

Fines and penalties for offences relating to compliance schedules

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As a building owner, you need to be aware of fines and penalties if you fail to comply with the Building Act requirements for specified systems, compliance schedules, and BWoFs.

The building warrant of fitness (BWoF) and compliance schedule requirements in the Building Act are in place to ensure specified systems perform correctly.

Building owners who fail to meet the requirements risk the health and life safety of their building's occupants. The Building Act recognises these risks and the serious consequences, should you not comply.

Therefore, building owners are able to be prosecuted or fined under the Act for the following offences:

- failure to obtain a compliance schedule
- failure to supply the council with a building warrant of fitness
- failure to display a building warrant of fitness required to be displayed
- displaying a false or misleading building warrant of fitness
- displaying a building warrant of fitness other than in accordance with section 108 of the Building Act.

These offences carry a maximum fine of \$20,000.

If you fail to obtain a compliance schedule, you may be fined a further \$2,000 for every day you don't have one.

Councils can also issue you instant fines ranging from \$250 to \$1,000 for any of the compliance schedule and building warrant of fitness breaches listed above.

The Building Act allows councils to issue a notice to fix where:

- a building warrant of fitness is not correct
- the inspection, maintenance or reporting procedures stated in the compliance schedule are not being, or have not been, properly complied with
- or any other breach of the Building Act or Regulations.

A notice to fix is a warning to correct an instance of non-compliance with the Building Code and/or Building Act. If you fail to correct the non-compliance, you are liable of a maximum fine of \$200,000 and a further \$20,000 for each day the offence is continued.

An instant fine of \$1,000 can also be issued if a notice to fix is not complied with.

It is also an offence to use or permit the use of a building which is dangerous or insanitary, or if it has inadequate means of escape from fire. This offence carries a fine of up to \$100,000.

If you continue this offence, there is a further fine not exceeding \$10,000 for every day the offence is continued. Instant fines of \$1,500 and \$2,000 can be issued for these offences.

If you fail to have a building warrant of fitness, any insurance cover you have may also be compromised.

Related content

[Managing your BWoF \(for buildings with specified systems\) \(https://www.building.govt.nz/managing-buildings/managing-your-bwof/\)](https://www.building.govt.nz/managing-buildings/managing-your-bwof/)

Owners of buildings with specified systems need to supply council with a BWoF annually (including IQP certification).

[Acting on a council notice to fix \(https://www.building.govt.nz/projects-and-consents/build-to-the-consent/acting-on-a-council-notice-to-fix/\)](https://www.building.govt.nz/projects-and-consents/build-to-the-consent/acting-on-a-council-notice-to-fix/)

Notice to fix, what it means and what you should do.



New Zealand Government

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