

## Registering to become a BCA

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Last updated: 1 March 2019

This section of the website includes information about how to apply to become a registered BCA, and details on the registration requirements, which are particularly important for private organisations. It also sets out the fees that must be paid when applying for registration.



## Regulatory roles

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As the central regulator of the building system, MBIE's role is to ensure the buildings New Zealanders use are safe, healthy and durable. As part of this, MBIE is responsible for determining the suitability and integrity of those who will be performing building control work.

Registered building consent authorities (BCAs) play a critical role as co-regulators in the building system. In performing their building regulatory control work, BCAs must ensure that other participants in the building sector comply with relevant rules and standards. MBIE will therefore apply an appropriate and robust assessment of applications for registration as a BCA to ensure applicants are suitable for this co-regulator role.

## Registration requirements

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In addition to Territorial and Regional Authorities, private entities can apply to be registered as BCAs. Section 191 of the Building Act 2004 (the Act) enables the Chief Executive of the Ministry of Business, Innovation and Employment (MBIE) to enter an organisation's name on the Building Consent Authorities (BCAs) Register if the criteria for registration are met. Section 192 of the Act and the Building (Registration of Building Consent Authorities) Regulations 2007 (the registration Regulations) set out the criteria, which include that the applicant must (where required):

- hold a Certificate of Accreditation from the accreditation body
- be a fit and proper person
- be a New Zealand citizen, resident or incorporated body
- pay the prescribed registration fee.

### Additional requirements for private organisations or persons

#### Fit and proper person requirement

An applicant that is a private organisation or person must be a fit and proper person. This means that they must:

- be of good character and have integrity
- be able to maintain impartiality and independence in the delivery of building control functions
- conduct themselves professionally

- demonstrate an ability to conduct business in a responsible and ethical manner.

The determination of an applicant's 'fit and proper person' status will involve detailed consideration of information and enquiries about the organisation's attributes, including checks of company directors and key staff.

Adequate means to cover any civil liabilities

An applicant that is a private organisation or person must also have adequate means to cover any civil liabilities that may arise in performing consenting functions. As part of this, an applicant must demonstrate adequate means for the full limitation period (10 years from the date of an act or omission by the BCA as specified by section 393 of the Act).

In addition to assessment by MBIE, external legal, financial and risk management advisors will be engaged to assess information provided by the applicant. The role of these advisors will include checking and preparing comments on the applicant's ability to demonstrate adequate means, including:

- the nature and extent of the applicant's risk exposure
- the applicant's risk management arrangements
- the applicant's likely retained liability
- capital available to support the likely liability
- whether adequate means is assured for the full responsibility period.

Any further information considered necessary

An applicant that is a private organisation or person may be requested to provide any further information that is considered necessary for the purposes of assessing whether the applicant has met the registration criteria. For example, a request for the applicant to submit to formal suitability checks, including police and occupational licensing checks of any members of management.

The following are available on the Legislation website:

- [The Building Act 2004 \(http://www.legislation.govt.nz/act/public/2004/0072/latest/DLM306036.html\)](http://www.legislation.govt.nz/act/public/2004/0072/latest/DLM306036.html)
- [Building \(Registration of Building Consent Authorities\) Regulations 2007 \(http://www.legislation.govt.nz/regulation/public/2007/0300/latest/DLM973528.html\)](http://www.legislation.govt.nz/regulation/public/2007/0300/latest/DLM973528.html)

## Applications for registration

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### Completing the application form

The applicant must complete all parts of the application form and provide all relevant information to support their application.

The declaration on the application form must be completed by a person who has legal authority to sign on behalf of the applicant. A significant penalty, including a term of imprisonment of up to 3 years, may be imposed under the Crimes Act 1961 for making a false declaration.

When the applicant has compiled the required information, they must take it to a Justice of the Peace, a solicitor or the Registrar or Deputy Registrar of the Court to be witnessed. Copies of any document provided by a private organisation or person must be verified as true copies by a Justice of the Peace, a solicitor or Registrar or Deputy Registrar of the Court.

