

Reprint  
as at 1 July 2017



## **Building (Consent Authority Accreditation Fees) Regulations 2007**

(SR 2007/102)

Building (Consent Authority Accreditation Fees) Regulations 2007: revoked, on 1 July 2017, by regulation 16 of the Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14).

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 30th day of April 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(w) 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**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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

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## Regulations

### 1 Title

These regulations are the Building (Consent Authority Accreditation Fees) Regulations 2007.

### 2 Commencement

These regulations come into force on the day after the date of their notification in the *Gazette*.

### 3 Interpretation

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

**accreditation** means accreditation granted under section 250 of the Act

**Act** means the Building Act 2004

**applicant** means a person who makes an application

**application** means an application under section 250 of the Act

**audit** means an audit conducted under section 249 of the Act by a building consent accreditation body on an accredited building consent authority

**audit notification date** means the date on which the building consent accreditation body gives notice to the building consent authority that an audit is to be conducted

**building control function** has the same meaning as in regulation 3 of the Building (Accreditation of Building Consent Authorities) Regulations 2006

**critical change**, in relation to a building consent authority, means a change that—

(a) has occurred since the authority's accreditation or most recent full technical reassessment audit, as the case may be; and

- (b) is, or may be, in the opinion of the building consent accreditation body, a crucial indicator as to whether the authority is able to perform its building control functions so as to continue to comply with the prescribed criteria and standards for accreditation; and
- (c) includes any matter about which the Ministry or the building consent accreditation body receives a complaint that is not dismissed following initial inquiries into it by the Ministry or the building consent accreditation body (as the case may be) and, if substantiated, would indicate a critical change

**financial year** means the period from 1 July in one year to 30 June in the following year

**full technical reassessment** means an assessment that is similar in scope, duration, and process to the assessment of an applicant undertaken, before accreditation is granted, to satisfy the building consent accreditation body that the applicant meets the prescribed criteria and standards for accreditation

**full technical reassessment audit**—

- (a) means an audit of a building consent authority that involves a full technical reassessment; and
- (b) includes any periodic audit; and
- (c) includes any audit that, in the opinion of the building consent accreditation body, warrants a full technical reassessment

**other applicant** means an applicant who is not a specified applicant

**other authority** means a building consent authority who is not a territorial specified authority or a regional specified authority

**periodic audit** means an audit conducted in accordance with the minimum frequency of audits specified by the chief executive under section 249 of the Act

**regional specified authority** means a building consent authority who is a regional council and who is not a territorial specified authority

**special assessment audit** means any audit that is undertaken because of a critical change that does not, in the opinion of the building consent accreditation body, warrant a full technical reassessment audit

**specified applicant**—

- (a) means an applicant who is a territorial authority; and
- (b) includes any applicant who is a unitary authority

**territorial specified authority**—

- (a) means a building consent authority who is a territorial authority; and
- (b) includes any building consent authority who is a unitary authority.

- (2) For the purposes of regulations 4, 5, and 7,—

**building** includes any building within the meaning of section 3 of the Building Act 1991

**building consent** includes any building consent granted under section 35 of that Act

**building work**, in relation to a building consent granted under section 35 of the Building Act 1991, includes building work within the meaning of section 2 of that Act.

#### **4 Accreditation application fee**

- (1) The fee payable by a specified applicant is the amount set out in the second column of Schedule 1 opposite the work value in the first column of that schedule, calculated in accordance with subclause (3), that applies to the applicant.
- (2) The fee payable by any other applicant is \$16,000.
- (3) The work value is calculated by dividing by 3 the total value of relevant building work consented by the applicant during the 3 financial years preceding the date of the application.
- (4) Relevant building work consented by the applicant in those years does not include any building work of which the value is, for any one building in respect of which a building consent was granted,—
  - (a) less than \$5,000; or
  - (b) greater than the total value of all other building work consented by the applicant in the same financial year.

