



Building (Levy) Regulations 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 9th day of December 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 53, 55, and 402 of the Building Act 2004—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Building and Construction made in accordance with section 402 of that Act.

Contents

		Page
1	Title	1
2	Commencement	1
3	Rate of building levy and minimum estimated value	2
4	Revocation	2

Regulations

1 Title

These regulations are the Building (Levy) Regulations 2019.

2 Commencement

These regulations come into force on 10 January 2020.

3 Rate of building levy and minimum estimated value

The table below sets out the following in relation to building work for which a building consent is granted:

- (a) the rate of building levy payable under section 53 of the Building Act 2004 for every \$1,000 (or part of \$1,000) of the estimated value of the building work (inclusive of GST); and
- (b) the minimum estimated value of building work for the purposes of section 55 of that Act.

Date building consent granted	Rate of building levy	Minimum estimated value
On or after 1 April 2005 but before 1 July 2020	\$1.97 (inclusive of GST)	\$20,000 (inclusive of GST)
On or after 1 July 2020	\$1.52 plus GST (if any)	\$20,444 (inclusive of GST)

4 Revocation

The Building Levy Order 2005 (SR 2005/33) is revoked.

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.

Section 53 of the Building Act 2004 imposes a levy on a person to whom a building consent is granted. However, the levy is not payable if the estimated value of the building work is less than the prescribed minimum estimated value.

These regulations replace the Building Levy Order 2005, which currently sets the levy rate and minimum estimated value. These regulations continue the rate and amount set by the 2005 order until 30 June 2020. The new levy rate of \$1.52 plus GST and minimum estimated value of \$20,444 (inclusive of GST) will then apply for building consents granted on or after 1 July 2020.

These regulations come into force on 10 January 2020, but the change to the levy rate does not take effect until 1 July 2020.

Regulatory impact assessment

The Ministry of Business, Innovation, and Employment published a regulatory impact assessment on 11 October 2019 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact assessment can be found at—

- <https://www.mbie.govt.nz/document-library?topic%5b1%5d=1>

- <http://www.treasury.govt.nz/publications/informationreleases/ria>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 12 December 2019.

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