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#### Form 2: Application for registration by a territorial or regional authority

[DOCX 100 KB]

<https://www.building.govt.nz/assets/Uploads/building-officials/bca-accreditation/form2-apply-registration-territorial-authority.docx>

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#### Form 1: Application for registration by a private organisation or person

[DOCX 90 KB]

<https://www.building.govt.nz/assets/Uploads/building-officials/bca-accreditation/form1-apply-registration-private-organisation-person.docx>

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### Submitting the application form

Completed applications must be sent to:

By post or courier:

Manager, Building System Assurance  
Market Services  
Ministry of Business, Innovation and Employment  
PO Box 1473, Wellington 6140

By email:

[consentsystem@mbie.govt.nz](mailto:consentsystem@mbie.govt.nz) (<https://www.building.govt.nzmailto:consentsystem@mbie.govt.nz>)

Supporting documents must be scanned and attached to the email as PDFs.

## Fees for registration

A fee of NZD\$6,250 must accompany an application, unless the applicant is a territorial or a regional authority, in which case no fee is required.

The fee is payable by a private organisation to cover the cost assessing the application.

MBIE will issue you with an invoice upon receipt of your application and begin assessing your application when the invoice has been paid.

## The assessment process

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Your application for registration will be assessed [against the criteria \(https://www.building.govt.nz#jumpto-registration-requirements\)](https://www.building.govt.nz#jumpto-registration-requirements) set out in sections 192 and 194 of the Act. If approved, your registration will be recorded in the Building Consent Authorities (BCAs) Register.

The time required to approve or decline your application will vary depending on the scope of the application, information provided, any further information required and the complexity of the assessment required to confirm suitability of the applicant.

MBIE may need to contact you for further information or clarification about aspects of your application during the assessment process.

As part of the assessment process, MBIE may also:

- make further enquiries to verify or seek information from third parties, in addition to the information provided by the applicant
- request interviews with the applicants and/or relevant members of the applicant's management team
- seek advice from specialist external advisors with regards to adequate means being met.

If MBIE becomes aware of information which will materially affect your application, you will be provided with an opportunity to comment on the information.

When the assessment of your application has been completed, MBIE will inform you of the decision in writing.

### If your application is approved

If your application is approved, you will be issued with a certificate of registration and details of your registration will be recorded on the Building Consent Authorities (BCAs) Register.

MBIE will monitor the performance of BCAs based on its compliance and monitoring framework. MBIE will periodically seek information relating to your ongoing ability to meet the registration requirements and will write to you when you are required to provide this information.

In addition, you must notify IANZ and MBIE of any changes to your organisation that may impact on your accreditation and/or registration within 20 working days of the decision, action or event occurring or being identified. Further information about what changes must be notified and how to do this can be found in [Notification requirements for the BCA accreditation \(https://www.building.govt.nz/building-officials/bca-accreditation/detailed-regulatory-guidance/6a-notification-requirements/\)](https://www.building.govt.nz/building-officials/bca-accreditation/detailed-regulatory-guidance/6a-notification-requirements/) scheme.

### If your application is declined

MBIE may decline your application for registration if:

- you have not paid the required application fee
- you do not meet one or more of the criteria for registration
- you do not supply any further information that we may have asked for within the specified timeframes.

If your application is declined, MBIE will consider any requests for a refund of the registration fee in part or full.

## Withdrawing your application

You can withdraw your application at any time by providing MBIE written notice.

If you withdraw your application, MBIE will consider any requests for a refund of the registration fee in part or full.

## Contacting MBIE

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For more information, contact the Building System Assurance team at [consentsystem@mbie.govt.nz](mailto:consentsystem@mbie.govt.nz) (<https://www.building.govt.nzmailto:consentsystem@mbie.govt.nz>).

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New Zealand Government

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- with compliance with the Building Act, it is published under section 175 of the Building Act
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