#### **5 Fee for full technical reassessment audit payable by territorial specified authority**

- (1) The fee payable by a territorial specified authority for a full technical reassessment audit is the amount set out in the second column of Schedule 2 opposite the work value in the first column of that schedule, calculated in accordance with subclause (2), that applies to the authority.
- (2) The work value is calculated by dividing by 3 the total value of relevant building work consented by the authority during the 3 financial years preceding the audit notification date.
- (3) Relevant building work consented by the authority in those years does not include any building work of which the value is, for any one building in respect of which a building consent was granted,—
  - (a) less than \$5,000; or
  - (b) greater than the total value of all other building work consented by the authority in the same financial year.

**6 Fee for full technical reassessment audit payable by regional specified authority**

The fee payable by a regional specified authority for a full technical reassessment audit is \$12,800.

**7 Fee for full technical reassessment audit payable by other authority**

- (1) The fee payable by any other authority for a full technical reassessment audit is the same as if that authority were a territorial specified authority, unless the authority has not completed 3 financial years as a building consent authority before the audit notification date.
- (2) The fee payable by an authority who has not yet completed 1 financial year as a building consent authority before the audit notification date is \$12,800.
- (3) The fee payable by an authority who has completed at least 1 financial year before the audit notification date but has not completed 3 financial years as a building consent authority before that date is the amount set out in the second column of Schedule 2 opposite the work value in the first column of that schedule, calculated in accordance with subclause (4), that applies to the authority.
- (4) The work value is calculated by dividing by 1, 2, or 3 the total value of relevant building work consented by the authority during the 1, 2, or 3 complete financial years (as the case may be) that precede the audit notification date and during which the authority was a building consent authority.
- (5) Relevant building work consented by the authority in any of those years does not include any building work of which the value is, for any one building in respect of which a building consent was granted,—
  - (a) less than \$5,000; or
  - (b) greater than the total value of all other building work consented by the authority in the same financial year.

**8 Fee for special assessment audits**

- (1) The fee for a special assessment audit is \$5,180, unless subclause (2) applies.
- (2) The fee for a special assessment audit is \$3,775 if, in the opinion of the building consent accreditation body, the audit can be conducted without the assistance of a person with technical expertise.

**9 Amounts inclusive of GST**

All amounts referred to in these regulations are inclusive of goods and services tax.

## Schedule 1

### Specified applicant accreditation fees

<b>Work value</b>	<b>Application fee (\$)</b>
Less than \$15 million	16,000
\$15 million or more but less than \$50 million	22,785
\$50 million or more but less than \$100 million	29,570
\$100 million or more but less than \$200 million	36,355
\$200 million or more but less than \$400 million	43,140
\$400 million or more but less than \$800 million	49,925
\$800 million or more but less than \$1,200 million	56,170
\$1,200 million or more	63,495

## Schedule 2

### Full technical reassessment audit fee: territorial specified authority and other authority

<b>Work value</b>	<b>Audit fee (\$)</b>
Less than \$15 million	12,800
\$15 million or more but less than \$50 million	18,228
\$50 million or more but less than \$100 million	23,656
\$100 million or more but less than \$200 million	29,084
\$200 million or more but less than \$400 million	34,512
\$400 million or more but less than \$800 million	39,940
\$800 million or more but less than \$1,200 million	45,368
\$1,200 million or more	50,796

Diane Morcom,  
Clerk of the Executive Council.

### Explanatory note

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

These regulations, which come into force on the day after the date of their notification in the *Gazette*, prescribe the fees payable under the Building Act 2004 for matters relating to the accreditation of building consent authorities, including initial accreditation applications and audits.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 3 May 2007.

## **Reprints notes**

### **1    *General***

This is a reprint of the Building (Consent Authority Accreditation Fees) Regulations 2007 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2    *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

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

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4    *Amendments incorporated in this reprint***

Building (Accreditation of Building Consent Authorities) Amendment Regulations 2017 (LI 2017/14): regulation 16