



# Summary of the Building Act 2004 Review

## Background

The Building Act 2004 sets the regulatory framework for ensuring building quality and performance. Its purpose is to set performance standards for buildings to ensure their users are safe, and that buildings contribute to users' well-being, have appropriate fire safety systems and promote sustainable development.

As part of the Government's regulatory reform programme, the Act is being reviewed. Concerns have been expressed about:

- its implementation at local government/building consent authority level
- the costs and complexity of the building consent process
- whether key processes of the building control system deliver value for money
- the allocation of risk and liability between the parties in the building consent process, which is leading to risk-averse behaviour by building consent authorities, resulting in delays and additional costs.

## Review focus

The review will identify reforms to reduce the costs but not the quality of the building control system. It will consider:

- removing building regulation that adds cost but is of little benefit
- streamlining building consent requirements to reflect risk and complexity, including reducing the amount of work requiring a consent
- improving the allocation of risk and liability across parties in the building and construction sector
- providing consumers with more information about their rights and responsibilities and improved dispute resolution mechanisms
- greater incentives for professional performance, including self-certification of licensed building practitioners' work (ie fewer inspections)
- streamlining administration of building regulation, including options for consenting processes to be carried out by groupings of councils
- how the use of smart technology could improve consenting processes.

## Review process

The review will be carried out by the Department of Building and Housing.

A reference group has been established from the building and construction sector and consumers. Opportunities for reform will be identified by the end of this year. There will be no substantive consultation at this stage of the review process though anyone wishing to offer ideas for consideration can email them to [buildingactreview@dbh.govt.nz](mailto:buildingactreview@dbh.govt.nz)

'Quick wins' that do not require legislative change will be implemented immediately, while those requiring legislative change are targeted for implementation in mid-2010.

Subject to Cabinet approval, sector-wide consultation will be undertaken next year on more detailed options for regulatory reform, with a view to legislative change by the end of 2010.

The full Terms of Reference is available at [www.dbh.govt.nz/buildingactreview](http://www.dbh.govt.nz/buildingactreview)