

**CHARTERED**   
INSTITUTE OF PROFESSIONAL CERTIFICATIONS



# NEW ZEALAND CONSTRUCTION LAW

**Fully Accredited  
By:**

Chartered Institute of  
Professional Certifications

CPD  
Certification Service

# PROGRAM OVERVIEW



New Zealand's construction law is notably complex and challenging, largely due to the intricate web of regulations and standards. **Notably, more than 40% of construction projects encounter legal disputes, surpassing the global average of 30%.** This reflects the demanding regulatory environment and the high rate of compliance issues faced by builders and developers.

This certified program will equip you with critical knowledge to navigate the legal complexities governing New Zealand's building and construction industry. By integrating legal principles with real-world cases, it will provide you with an in-depth exploration of key legislative frameworks like the **Building Act 2004, Construction Contracts Act 2002, and Building Regulations 1992, along with the Building Code.** Furthermore, you will gain valuable insights into the intricacies of **permit acquisition, building consent requirements, and licenses, including recent regulatory modifications.**

This program will also walk you through a comprehensive guide to resolving **construction-related disputes in New Zealand, including arbitration, mediation, and litigation strategies.** Through real-world case studies and interactive modules, you will become proficient in alternative dispute resolution methods, contract negotiation techniques, and the effective application of enforcement mechanisms.

Throughout the program, participants will gain an in-depth understanding of New Zealand's **construction legislation and compliance pathways construction leaders need to manage projects successfully.** You will gain comprehensive knowledge of the Building Act's critical components like **building consents, notices to fix, and learn the compliance requirements** at each stage of a build, including documentation protocols, assessments, and inspections.

Upon successful completion of the program, you will attain the **Certification in New Zealand Construction Law.** This certification will serve as a testament to your expertise to navigating the key legislation and regulations framework that governing the building and construction industry in New Zealand. Globally sought-after and recognized, this certification holds lifelong validity and will underscore your credentials in the sphere of New Zealand's construction law and dispute resolution.

## ACCREDITATIONS



4.8



4.6



# KEY SKILLS YOU WILL GAIN

## From This Program



**NEW ZEALAND CONSTRUCTION LAW FRAMEWORK**  
**BUILDING ACT 2004**  
**CONSTRUCTION CONTRACTS ACT 2002**  
**BUILDING REGULATIONS 1992**

**NEW ZEALAND BUILDING CODE**  
**NZS3910 STANDARD CONTRACT**  
**CONSTRUCTION CONTRACT RISKS**  
**ENGINEER TO THE CONTRACT (ETCS)**

**DISPUTE RESOLUTION METHODS**  
**CONTRACT INTERPRETATION**  
**CONTRACT BREACH MANAGEMENT**  
**CONTRACTUAL OBLIGATIONS AND LIABILITIES**  
**MEDIATION TECHNIQUES**

**ARBITRATION PROCEDURES**  
**PROJECT LIABILITY IDENTIFICATION**  
**BUILDING CONSENT PROCESS**  
**TORT LAW LIABILITY**  
**DISPUTE NEGOTIATION TACTICS**

**MEDIATION PREPARATION**  
**ADJUDICATION PROCEDURES**

# YOUR FACULTY DIRECTOR



## Julia Flattery

### Highly-Regarded Building And Construction Legal Expert And Trainer

Julia Flattery is a seasoned **construction and commercial property law expert with over 15 years of experience** in the industry. She is a trusted advisor to head contractors, subcontractors, consultants, and funders on contract packages and has **extensive experience in contract drafting and dispute resolution**. Julia has delivered results for clients in large mixed-use joint venture developments and large-scale infrastructure projects. She is a respected member of the construction community, actively participating in organizations such as the **Women in Infrastructure Network and the Society of Construction Law**. Julia is also a **sought-after speaker, author, and trainer, delivering presentations and training sessions on construction law topics** to organizations such as the NZIQS and the NZ Construction Law Conference. As a **member of the consultation group for the Construction Sector Accord**, she works to ensure the needs of the industry are being addressed in important policy decisions. Her expertise and commitment make her a valuable asset to any organization seeking to navigate the complexities of the construction sector

