

Title	Demonstrate knowledge of building law		
Level	5	Credits	5

Purpose	People credited with this unit standard are able to: explain aspects of the New Zealand legal structure; explain the principles of selected branches of New Zealand civil law in terms of their relevance to the construction industry; explain aspects of New Zealand law relating to business entities; and explain the legal fundamentals of dispute resolution.
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Classification	Construction > Core Planning and Construction
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Available grade	Achieved
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Explanatory notes

- 1 Knowledge of building law at this level covers the identification and explanation of the principles of New Zealand law and alternative dispute resolution as they apply to the construction industry. It does not involve complex legal principles or a detailed analysis of case law.
- 2 Assessment of this unit standard can be by simulation and/or observation.
- 3 Legislation relevant to this unit standard includes: Health and Safety in Employment Act 1992 and Health and Safety in Employment Regulations 1995; Resource Management Act 1991; Companies Act 1993; Partnership Act 1908; Consumer Guarantees Act 1993; Weathertight Homes Resolution Services Act 2006; Construction Contracts Act 2002; Treaty of Waitangi Act 1975; Building Act 2004.

Outcomes and evidence requirements

Outcome 1

Explain aspects of the New Zealand legal structure.

Evidence requirements

- 1.1 Explanation of New Zealand's legal system establishes its sources and current structure.
- Range sources – common law, equity, statute law;
current structure – parliament, executive, judiciary, ombudsman.
- 1.2 Explanation of the legal standing of the Treaty of Waitangi establishes its impact on the law generally, and on the construction industry in particular.

Outcome 2

Explain the principles of selected branches of New Zealand civil law in terms of their relevance to the construction industry.

Range contract, tort, land.

Evidence requirements

- 2.1 Description of selected branches of New Zealand law identifies and explains their principles.
- Range obligations, entitlements.
- 2.2 Explanation of statutes establishes their relevance to the construction industry.
- Range Resource Management Act 1991, Health and Safety in Employment Act 1992 and Health and Safety in Employment Regulations 1995, Weathertight Homes Resolution Service Act 2006, Construction Contracts Act 2002, Building Act 2004.

Outcome 3

Explain aspects of New Zealand law relating to business entities.

Range sole traders, partnerships, companies.

Evidence requirements

- 3.1 Explanation of New Zealand law relating to business entities in the construction industry establishes business entities' principles.
- Range liability, ownership, accounting responsibilities.
- 3.2 Laws are described in terms of their impact on business entities in the construction industry.
- Range Companies Act 1993, Partnership Act 1908, Consumer Guarantees Act 1993.

Outcome 4

Explain the legal fundamentals of dispute resolution.

Evidence requirements

4.1 Methods of dispute resolution are differentiated in terms of their aims and procedures.

Range litigation, arbitration, adjudication, mediation, conciliation.

4.2 Methods of dispute resolution are identified for dispute situations that arise in the construction industry.

Range three different types of dispute situation.

Planned review date	31 December 2015
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	21 March 1997	31 December 2014
Revision	2	10 December 1997	31 December 2014
Revision	3	27 October 1999	31 December 2014
Revision	4	7 June 2000	31 December 2014
Review	5	20 March 2003	31 December 2014
Revision	6	19 July 2004	31 December 2014
Review	7	18 March 2011	N/A

Accreditation and Moderation Action Plan (AMAP) reference	0048
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This AMAP can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Please note

Providers must be granted consent to assess against standards (accredited) by NZQA, or an inter-institutional body with delegated authority for quality assurance, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be granted consent to assess against standards by NZQA before they can register credits from assessment against unit standards.

Providers and Industry Training Organisations, which have been granted consent and which are assessing against unit standards must engage with the moderation system that applies to those standards.

Consent requirements and an outline of the moderation system that applies to this standard are outlined in the Accreditation and Moderation Action Plan (AMAP). The AMAP also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

Comments on this unit standard

Please contact the Building and Construction Industry Training Organisation national.office@bcito.org.nz if you wish to suggest changes to the content of this unit standard.