

Module	Facilities Management
Jurisdictions	New Zealand
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Module Scope

Does the organisation understand the legal and regulatory obligations it must comply with when managing facilities?

Does the organisation ensure that it meets its obligations when managing facilities, including complying with building and workplace safety requirements?

Does the organisation have systems and processes in place to manage and monitor compliance with its legislative and regulatory obligations?

Module Application

The NEW ZEALAND FACILITIES MANAGEMENT module is designed to assist the organisation to navigate their legal responsibilities when:

- › Undertaking design and construction work on buildings, or making structural changes to buildings
- › Managing employees and contractors performing work at the facility
- › Implementing measures for the safety and security of facilities
- › Managing and reporting on major hazard facilities where hazardous substances are present
- › Providing residential tenancies to employees and others

It is also designed to assist organisations navigating compliance with the fundamental legislative requirements relating to:

- › Workplace health and safety
- › Smoking and vaping prohibitions
- › Environmental control and protection
- › Energy efficiency and sustainability
- › Radiation, gas and electricity management
- › Waste and water management
- › Fire safety and emergency management
- › Car parking and radiocommunication facilities
- › Heritage listed buildings and sites

Facilities management covers a broad range of tasks and duties that vary according to the types of buildings being managed and the use of those buildings. The work that facility managers perform is regulated by a variety of laws and overseen by a range of regulators, including WorkSafe New Zealand, Fire and Emergency New Zealand, Heritage New Zealand Pouhere Taonga and the Department of Conservation.

Some of the main legislation which regulates facilities is detailed below:

- The Building Act 2004 (NZ) governs New Zealand's building sector and also sets out the rules for the construction, alteration, demolition and maintenance of new and existing buildings in New Zealand
- The Building Regulations 1992 (NZ) further regulates building safety requirements and contains the New Zealand Building Code, which sets out performance standards that all new building work must meet
- The Fire and Emergency New Zealand Act 2017 (NZ) regulates fire and emergency safety requirements for organisations, including evacuation procedures, fire and smoke alarms and storage of flammable materials
- The Health and Safety at Work Act 2015 (NZ) sets out the principles, duties and rights in relation to workplace health and safety, to protect employees from workplace health and safety risks as far possible
- The Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 (NZ) sets out risk management requirements related to remote or isolated work, atmospheres with potential for fire or explosion and substances hazardous to health
- The Smokefree Environments and Regulated Products Act 1990 (NZ) sets out requirements for workplaces and other premises to be smokefree and vape free

Organisations that manage facilities are expected to be familiar with the broad landscape of legal obligations to which they are subject. The NEW ZEALAND FACILITIES MANAGEMENT module should be subscribed to by all facilities management entities and organisations, their employees, authorised officers, and individuals. The aim of the module is to equip the subscriber with knowledge of their obligations and the skills required to establish the systems and processes necessary to ensure compliance throughout their organisation.

Significant consequences can apply to organisations or entities found to have breached or not complied with their legal obligations. Directors, officers and managers can also be found personally liable in some circumstances for certain offences. The actual consequences vary considerably depending on the nature and extent of the breach or failure, but can include monetary penalties, disciplinary measures and even terms of imprisonment for individuals found to have committed serious offences.

The module does not cover the procedures or processes to be followed by individuals or entities that have suffered damages or losses due to breaches of obligations and duties by New Zealand organisations.

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