



# Form 2B STATUTORY DECLARATION AS TO OWNER-BUILDER STATUS

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

### 1. THE BUILDING

Street address of building:

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### 2. OWNER

Name of owner:

Address:

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Phone number:

Email address:

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### 3. THE PROJECT

#### 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): \_\_\_\_\_

Of (place of abode): \_\_\_\_\_

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.

4. DESIGN WORK THAT IS RESTRICTED BUILDING WORK	Description	Reference to plans and specifications
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<i>[Tick]</i>	<i>[If appropriate, provide details of the restricted building work]</i>	<i>[If appropriate, specify references]</i>
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<b>Primary structure</b>		
Foundations and subfloor framing	<input type="checkbox"/>	
Walls	<input type="checkbox"/>	
Roof	<input type="checkbox"/>	
Columns and beams	<input type="checkbox"/>	
Bracing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

<b>External moisture management systems</b>		
Damp proofing	<input type="checkbox"/>	
Roof cladding or roof cladding system	<input type="checkbox"/>	
Ventilation system (for example, subfloor or cavity)	<input type="checkbox"/>	
Wall cladding or wall cladding system	<input type="checkbox"/>	
Waterproofing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

<b>Fire safety systems</b>		
Emergency warning systems, evacuation and fire service operation systems, suppression or control systems, or other	<input type="checkbox"/>	

- 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)

The design work that is restricted building work that I, (*name*): \_\_\_\_\_

Of (*place of abode*): \_\_\_\_\_

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.

5. BUILDING ELEMENT	Description of restricted building work
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*[Tick] [If necessary, describe the restricted building work]*

**Primary structure**

Foundations and subfloor framing	<input type="checkbox"/>	
Walls	<input type="checkbox"/>	
Roof	<input type="checkbox"/>	
Columns and beams	<input type="checkbox"/>	
Bracing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

**External moisture management systems**

Damp proofing	<input type="checkbox"/>	
Roof cladding or roof cladding system	<input type="checkbox"/>	
Ventilation system (for example, subfloor or cavity)	<input type="checkbox"/>	

Wall cladding or wall cladding system	<input type="checkbox"/>	
Waterproofing	<input type="checkbox"/>	
Other	<input type="checkbox"/>	

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

**Status as owner-builder**

I, (name): \_\_\_\_\_

Of (place of abode): \_\_\_\_\_

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.*

**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.

**6. STATUTORY DECLARATION**

**Statutory declaration**

I, (name): \_\_\_\_\_

Of (place of abode): \_\_\_\_\_

Occupation: \_\_\_\_\_

Solemnly and sincerely declare that the statements contained in 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.

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:	

*\*Select one.*