

Carrying out restricted building work

The rules about restricted building work are part of the council's role in consenting and inspecting building work. This protects you and future owners by creating a record of who did what on your home and how it meets New Zealand's building standards.

An overview of the process

All restricted building work must be carried out or supervised by a Licensed Building Practitioner (LBP).

When you use an LBP to do or supervise restricted building work, they must provide a Certificate of Design Work (which forms part of the building consent application) or a Record of Building Work (which forms part of the application for code compliance certificate).

Before starting a project that involves restricted building work, you need to engage an LBP designer to carry out or supervise the restricted building work aspects of your design. The LBP designer will provide you with a Certificate of Design Work which you will need to apply for a building consent.

You can apply for the building consent yourself, or engage someone to do this on your behalf (eg, the LBP designer).

In addition to providing the certificate of design work, the building consent application will also need to identify the trade LBPs who will carry out the construction of your home.

After you receive consent and construction starts, ensure your LBPs (carpenter, foundation layer, roofer and tradespeople) each provide a Record of Building Work (RoW) when they finish. Records of Work are required for your application for a code compliance certificate at the end of the project.

Notify your council of your LBPs

The building consent application must give the names and contact details of the LBPs who will be carrying out or supervising restricted building work.

There may be times when you haven't engaged your trade LBPs to do the work before you submit your building consent application. You will need to let the council know the names of your LBPs as soon as you can as restricted building work construction work cannot begin before this.

If an LBP leaves and is replaced during the build, let your council know. The LBP leaving the job will need to give you a Record of Building Work for what they have completed. The new LBP completing the work should give you a Record of Building Work from that point on (this may be in the quote or contract).

[Build to the consent \(https://www.building.govt.nz/projects-and-consents/build-to-the-consent/\)](https://www.building.govt.nz/projects-and-consents/build-to-the-consent/) has information on letting your council know if your plans change.

Who can carry out restricted building work

Restricted building work can only be carried out or supervised by a person licensed in the relevant licence class. The licence classes are:

- design
- carpentry
- roofing
- external plastering
- bricklaying or blocklaying

- foundations
- site.

Registered architects and chartered professional engineers are automatically treated as Design LBPs.

Licensed or certified plumbers or gasfitters are automatically treated as licensed for certain work (to recognise they fit, seal or flash pipework through exterior walls and do some roofing and cladding in the ordinary course of their work).

Sometimes, trade classes overlap. For example, a person licensed in the carpentry class may also carry out or supervise:

- construction of concrete foundations, pile foundations or both
- installation of lightweight profiled metal roofing.

Supervision

Restricted building work must either be done or supervised by an LBP.

Supervision means someone with the appropriate licence class provides direction and oversight of another person carrying out the work to make sure it is done properly and complies with the building consent.

Supervisors are responsible for the work that's being carried out by those they are supervising. They need to sign the Certificate of Design Work, or Record of Building Work stating what they supervised.

There are fines if this is not carried out properly.

DIY and restricted building work

You can do work on your own home or holiday home yourself, including restricted building work, as long as you meet the requirements of the owner builder exemption and obtain any necessary building consent or permits before starting work.

Remember, any building work you do must comply with the Building Code and, if it is restricted building work, you still need to obtain a building consent.

DIY, but build it right (<https://www.building.govt.nz/getting-started/stages-of-the-building-process/diy-but-build-it-right/>) provides information for owner-builders.

Certificates and Records of Work

LBPs must provide Certificates of Design Work or Records of Building Work.

These are also known as “memorandum” or “CoWs” and “RoWs”. They need to detail all aspects of restricted building work carried out or supervised by each LBP.

These must be made in the prescribed form, and be fully completed and signed.

Your LBP cannot contract out of this obligation. Your LBP could face disciplinary action or fines if a Certificate of Design Work or a Record of Building Work is not provided.

The LBP's Certificate of Design Work and any Records of Building Work need to be submitted to your council.

- Certificate of Design Work – submit with consent application
- Records of Work – submit

Certificate of Work (CoW)

[PDF 539 KB]

<https://www.building.govt.nz/assets/Uploads/projects-and-consents/restricted->

Record of Work (RoW)

[PDF 618 KB]

<https://www.building.govt.nz/assets/Uploads/projects-and-consents/restricted->

with application for a code compliance certificate at the end of the project.

[building-work/memorandum-certificate-of-design-work.pdf](#)

[building-work/memorandum-record-of-building-work.pdf](#)

Your council will put the Certificate of Design Work and any Records of Building Work on your property file. This provides a publicly available record of which LBP's did restricted building work to your home.

If your LBP only has a "site" licence, they cannot supervise or sign off work. The site licence is a voluntary licence to show the holder has been assessed as competent in site coordination.

Fines and offences

If you don't use an LBP when you need to, the council may not approve your consent application or there may be delays in issuing a code compliance certificate for the work.

You may also be required to:

- stop your building work
- comply with a Notice to Fix requiring that an appropriately licensed LBP be engaged to carry out or supervise the restricted building work for the rest of the project.

Councils may also refer the matter to us to consider what action to take.

Without the right paperwork, your insurance or finances could be affected, and it could pose problems when it's time to sell.

The rules about restricted building work are considered so important, if you don't follow them you could get an instant fine, or face a court fine of up to \$20,000.

If you know of a tradesperson who is carrying out or supervising restricted building work without a licence, or with the wrong licence class, you can make a complaint against them.

[Complain about a building practitioner \(https://www.building.govt.nz/resolving-problems/resolution-options/formal-complaints/complain-about-a-building-practitioner/\)](https://www.building.govt.nz/resolving-problems/resolution-options/formal-complaints/complain-about-a-building-practitioner/) explains the process.

Related pages

[Choose the right people \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/\)](https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/) – information and links for finding an LBP, getting quotes and tenders, why contracts are valuable and when they are required (for work over \$30,000 or more including GST).

[Your rights and obligations \(https://www.building.govt.nz/getting-started/your-rights-and-obligations/\)](https://www.building.govt.nz/getting-started/your-rights-and-obligations/) includes guidance for homeowners and contractors.

[LBP licence classes \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/use-licensed-people-for-restricted-building-work/restricted-building-work/lbp-licence-classes/\)](https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/choosing-the-right-people-for-your-type-of-building-work/use-licensed-people-for-restricted-building-work/restricted-building-work/lbp-licence-classes/) explains what type of restricted building work each LBP can do.

This information is published by the Ministry of Business, Innovation and Employment's Chief Executive. It is a general guide only and, if used, does not relieve any person of the obligation to consider any matter to which the information relates according to the circumstances of the particular case. Expert advice may be required in specific circumstances. Where this information relates to assisting people:

- 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.