



Building Act 1993

ISSUING OF BUILDING PERMITS (DEMOLITION/REMOVAL) AND THE OWNER BUILDER

Pursuant to section 188(1)(c) of the **Building Act 1993** I hereby issue the following Guideline concerning the functions of municipal building surveyors and private building surveyors in respect of section 24(1)(c) of the **Building Act 1993**. Note that section 188(7) provides that municipal building surveyors and private building surveyors must have regard to this Guideline in carrying out their functions.

A relevant building surveyor must not issue a building permit for the demolition or removal of a building under section 24 of the **Building Act 1993** unless:

the person nominated as the builder on the application for a building permit is a registered building practitioner in the appropriate category or class having regard to section 176(7) of the Act.

If the owner is nominated as the builder it is the owner who must demonstrate that he or she has the necessary knowledge, experience, equipment and storage facilities to properly conduct the demolition operations as required by Regulation 2.1(5) of the Building Regulations 1994. It will be expected in these circumstances that it will be rare for a building permit to demolish a building to be issued to an owner builder.

ROBERT MACLELLAN
Minister for Planning and Local Government

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