# OUR PARTICIPANTS

Over 70% of FORTUNE 500 Companies Have Attended Our Accredited Programs Before





# PROGRAM AGENDA

## **MODULE 1 - NEW ZEALAND CONSTRUCTION LAW LEGISLATIVE FRAMEWORK AND REGULATION**

- Building Act 2004
- Construction Contracts Act 2002
- Building Regulations 1992 and the Building Code

## **MODULE 2 - NZS3910**

- Key Provisions of NZS3910 Standard Contract
- Key Changes in the Recently Issued NZS3910:2023

## **MODULE 3 - CONSTRUCTION CONTRACTS IN NEW ZEALAND**

- NZS Contracts
- Risk Allocation
- Key Dispute Areas
- Use of Other Contracts Including FIDIC, NEC, CCC and NCIA
- Role of Engineer to the Contract

## **MODULE 4 - PROCUREMENT METHODOLOGIES**

- Recent Public Sector Procurement Guidelines
- What “Best Procurement” Looks Like

- Common Mistakes in Procurement
- Early Contractor Engagement and Staged Contracting
- Use of Risk Allocation Matrices

## **MODULE 5 - KEY CONSIDERATIONS IN CONSTRUCTION PROJECTS**

- Extensions of Time
- Supply Chain Delays and Disruption – Contractual Approach and Mitigation Measures
- Payment Claim and Payment Schedules Under the Construction Contracts Act 2002
- Modern Slavery Provisions

## **MODULE 6 - RETENTIONS**

- Recent Statutory Changes to the Retention Regime
- Best Practice Guides
- Alternative Solution to Retentions

## **MODULE 7 - APPLICATION OF CONTRACT LAW AND TORT TO CONSTRUCTION CONTRACTS**

- New Zealand Contract Law Overview
- Contract Law Disputes Under Construction Contracts
- New Zealand Tort Law Overview



# PROGRAM AGENDA

- Tort Law Disputes Under Construction Contracts
- “Leaky Building” Claims
- Recent Case Law

## **MODULE 8 - DISPUTE AVOIDANCE, MANAGEMENT, RESOLUTION AND CONDUCT OF BUILDING DISPUTES**

- Collaborative Contracting
- Use of Dispute/Project Boards
- Adjudication Under the Construction Contracts Act 2002
- Building Disputes Tribunal

## **MODULE 9 - PROFESSIONAL LIABILITY UNDER CONSTRUCTION CONTRACTS AND INSURING RISK IN CONSTRUCTION CONTRACTS**

- Professional Indemnity Insurance
- Contract Works Public Liability Insurance
- Public Liability Insurance
- Liability Caps
- Direct and Indirect Liability
- Statutory Liability

## **MODULE 10 - PLANNING AND BUILDING CONSENTS AND LICENSES**

- Resource Consent Process and Proposed Changes to the Resource Management Act 1991
- Building Consent Process
- Recent Changes to the Consenting Process in Relation to Offsite Manufacturing
- Building Product Information Requirements

# YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certification's programs are unique as they provide you with professional charter designation and mark that can be used across your lifetime once you have completed our programs.

Upon completion of this comprehensive program, you will earn the prestigious **Certification in New Zealand Construction Law**, a globally recognized and lifelong designation that will set you apart from your peers, demonstrating your expertise and critical knowledge in navigating the complexities of New Zealand's construction law in managing legal risks and building robust compliance framework to safeguard your construction projects. This achievement will bolster your professional credentials, enhancing your resume and CV to showcase your comprehensive knowledge and expertise to potential employers.

Developed by the **Chartered Institute of Professional Certifications** and certified by the **CPD Certification Service**, this program adheres to the highest continuing professional principles, ensuring that your certification reflects your dedication to excellence in your field.



# ABOUT US

49,525

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390

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All of Chartered Institute of Professional Certifications program are fully accredited programs. The professional charter and designations are trademarked credentials that can only be used by professionals who have completed and passed our accredited program. It is also independently accredited by CPD as adhering to the highest standards of continuing professional principles.

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# OUR FACULTY DIRECTORS

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# CONTACT US TODAY

We Thank You for Your Ongoing Support  
of Our Programs

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