



Compliance Schedules & Building Warrants of Fitness

This information is intended to help building owners and managers understand their responsibilities under the Building Act 2004. This is particularly relevant if you are the owner of a commercial, industrial or communal building.

The Building Act 2004 also outlines the provisions for Territorial Authorities (Gisborne District Council) in enforcing the provisions to protect public health and safety. However, Council's principle aim is to firstly educate/monitor and work with owners/managers to ensure that aims of the Building Act 2004 are maintained before enforcing penalties.

When is a Compliance Schedule required?

Under the Building Act 2004, all buildings except single household units require a Compliance Schedule if they contain certain systems. Those systems are listed on the back of this pamphlet. If appropriate, a single household unit will require a compliance schedule if it contains a cable car or is serviced by a cable car.

What is a Compliance Schedule?

The Compliance schedule lists the building's safety features and essential systems and the inspection, maintenance and reporting procedures needed to keep them in good working order.

What is a Building Warrant of Fitness (BWOF)?

Building Warrants of Fitness must be renewed annually.

A BWOF verifies that the inspection, maintenance and reporting procedures for all the specified systems within a building have been carried out in accordance with the Compliance Schedule for the previous 12 months.

It is the owner's responsibility to have the BWOF completed annually.

The owner must then display a copy of the BWOF in a place in the building where it can be seen and the public have access.

The Council also needs a copy of the BWOF, and certificates called Form 12A's.

What is an IQP?

IQPs are system specialists. An IQP is a person (or firm) approved by the Territorial Authority (council) as qualified to inspect certain Compliance Schedule items and ensure that they meet the performance standards. 'Independent' means that the person has no financial interest in the building that they are auditing.

You may require more than one IQP to check the systems in your building, for example, if you have a fire alarm and a lift in your building, you will need to get two IQP's, one to check and sign off your fire alarm and the other to certify the lift.

A list of approved IQP's is available at: <http://www.hastingsdc.govt.nz/files/all/documents/building/IQPnames.pdf>

What is a Form 12A?

Form 12A is a form issued by an IQP annually to verify that the inspection, maintenance and reporting procedures on a Compliance Schedule for a specified system have been carried out during the previous 12 months enabling the BWOF to be reissued by owner/owner's agent.

The Owner's Responsibility

- Engage IQPs that are registered with Gisborne District Council
- Make sure any owner inspections are done by tenants or staff or done by yourself
- Keep the Compliance Schedule and all records in the place assigned by the Council
- Keep all records for at least two years For the first year you must display the Compliance Schedule Statement in a public place in the building
- Every year after that you must:
 1. Issue a BWOF
 2. Display a copy of the BWOF
 3. Send BWOF and IQP Certificates (Form 12As) to Council.

How IQPs and Compliance Firms can help you

You cannot issue a BWOF without getting the annual IQP checks completed and a certificate (known as a Form 12A) signed off.

You can get an IQP firm or Compliance Company to act as your agent to help out with all the paper work. They will co-ordinate all the specialist IQPs, collect the paper work and issue the BWOF as well as deal with the Council for you.

Tenants and the Owner

The building owner's responsibilities are clear, whether or not the building is tenanted by others. The owner, however, can delegate those responsibilities to an employee of the owner or to someone else under a contract or a lease. Tenants could also be liable where they breach the Act. An owner, and anyone acting on the owner's behalf in signing a BWOF, is liable for making any false statement in the warrant.

Council Audits

Building owners should be aware that Council may undertake random audits of owners log books under Section 111 of the Building Act 2004 and charge a fee for an inspection under this section. Generally Council aims to audit log books at least once every 24 months.

Amendments to a Compliance Schedule

The owner of the building may apply to the Council at any time for an amendment to the compliance schedule. However, the owner must apply to the Council to amend the compliance schedule if the owner considers that the amendment is required to ensure that the specified systems are performing and will continue to perform to the prescribed standards. The application should be made to the council as set out in section 106 Building Act 2004.

A recommendation for an amendment by an Independent Qualified Person/Licensed Building Practitioner can also be submitted with the Building Warrant of Fitness. The council will consider the application and respond appropriately.

Building Consents

Installation, alteration or removal of a specified system requires a building consent.

Penalties

The Building Act 2004 contains a number of provisions to protect public health and safety that are important for building owners and managers. There is a range of penalties for failing to comply with these provisions: Depending on the offence the fine ranges from \$20,000 to a maximum of \$200,000.

Obtaining a Compliance Schedule

You must complete form T-27.s1 Schedule of Specified Systems and provide detailed maintenance, inspection and reporting conditions for each system. The form is available at our customer service desk or www.gdc.govt.nz.

Fees

Fees will be charged for the following (for current fees, please contact the council):

- renewal of yearly building warrant of fitness
- issue of a new compliance schedule
- amendments to existing compliance schedule (either adding or removing features)

Specified Systems listed under the 2004 Building Act:

| | |
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| SS1 | Automatic systems for fire suppression |
| SS2 | Automatic or manual emergency warning systems |
| SS3 | Electromagnetic or automatic doors or windows |
| | SS3/1 Automatic doors |
| | SS3/2 Access controlled doors |
| | SS3/3 Interfaced fire or smoke doors or windows |
| SS4 | Emergency lighting systems |
| SS5 | Escape route pressurisation systems |
| SS6 | Riser mains for use by fire services |
| SS7 | Automatic back-flow preventers |
| SS8 | Lifts, escalators, travelators, or other systems for moving people or goods within |
| | SS8/1 Passenger carrying lifts |
| | SS8/2 Service lifts |
| | SS8/3 Escalators & moving walkways |
| SS9 | Mechanical ventilation or air conditioning systems |
| SS10 | Building maintenance units |
| SS11 | Laboratory fume cupboards |
| SS12 | Audio loops or other assistive listening systems |
| | SS12/1 Audio Loops |
| | SS12/2 FM radio frequency systems & infrared beam transmission systems |
| SS13 | Smoke control systems |
| | SS13/1 Mechanical smoke control |
| | SS13/2 Natural smoke control |
| | SS13/3 Smoke curtains |
| SS14 | Emergency power systems or signs relating to a system of feature specified in any |
| | SS14/1 Emergency power systems relating to a system of feature specified in any |
| | SS14/2 Signs relating to a system of feature specified in any of clauses 1-13 |
| SS15 | Other fire safety systems or features |
| | SS15/1 Systems to communicate spoken information intended to facilitate |
| | SS15/2 Final exits |
| | SS15/3 Fire separations |
| | SS15/4 Signs for communicating information to facilitate evacuation |
| | SS15/5 Smoke separations |
| SS99 | Cable Cars |

NOTE: Some property owners may have systems or features on their Compliance Schedule which have been listed under the 2004 Building Act and the previous 1991 Building Act. Under the previous 1991 Building Act, compliance schedules may have some features such as hose reels and safety barriers that require monitoring.

FOR FURTHER INFORMATION

See www.dbh.govt.nz/publications-about-the-building-act-2004 for more information regarding the above systems. A compliance schedule handbook published by the department of building and housing can also be downloaded free from:

www.dbh.govt.nz/userfiles/file/publications/building/building-act/compliance-schedule-handbook.pdf . Or contact us:

