

Version No. 002

**Building (Legionella Risk Management)
Regulations 2001**

S.R. No. 14/2001

Version incorporating amendments as at 20 August 2002

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1. Objective

The objective of these Regulations is to—

- (a) specify the matters to be included in risk management plans; and
- (b) specify the documents required to be inspected by an auditor; and
- (c) prescribe the form of, and the details to be contained in, a risk management plan audit certificate—

for the purposes of Part 5B of the **Building Act 1993**.

2. Commencement

These Regulations come into operation on 1 March 2001.

3. Authorising provision

These Regulations are made under section 75H of the **Building Act 1993**.

4. Specified risks

For the purposes of Part 5B of the **Building Act 1993**, the risks that a risk management plan must address are the risks associated with—

- (a) stagnant water, including the lack of water recirculation in a cooling tower system and the presence of dead-end pipework and other fittings in a cooling tower system; and

Reg. 1
substituted by
S.R. No.
68/2002 reg. 3.

- (b) nutrient growth, including—
 - (i) the presence of biofilm, algae and protozoa in a cooling tower system; and
 - (ii) water temperature within a range that will support rapid growth of micro-organisms in a cooling tower system; and
 - (iii) the exposure of the water of a cooling tower system to direct sunlight; and
- (c) poor water quality, including the presence of solids, *Legionella* and high levels of micro-organisms in a cooling tower system; and
- (d) deficiencies in a cooling tower system, including deficiencies in the physical design, condition and maintenance of the system; and
- (e) the location of, and access to, a cooling tower or cooling tower system, including the potential for environmental contamination of the system and the potential for exposure of people to the aerosols of the system.

Reg. 5
inserted by
S.R. No.
68/2002 reg. 4.

5. Audit documents

For the purposes of section 75F of the Act, the specified documents are—

- (a) the risk management plan prepared in accordance with Part 5B of the **Building Act 1993**; and
- (b) the documents that contain the details of all repair, maintenance and testing work carried out on the cooling tower system within the period to be audited by the auditor.

6. Audit certificate

For the purposes of section 75FB(2) of the
Building Act 1993—

- (a) a risk management plan audit certificate
must be in the form; and
- (b) must contain the details—
set out in the Schedule.

Reg. 6
inserted by
S.R. No.
68/2002 reg. 4.

Sch.

Building (Legionella Risk Management) Regulations 2001
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Sch.
inserted by
S.R. No.
68/2002 reg. 4.

SCHEDULE

Regulation 6

Building Act 1993

Building (Legionella Risk Management) Regulations 2001

RISK MANAGEMENT PLAN AUDIT CERTIFICATE

Address of cooling tower system		
Name of owner of the land		
Registration number of cooling tower system		
Registration period		
Does the risk management plan comply with section 75E(2) of the Building Act 1993 ? If no, state the reasons why you hold that opinion	Yes/No	
Is the risk management plan being implemented? If no, state the reasons why you hold that opinion	Yes/No	
Audit period applicable to this certificate		
Name of auditor	Given name	Surname
Approved auditor number		
Signature of auditor		
Date of audit		

=====

ENDNOTES

1. General Information

The Building (Legionella Risk Management) Regulations 2001, S.R. No. 14/2001 were made on 27 February 2001 by the Governor in Council under section 75H of the **Building Act 1993**, No. 126/1993 and came into operation on 1 March 2001: regulation 2.

The Building (Legionella Risk Management) Regulations 2001 will sunset 10 years after the day of making on 27 February 2011 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

This Version incorporates amendments made to the Building (Legionella Risk Management) Regulations 2001 by statutory rules, subordinate instruments and Acts.

Building (Legionella Risk Management) (Amendment) Regulations 2002,
S.R. No. 68/2002

Date of Making: 20.8.02

Date of Commencement: 20.8.02

3. Explanatory Details

No entries at date of publication.