

F9 Restricting access to residential pools

Restricting access by young children to residential pools.

On 1 January 2017 the Building (Pools) Amendment Act repealed the Fencing of Swimming Pools Act and inserted new provisions into the Building Act 2004.

The Amendment Act created Building Code clause F9.

[Building Code clause F9 – Means of restricting access to residential pools](http://www.legislation.govt.nz/regulation/public/1992/0150/latest/DLM162576.html#DLM7084015) (<http://www.legislation.govt.nz/regulation/public/1992/0150/latest/DLM162576.html#DLM7084015>) on the Legislation website sets out requirements for restricting access to residential pools.

This clause has the requirements to prevent unsupervised access by children under five years of age to residential pools. It requires barriers around pools to restrict unsupervised access by children. Barriers can include gates and suitably constructed doors. Some small heated pools may have a removable cover rather than a surrounding barrier.

F9/AS1 provides the Acceptable Solution for swimming pool barriers in general. F9/AS2 provides the Acceptable Solution for covers which may be used on above ground small heated pools.

The Building Act now requires residential pools to be inspected every three years by territorial authorities or independently qualified pool inspectors (IQPIs).

[Independently qualified pool inspectors](https://poolinspectors.tradingstandards.govt.nz/) (<https://poolinspectors.tradingstandards.govt.nz/>) on Trading Standards' pool inspector website has more information.

[Manufacturer and retailer notices](https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/manufacture-and-retailer-notices/) (<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/manufacture-and-retailer-notices/>) has information about notices that manufacturers and retailers must supply with pools.

Prior to 1 January 2017, [determinations about pool safety](https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/?keyword=&topic=pool-safety&action_doSearch=Search) (https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/?keyword=&topic=pool-safety&action_doSearch=Search) were issued relating to Building Code clause F4. These determinations provide some useful guidance for Building Code clause F9.

If you have questions or need guidance about your pool, please contact your local council.

[Contact us](https://www.building.govt.nz/about-building-performance/contact-us/) (<https://www.building.govt.nz/about-building-performance/contact-us/>) if you have any other questions.

NZS 8500:2006 Safety barriers and fences around swimming pools, spas and hot tubs

This Standard includes methods of assessing the strength of pool barriers. To use these methods to verify compliance with the New Zealand Building Code for residential pool barriers, they must be read in conjunction with Acceptable Solution F9/AS1.



New Zealand Standard NZS 8500:2006 Safety barriers and fences around swimming pools, spas and hot tubs

Download a free copy [PDF]
(<https://www.standards.govt.nz/assets/Publication-files/BSP/NZS8500-2006.pdf>)

Copyright statement: Access to NZS 8500:2006 Safety barriers and fences around swimming pools, spas and hot tubs is permitted by Standards New Zealand under Copyright Licence 001096. Any proposed use of content from NZS 8500:2006 in any format or media must be the subject of a copyright request, in writing, to copyright@standards.co.nz (<https://www.building.govt.nz/mailto:copyright@standards.co.nz>)

Updates

MBIE to consult twice yearly on changes to the Building Code System

10 AUGUST 2018

MBIE will now consult twice yearly to ensure Acceptable Solutions and Verification Methods are up to date.

(<https://www.building.govt.nz/about-building-performance/news-and-updates/all-news-and-updates/bc-update-237/>)

Consultation on amending Acceptable Solutions and Verification Methods 2018

8 AUGUST 2018

We want your feedback by 21 September on proposals to amend Acceptable Solutions and Verification Methods.

(<https://www.building.govt.nz/about-building-performance/news-and-updates/all-news-and-updates/bc-update-236/>)

View all related news and updates (https://www.building.govt.nz/search/?bcc%5D=f9-restricting-access-to-residential-pools&area=news-and-updates&show=all&action_doSearch=Search&sort=recent#results)

Acceptable Solutions and Verification Methods

Current version

These are issued by MBIE to provide one way of complying with the Building Code and must be accepted by BCAs as demonstrating compliance with the related clauses of the Building Code. Using them is not mandatory.

First edition, unamended

[PDF 703 KB]

Effective from 27 April 2017

(<https://www.building.govt.nz/assets/Uploads/building-code-compliance/f-safety-of-users/f9-restricting-access-residential-pools/asvm/f9-restricting-access-to-residential-pools.pdf>)

Acceptable Solutions and Verification Methods

(<https://www.building.govt.nz/building-code-compliance/how-the-building-code-works/different-ways-to-comply/acceptable-solutions-and-verification-methods/>) (AS and VMs) were called compliance documents. Some still have the “compliance document” title but the AS or VMs they contain are valid and unaffected by the name change.

Version history (<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/acceptable-solutions-and-verification-methods/>)

Guidance

These documents are provided to assist building consent authorities, building owners, designers and persons who carry out building work.



(<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/residential-pool-provisions-of-the-building-act-2004-guidance-for-territorial-authorities/>)

Residential pool provisions of the Building Act 2004: Guidance for territorial authorities

This guidance aims to help territorial authorities to enforce the barrier requirement for residential pools.

(<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/residential-pool-provisions-of-the-building-act-2004-guidance-for-territorial-authorities/>)



(<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/guidance-for-pool-owners/>)

Safety guidance for pool owners

Residential pools filled with water must have physical barriers that restrict access by unsupervised children.

(<https://www.building.govt.nz/building-code-compliance/f-safety-of-users/pool-safety/guidance-for-pool-owners/>)

[2004-guidance-for-territorial-authorities/](#))

View all related guidance (https://www.building.govt.nz/search/?bcc%5B%5D=f9-restricting-access-to-residential-pools&area=guidance&show=all&action_doSearch=Search&sort=recent#results)

Related Determinations

Determinations are made by MBIE on matters of doubt or dispute to do with building work. Rulings are legally binding in relation to each case. Circumstances in one case may differ to others.

Prior to 1 January 2017, determinations about pool safety were issued relating to Building Code clause F4. These determinations provide some useful guidance for Building Code clause F9.

2018/052: Whether an automatic pool cover complies with Building Code Clause F9

This determination considers whether the use of an automatic pool cover will comply with Clause F9 – Means of restricting access to residential pools of the Building Code. The determination discusses waivers and modifications, and the provision for automatic pool covers for small heated pools.

(<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2018-052/>)

2018/047: Code compliance of barriers to a pool

This determination considers whether the barriers to a small heated pool comply with Clause F9 – Means of restricting access to residential pools. The determination also discusses the waiver and modification provisions within the Building Act.

(<https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/determination-2018-047/>)

View 8 Determinations related to Restricting access to residential pools (https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/?bcc%5B%5D=f9-restricting-access-to-residential-pools&action_doSearch=Search#results)



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI

New Zealand Government