

Form 2B

**Statutory declaration as to owner-builder status**

**Section 45, section 87A, and section 90D, Building Act 2004**

**The building**

Street address of building:

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**The owner**

Name of owner:

Address:

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Phone number:

Email address:

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**Identification of design work that is restricted building work that has been carried out by owner-builder**

**Note:** Complete the following section if this form is attached to an application for a building consent that is accompanied by plans or specifications containing design work that is restricted building work that has been carried out by the owner-builder (section 45(5)(b) of the Building Act 2004).

The design work that is restricted building work that I,

*[name, place of abode, and occupation]*

carried out as an owner-builder is:

\*all of the design work that is restricted building work described in the attached application for a building consent;

**or**

\*the design work that is restricted building work as set out below:

*\*Strike out words which do not apply.*

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<b>Design work that is restricted building work</b>	<b>Description</b>	<b>Reference to plans and specifications</b>
<i>[Tick]</i>	<i>[If appropriate, provide details of the restricted building work]</i>	<i>[If appropriate, specify references]</i>
<b>Primary structure</b>		
Foundations and subfloor framing ( )		
Walls ( )		
Roof ( )		
Columns and beams ( )		
Bracing ( )		
Other ( )		
<b>External moisture management systems</b>		
Damp proofing ( )		
Roof cladding or roof cladding system ( )		
Ventilation system (for example, subfloor or cavity) ( )		
Wall cladding or wall cladding system ( )		
Waterproofing ( )		
Other ( )		

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**Fire safety systems**

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Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other	( )		
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**Note:**

1. The design of fire safety systems is only restricted building work when it involves small-to-medium apartment buildings as defined by the Building (Definition of Restricted Building Work) Order 2011.
2. Continue on another page if necessary.

**Identification of building work that is restricted building work intended to be carried out under an owner-builder exemption****Note:** The following section is to be completed if:

(a) this form is accompanying an application for a building consent and the owner intends to carry out building work that is restricted building work (section 45(5)(a) of the Building Act 2004);

*or*

(b) the application for a building consent was not accompanied by a statutory declaration in this form and the owner intends to carry out building work that is restricted building work (section 87A(2) of the Building Act 2004);

*or*

(c) under a building consent, there has been a change in the owner-builder carrying out the restricted building work and the new owner-builder has not already submitted to the building consent authority a statutory declaration in this form to that effect (section 87A(3)(a) of the Building Act 2004)

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The building work that is restricted building work that I,

[*name, place of abode, and occupation*]

intend to carry out as an owner-builder is:

\*all of the building work that is restricted building work described in the attached application for a building consent;

**or**

\*the building work that is restricted building work as set out below:

\*Strike out words which do not apply.

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<b>Building element</b>	<b>Description of restricted building work</b>
<i>[Tick]</i>	<i>[If necessary, describe the restricted building work]</i>
<b>Primary structure</b>	
Foundations and subfloor framing ( )	
Walls ( )	
Roof ( )	
Columns and beams ( )	
Bracing ( )	
Other ( )	
<b>External moisture management systems</b>	
Damp proofing ( )	
Roof cladding or roof cladding system ( )	
Ventilation system (for example, subfloor or cavity) ( )	
Wall cladding or wall cladding system ( )	
Waterproofing ( )	
Other ( )	

**Note:** continue on another page if necessary.

**Status as owner-builder**

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I,

[name, place of abode, and occupation]

am an owner-builder for the purposes of the Building Act 2004 as I:

- (a) have a relevant interest in the land or the building on which the restricted building work is carried out; and
- (b) reside or intend to reside in the household unit in relation to which the restricted building work is carried out; and
- (c) \*have carried out the design work that is restricted building work myself or with the assistance of my unpaid friends and family members; and
- (d) \*will carry out the restricted building work myself or with the assistance of my unpaid friends and family members; and
- (e) have not, under the owner-builder exemption, carried out restricted building work in relation to a different household unit within the previous 3 years.

*\*Delete if the paragraph does not apply.*

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**Defined terms**

**Relevant interest**, in relation to the land or the building on which restricted building work is carried out, means a legal or equitable interest in the land or building and includes:

- (a) a right of occupancy of the land or building or part of the building; or
- (b) a right, power, or privilege over, or in connection with, the land or building.

**Reside** includes temporarily reside.

**Statutory declaration**

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I,

[name, place of abode, and occupation]

solemnly and sincerely declare that the statements contained in the this form are true. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

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Declared at	[place, date]
Before me	[Justice of the Peace, barrister and solicitor of the High Court, or other person authorised by law to take statutory declarations*]
Signature:	

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*\*Select one.*