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[Rights and obligations in the building process](#)

If you are involved in a building project, it's important you know who is responsible for each aspect.

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[Stages of the building process](#)

Understand project stages, from scoping and design to consents, construction and completion.

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The reforms will speed up consenting and build confidence in the building system.

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[Understanding the building consent process](#)

For safe, healthy and durable buildings, all building work in New Zealand must meet certain standards. Find out how to build within the rules.

[Health and safety on site](#)

Avoid accidents and make site safety a priority.

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About managing buildings

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- [Securing unreinforced masonry building parapets and facades](#)
- [Change of use, alterations and extension of life](#)
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Specified systems and compliance schedules

If you own a building that contains a specified system such as a cable car, you must ensure they are effectively operated for the life of the building and in keeping with the council-issued compliance schedule.

- [Inspections and maintenance of specified systems as a building owner](#)
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[Determinations](#)

A determination is a binding decision made by MBIE providing a way of solving disputes or questions about the rules that apply to buildings, how buildings are used, building accessibility, and health and safety.

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- Regulation 6 – Decisions under policies, procedures and systems

Regulation 6 – Decisions under policies, procedures and systems

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Last updated: 6 July 2017

Building consent authorities must keep records of reasons for decisions related to the policies, procedure and systems the regulations require.

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The objective of the regulation

The objective of regulation 6 of the Building (Accreditation of Building Consent Authorities) Regulations 2006 (the Regulations) is to ensure that building consent authorities (BCAs) keep records of any decisions related to the policies, procedure and systems required by the Regulations, including:

- decisions made
- actions taken as a result of the decision
- relevant evidence or other material from which the facts have been drawn and a decision made
- relevant reasons for how any decision was made.

The regulatory guidance below has been developed to support understanding of the Regulations.

[Regulation 6](#) is available on the Legislation website.

The intent of regulation 6 is not that every single, minor decision needs to be documented (as this would be administratively onerous and unproductive) but to provide:

- a trail for quality processes or internal audits, and accreditation assessments
- a trail for organisational purposes and any legal proceedings
- information for compliance with the Building Act 2004
- information for Local Government Official Information and Meetings Act 1987 requests
- information for customer questions and queries.

The following are available on the Legislation website:

- [The Building Act 2004](#)
- [The Local Government Official Information and Meetings Act 1987](#)

MBIE's guidance on meeting the accreditation requirement

[Checklist for regulation 6](#) outlines the minimum criteria for compliance.

To comply with regulation 6, a BCA must keep a record of key decisions that includes, as applicable, the:

- decisions made
- actions taken as a result of the decision
- relevant evidence or other material from which the facts have been drawn and a decision made
- relevant reasons for how any decision was made.

The regulatory requirements of regulation 6 apply to all the policies, procedures and systems required by the Regulations. This is regardless of whether they are related to the performance of a building control function (for example, regulation 7) or the consistent and effective implementation of a policy, procedure or system that supports a BCA to perform building control functions (for example, regulations 8–18).

A decision record should contain a level of detail that suits the significance of the decision made. It should

include enough information, for example, for a peer reviewer, future building control official (BCO), or assessor to understand the decision-making process without requiring access to, or explanation from, the person who made the record. But, a decision record should not contain unnecessary or excessive information. The information recorded should have a direct link to the decision made.

The types of decision that must be recorded to meet the minimum accreditation requirements of regulation 6 are detailed below. Compliance with the requirements below will have the additional benefit of supporting a BCA to comply with a range of other accreditation requirements.

A BCA may choose to record the details of a wider range of decisions if it chooses to do so. Any additional decisions recorded are not subject to accreditation requirements.

