbing in the subfloor space, and in-built chimneys and flues) are moderately difficult to access or replace, or

(ii) Failure of those *building elements* to comply with the *building code* would go undetected during normal use of the *building*, but would be easily detected during normal maintenance.

(c) 5 years if:

(i) The *building elements* (including services, linings, renewable protective coatings, and *fixtures*) are easy to access and replace, and

(ii) Failure of those *building elements* to comply with the *building code* would be easily detected

Performance B2.3.1 applies from the time of issue of the applicable *code compliance certificate*. *Building elements* are not required to satisfy a durability performance which exceeds the *specified intended life* of the *building*.

during normal use of the building.

B2.3.2 Individual *building elements* which are components of a *building* system and are difficult to access or replace must either:

- (a) All have the same durability, or
- (b) Be installed in a manner that permits the replacement of *building elements* of lesser durability without removing *building elements* that have greater durability and are not specifically designed for removal and replacement.”

3. Amending building code: Ventilation—(1) Clause G4.2 of the First Schedule of the principal regulations is amended by inserting, after the words “their maximum occupancy”, the words “and their intended use”.

(2) Clause G4.3.3 (b) of the First Schedule of the principal regulations is amended by omitting the word “Steam”, and substituting the word “Moisture”.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Building Regulations 1992 to—

- (a) Clarify the provisions of clause B2 of the building code concerning the durability required for building elements (as defined in the principal regulations); and
- (b) Clarify clause G4 of the building code to require that the ventilation of a building is consistent with the building’s intended use and that ventilation is able to remove moisture (not just steam) from laundries, kitchens, bathrooms, and similar spaces.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 August 1997.

These regulations are administered in the Department of Internal Affairs.