



Building (Pools) Regulations 2016

Patsy Reddy, Governor-General

Order in Council

At Wellington this 12th day of December 2016

Present:

The Right Hon Bill English presiding in Council

These regulations are made under section 402 of the Building Act 2004 on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Building and Housing.

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Regulations

1 Title

These regulations are the Building (Pools) Regulations 2016.

2 Commencement

These regulations come into force on 1 January 2017.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Building Act 2004

independently qualified pool inspector has the same meaning as in section 7 of the Act.

4 Fee for initial acceptance as independently qualified pool inspector

- (1) The fee for initial acceptance as an independently qualified pool inspector is \$300 excluding GST.
- (2) The fee must be paid to the chief executive at the time a person submits an application for acceptance.
- (3) The chief executive is not required to accept or consider an application for acceptance unless it is accompanied by the fee.

5 Fee for renewal of acceptance as independently qualified pool inspector

- (1) The fee for renewal of acceptance as an independently qualified pool inspector is \$300 excluding GST.
- (2) The fee must be paid to the chief executive on or before each anniversary of the date of acceptance of the person as an independently qualified pool inspector.

6 No refunds of fees

A fee prescribed by these regulations is not refundable if an application for acceptance is unsuccessful or if acceptance is withdrawn or otherwise comes to an end.

7 Form of certificate of periodic inspection of pool

The form of the certificate of periodic inspection for the purposes of section 162D of the Act is set out in the Schedule of these regulations.

Schedule Form

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Form 1

Certificate of periodic inspection by independently qualified pool inspector

Section 162D, Building Act 2004

1 The residential pool

- (1) Street address where residential pool is located:
- (2) Legal description of land where residential pool is located:

2 The inspection

- (1) Date of inspection:
- (2) Full name of IQPI issuing the certificate:
- (3) Identification number of IQPI issuing the certificate:

3 Certification

I certify that—

- I have inspected the residential pool on site; and
- At the date of inspection, the pool has barriers that comply with the requirements of section 162C of the Building Act 2004 (subject to any waiver or modification granted under section 67A or 188 of the Building Act 2004); and
- I have kept detailed records of the inspection and will make those records available without charge to the relevant territorial authority on request.

4 Signature and date

- (1) Signature of IQPI issuing the certificate:
- (2) Date of issuing the certificate:

Michael Webster,
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 1 January 2017, prescribe 4 things relating to independently qualified pool inspectors. Section 162D(2) of the Building Act

2004 (the **Act**) provides that a territorial authority may accept a certificate of periodic inspection from an independently qualified pool inspector in lieu of carrying out an inspection itself. The 4 things prescribed are—

- a fee of \$300 (excluding GST) that is payable by a person applying for acceptance as an independently qualified pool inspector:
- a fee of \$300 (excluding GST) that is payable annually by independently qualified pool inspectors on renewal of acceptance:
- matters relating to the fees:
- the form of the certificate of periodic inspection of a residential pool by an independently qualified pool inspector (*see* section 162D of the Act).

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 15 December 2016.

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