Decisions that must be recorded, with reasons and outcomes

Regulation 7: Processing building consents

Decisions to be recorded include decisions about:

- whether to accept or reject a building consent application
- an application's compliance with the requirements of the:
 - Building Act 2004
 - Building Code
 - other applicable regulations
- the adequacy of additional information received with an application such as:
 - alternative solutions
 - producer statements
- whether a building method or product breaches a ban
- the referral of an application to Fire and Emergency New Zealand
- hazards that may result from, or accelerate or worsen as a result of the proposed building work
- requests for further information and suspending the statutory clock
- granting, refusing to grant and issuing a consent
- any building consent conditions.

Regulation 7: Inspecting building work

Decisions to be recorded include decisions about:

- inspection requirements (including information requirements)
- whether the building work complies with the building consent
- what constitutes an amendment to an original building consent and whether it is:
 - minor
 - significant
- issuing notices to fix.

Regulation 7: Certifying building work

Decisions to be recorded include decisions about:

- whether all specified systems in the building are operational
- whether all conditions of the building consent have been met
- whether all records of the building work are complete
- whether all inspections have been undertaken and passed
- the issue or refusal to issue a code compliance certificate
- preparing and amending compliance schedules
- issuing and refusing to issue compliance schedules.

Regulation 7: Managing complaints

Decisions to be recorded include decisions about:

- the findings of a complaint investigation
- the actions taken in response to a complaint.

Regulation 8: Determining capacity needs

Decisions to be recorded include decisions about:

- the number of employees needed and their required competencies
- the need to engage contractors
- recruitment decisions.

Regulation 9: Allocating work

Decisions to be recorded include decisions about:

- allocating building control function work to competent employees or contractors.

Regulation 10: Establishing competency

Decisions to be recorded include:

- results of initial and annual competency assessments of employees performing a building control function.

Regulation 11: Training plans

Decisions to be recorded include decisions about:

- training needs and plans of employees performing a building control function by doing a technical job.

Regulation 11: Supervision

Decisions to be recorded include decisions about:

- any need to supervise an employee performing a building control function in a technical job
- any supervision arrangements in place.

Regulation 12: Contractor selection

Decisions to be recorded include decisions about:

- how the BCA will ensure competent contractors will be:
 - selected
 - monitored
 - assessed (to ensure effective performance of building control work)
- why a particular contractor was selected to perform building control work.

Regulation 13: Selecting leaders

Decisions to be recorded include decisions about how technical leaders will be:

- selected
- granted powers and/or authorities
- monitored
- assessed (to ensure effective performance of building control work).

Regulation 13: Leader's powers

Decisions to be recorded include decisions about:

- the powers and authorities granted to technical leaders.

Regulation 14: Information

Decisions to be recorded include decisions about:

- the information needed by those performing a building control function doing a technical job

- how up-to-date information will be accessed (online or in hard copy).

Regulation 14: Facilities

Decisions to be recorded include decisions about:

- the facilities needed by those performing a building control function doing a technical job.

Regulation 14: Equipment

Decisions to be recorded include decisions about:

- the equipment those doing a technical job need
- maintenance of equipment including the frequency of:
 - servicing
 - calibration
 - replacement.

Regulation 17: Management oversight

Decisions to be recorded include decisions about:

- the nature and frequency of management reporting required
- the nature and frequency of the review of the quality assurance system.

Regulation 17: Continuous improvement

Decisions to be recorded include decisions about:

- how to address issues identified through quality assurance systems.

Regulation 17: Conflicts of interest

Decisions to be recorded include decisions about:

- what constitutes a potential or actual conflict of interest
- how to manage perceived and actual conflicts of interest.

[Detailed regulatory guidance on the BCA accreditation scheme](#)

- [Quick reference guide](#)
- [Checklists for BCA accreditation regulatory guidance](#)
- [Regulations 1-4: Preliminary provisions](#)
- [Regulation 5 – Requirements for policies, procedures and systems](#)
- [Regulation 6 – Decisions under policies, procedures and systems](#)
- [Regulation 6A – Notification requirements](#)
- [Regulation 7 – Performing building control functions](#)
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- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution

Services Act 2006.