



Building (Building Code: Energy Efficiency of Domestic Hot Water Systems) Amendment Regulations 2008

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 11th day of August 2008

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 400 of the Building Act 2004, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister (as defined by section 7 of that Act) made, as required by section 403(2) of that Act, after he or she became satisfied that the chief executive (as so defined) has consulted in accordance with section 403(3) and (4) of that Act, makes the following regulations.

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Regulations

- 1 Title**

These regulations are the Building (Building Code: Energy Efficiency of Domestic Hot Water Systems) Amendment Regulations 2008.
- 2 Commencement**

These regulations come into force on 1 February 2009.
- 3 Principal regulations amended**

These regulations amend the Building Regulations 1992, regulation 3 and Schedule 1 of which continue in force in accordance with—

 - (a) section 415(2)(a) of the Building Act 2004; and
 - (b) regulation 8(2)(a) of the Building (Forms) Regulations 2004.
- 4 Clause H1.2 amended**

Clause H1.2(b) is amended by inserting “and from” after “hot water to”.
- 5 New clause H1.3.4 substituted**

Clause H1.3.4 of Schedule 1 is revoked and the clause H1.3.4 set out in the Schedule of these regulations substituted.
- 6 Saving: building work not affected by amendments**

The building code set out in Schedule 1 of the principal regulations applies as if these regulations had not been made, to building work covered by an application that is—

 - (a) for a building consent or certificate of acceptance; and
 - (b) made before the close of 31 January 2009.

Schedule

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New clause H1.3.4 substituted in Schedule

1

H1.3.4 Systems for the heating, storage, or distribution of hot water to and from *sanitary fixtures* or *sanitary appliances* must, having regard to the energy source used,—

- (a) limit the energy lost in the heating process; and
 - (b) be constructed to limit heat losses from storage vessels and from distribution systems; and
 - (c) be constructed to facilitate the efficient use of hot water.
- Performance H1.3.4(b) does not apply to individual storage vessels that are greater than 700 litres in capacity.
- Performance H1.3.4(c) applies only to *housing*.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 February 2009, amend the building code set out in Schedule 1 of the Building Regulations 1992.

The amendments impose new performance requirements relating to the objective of facilitating the efficient use of energy in systems for heating, storing, and distributing hot water. The systems in regard to which the new requirements are imposed include systems for carrying hot water from, as well as to, sanitary fixtures and sanitary appliances. *New clause H1.3.4(c)* requires those systems in housing to be constructed to facilitate the efficient use of hot water.

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Regulation 6 is a savings provision for building work that requires a building consent and is covered by an application that is made before the close of 31 January 2009 for a building consent or certificate of acceptance.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 14 August 2008.
These regulations are administered by the Department of Building and Housing.
