

## Inspection and maintenance of specified systems

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Last updated: 22 April 2020

Maintaining buildings with specified systems under COVID-19 restrictions.

Inspection and maintenance of specified systems can continue under alert level 3 provided health and safety requirements and distancing measures are in place to ensure this can be carried out safely, according to COVID-19 health and safety requirements.

[COVID-19 health and safety requirements for building and construction \(https://www.building.govt.nz/alert-level-3/##jumpto-meeting-health-and-safety-and-physical-distancing-requirements\)](https://www.building.govt.nz/alert-level-3/##jumpto-meeting-health-and-safety-and-physical-distancing-requirements)



## Reoccupying buildings

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A move to Alert Level 3 (or lower) will see some buildings being reoccupied, such as educational facilities. It is important that building owners familiarise themselves with their obligations around ensuring their premises are safe for people to use.

Building owners have an obligation to ensure the specified systems in their buildings are operating as intended when they were installed. For buildings that were unoccupied during Alert Level 4 it is likely that inspection, maintenance and reporting procedures were stopped, while buildings that were occupied likely had a reduction in frequency or type of inspections. In these cases, building owners should engage an independent qualified person before reoccupation to inspect and test any relevant systems.

## Managing Building Warrants of Fitness (BWoF) responsibilities

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Restrictions put in place under COVID-19 Alert Level 4 prevented some building owners and owner's agents from carrying out inspection, maintenance and reporting (IMR) procedures according to the buildings compliance schedule.

The Building Act 2004 (the Act) requires completion of all IMR procedures in the buildings compliance schedule for the previous 12 months, in order for a BWoF to be issued. Unfortunately, the Act does not provide any flexibility or exemptions to this requirement. This means for those buildings where IMR procedures have been missed, at the time the next BWoF is due, a valid BWoF will not be able to be supplied or displayed.

The following measure provides reassurance that the specified systems are currently performing as required and provides information about the missed IMR procedures.

When a BWoF is due, but cannot be supplied and displayed because IMR procedures were missed, the owner should issue a Building Systems Status Report (BSSR) which:

- states that a BWoF cannot be supplied or displayed because one or more IMR procedures were missed due to Covid-19 Alert Level restrictions
- states that this document has been issued in lieu of a BWoF
- lists the specified systems contained in the building where IMR procedures have been missed in the previous 12 months
- lists the specified systems contained in the building where IMR procedures have not been missed in the previous 12 months
- states that all specified systems are currently performing to the performance standards.

When supplying the BSSR to the local council, the owner should also attach:

- all form 12As for the specified systems where no IMR procedures have been missed
- a Specified System Status Report (SSSR) issued by an IQP for each specified system where IMR procedures were missed.

Where IMR procedures have been missed, an individual report (SSSR) for each affected specified system should be issued by an IQP which:

- states the specified system
- states that a Form 12A cannot be issued because one or more IMR procedures were missed due to Covid-19 Alert Level restrictions
- lists the IMR procedures for that system as stated in the compliance schedule (*eg daily owners inspection and monthly IQP inspections*)
- lists the IMR procedures that were missed in the previous 12 months and the reason the procedures were missed (*eg 1 IQP inspection due in April 2020 and 30 daily owners inspections were missed due to the temporary closure of the building and Covid-19 restrictions preventing access to the building systems*)
- lists any procedures that were put in place to ensure the continued operation of the specified system during alert level 4 restrictions (*eg minimal repair or maintenance*)
- states that the specified system is/is not currently performing to the performance standard
- states whether the missed IMR procedures have materially affected the ability of specified system to perform to the performance standard for that system.

The building owner should supply a BSSR to the local council on the anniversary of the issue of the compliance schedule and publicly display a copy of the BSSR in the building.

It is important to note that the supply and display of a BSSR does not change any responsibilities an owner has under the Act, including the offence provisions under section 108 and breaches under section 164. Local councils are tasked with administering and enforcing the BWoF provisions at a local level, and we expect a pragmatic approach will be taken at this unprecedented time.

Sample BSSR and SSSR templates are provided below.

[Building Systems Status Report \[DOCX, 25KB\]](https://www.building.govt.nz/assets/Uploads/covid-19/building-systems-status-report.docx) (<https://www.building.govt.nz/assets/Uploads/covid-19/building-systems-status-report.docx>)

[Specified System Status Report \[DOCX, 24KB\]](https://www.building.govt.nz/assets/Uploads/covid-19/specified-system-status-report.docx) (<https://www.building.govt.nz/assets/Uploads/covid-19/specified-system-status-report.docx>)

## Where no procedures have been missed

It is possible that for some buildings no IMR procedures have been missed. In these cases the owner should be able to supply a BWoF as normal to the local council. Whether the owner can publicly display a BWoF will depend on the alert level restrictions in place at the time.

## Insurance

MBIE encourages building owners to review any insurance policies to understand the impacts of the non-supply of a BWoF on their cover and to contact insurance providers if required. Where insurance cover is impacted, owners could work with their provider to amend policy wording to reflect the importance of systems currently performing as opposed to procedures being carried out.

- 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.