

Infringement reminder notice

SECTION 402(1)(ZA), BUILDING ACT 2004

Notice No.	<input type="text"/>
Enforcement Authority	<input type="text"/> <i>(specify the relevant enforcement authority (ie, the Ministry of Business, Innovation, and Employment, a territorial authority, or a regional authority))</i>

To:
(owner/builder or person carrying out or supervising the building work or others as appropriate)

Full address:

Occupation:
(if known)

Date of birth:
DAY MONTH YEAR
(if known)

Details of alleged infringement offence(s)

Provision of **Building Act 2004**:

Description of offence:

Date: Time:
DAY MONTH YEAR

Place:

Fee: \$

Time for payment of infringement fee(s)

The infringement fee(s) was (or were)
payable within 28 days after:
DAY MONTH YEAR
(date infringement notice was delivered personally or served by post)

Place for payment of infringement fee(s)

The infringement fee(s) remains (or remain) payable to:
(specify address of enforcement authority)

Issued by:

Signature:
(signature and full name of enforcement officer)

Full name:

Details of service

(to be provided for filing in court)

Infringement notice served by:

on:

DAY MONTH YEAR

(method of service)

Reminder notice served by:

(method of service)

at:

(full address of service)

on:

DAY MONTH YEAR

Summary of rights

Please read this summary. If you do not understand it, you should consult your lawyer immediately.

- 1 You did not pay the infringement fee described on the front page, or ask for a hearing, within 28 days after you got the infringement notice. That is why you have been served with this reminder notice.
- 2 You will become liable to pay a fine and court costs if—
 - (a) you do not pay the fee; and
 - (b) you do not ask for a hearing within 28 days after getting this reminder notice; and
 - (c) the enforcement authority decides to bring court proceedings against you.
- 3 You have a defence if you prove either of the following:
 - (a) that—
 - (i) the action or event to which the offence relates was necessary for the purposes of saving or protecting life or health or preventing serious damage to property; and
 - (ii) your conduct was reasonable in the circumstances; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred; or
 - (b) that—
 - (i) the action or event to which the offence relates was due to an event beyond your control, including natural disaster, mechanical failure, or sabotage; and
 - (ii) you could not reasonably have foreseen or provided against the action or event; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred.
- 4 In addition to the defence described in paragraph 3, you have a defence if—
 - (a) you are—
 - (i) a principal; or
 - (ii) an employer; and
 - (b) you may be liable for an offence alleged to have been committed by—
 - (i) your agent; or
 - (ii) your employee.

If you are a natural person, including a partner in a firm, you must prove either of the following to have the defence:

- (a) that you—
 - (i) did not know, and could not reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
- (b) that you took all reasonable steps to—
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.

If you are a body corporate, you must prove either of the following to have the defence:

- (a) that—
 - (i) neither the directors nor any person involved in the management of the body corporate knew, or could reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) you took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
 - (b) that you took all reasonable steps to—
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.
- 5 If you pay all the fees for all the offences described in the infringement notice in a lump sum, please provide a note of—
- (a) the infringement notice number; and
 - (b) the date of each infringement offence; and
 - (c) the identifying number of each offence.
- 6 If you do not pay all the infringement fees for all the offences described in the infringement notice in a lump sum, please provide a note of—
- (a) the offences you are paying fees for; and
 - (b) the offences you are not paying fees for; and
 - (c) what you are doing about the offences you are not paying fees for; and
 - (d) your full address for replies.

All queries and correspondence about the offence(s) must be made to the enforcement authority at the address shown on the front page of this notice.