
Overview of Government EPB Policy Announcement

In April 2024, the Minister for Building and Construction announced the commencement of a [review of the Earthquake-prone Building system](#) that was put in place in 2017. MBIE's review is now complete, and the Minister and Cabinet have considered its findings and recommendations.

A Cabinet policy announcement on the 29th September 2025 outlined the government's intent to change the EPB system and introduce legislation through parliament.

This document summarises the key changes proposed, and consultation and legislative process/timings.

It highlights what the proposals could mean for owners of earthquake-prone buildings, and what it could mean for engineers engaged in EPB and non-EPB seismic assessment, risk communication, and retrofit design.

KEY HIGHLIGHTS OF THE GOVERNMENT'S POLICY ANNOUNCEMENT AND PROPOSED CHANGES TO THE EPB SYSTEM

Issue	Summary Points
What is the government proposing?	<p>A reduction in EPB system scope, to focus mandatory mitigation requirements on building typologies with higher risk characteristics (e.g. heavy buildings of three or more storeys and unreinforced masonry (URM) buildings) in high and medium seismic hazard areas only.</p> <p>Lower seismic hazard areas such as Auckland and Northland and the Chatham Islands would be removed from the EPB regime. Coastal Otago will move from Low into Medium hazard zone in response to recent increases in estimated seismic hazard, and will continue to fall within the EPB system.</p> <p>Priority building status will no longer apply to government agencies (for example hospitals or fire stations), unless they have buildings on designated priority routes.</p> <p>EPB owners will be able to apply for seismic work deadline extensions subject to conditions.</p>
Why the change?	<p>The review has highlighted that the current system is capturing significantly more buildings than intended – i.e. going well beyond the ‘worst of the worst’ original intention for <i>mandatory</i> mitigation.</p> <p>It has also noted that too much emphasis is placed on seismic assessments, in contrast to other countries with seismic regulations for existing buildings (where there is more focus on the retrofit program itself).</p> <p>Many owners of earthquake-prone buildings are unable to access funding to undertake strengthening due to finance sector lending policies.</p> <p>Some buildings are being vacated or strengthened due to perceptions of their risk, which in many cases are being driven by the Health and Safety at Work Act.</p>
What are the likely implementation timeframes?	<p>Following the introduction of a Bill to amend the earthquake-prone buildings provisions of the Building Act later this year, Select Committee hearings are planned for the first half of 2026. This will be the opportunity for people and organisations to have their say on the proposed changes.</p> <p>An implementation (commencement) date of mid-2027 is anticipated.</p> <p>It is understood that the timing for the lifting of the EPB notices for buildings that will no longer be earthquake-prone will be the commencement date.</p>
Which buildings would remain or could become earthquake-prone under the new proposal?	<p>Concrete buildings of three or more storeys with specific structural vulnerabilities, and URM buildings. Assessed %NBS ratings would no longer be used to identify EPBs. For concrete buildings, a new targeted methodology would be used, focussing on significant vulnerabilities that can lead to building collapse.</p> <p>While the focus will be on older buildings, multi-storey concrete buildings constructed after 1976 that are found to have significant vulnerabilities will also fall within the definition of earthquake-prone.</p> <p>Other types of buildings would no longer be classified as earthquake-prone.</p>



Under the new proposals, what would be the nature and extent of strengthening work required for earthquake-prone buildings?

For multi-storey concrete buildings, **targeted retrofit** that addresses the worst vulnerabilities would be required. This would not necessarily correspond to achieving 34%NBS across the whole building.

For multi-storey URM buildings in urban centres, **full retrofit** that addresses all significant building vulnerabilities (in addition to façade securing) would be required.

For multi-storey URM buildings in rural centres and one and two storey URM buildings in urban centres, **securing of facades** and walls facing onto public spaces or above adjacent properties would be required.

For one and two storey URM buildings in rural centres, EPB status would only be required to be **recorded on the national EPB Register** (but would not be required to display a physical notice on the building). They would be removed from the register if they chose to voluntarily undertake façade securing.

		BUILDING TYPE		
		3+ storey high risk heavy construction (eg concrete) buildings	Unreinforced masonry buildings	
			1-2 storey	3+ storey
LOCATION	Rural or small town ³	Targeted retrofit ⁴	Risk register ⁵ only	Façade securing ⁶
	Urban centre		Façade securing	Full retrofit ⁷

Figure 1: Table summarising the proposed new mitigation requirements (figure supplied by MBIE)

What would happen to buildings that are currently earthquake-prone, but will no longer be under the proposed new arrangements?

Decisions to address seismic vulnerabilities identified in the seismic assessments over time will remain the responsibility of the building owner. The time frames and levels and extent of strengthening would no longer be a regulatory requirement.

Other non-regulatory considerations such as insurance and lending finance will still be relevant.

It is understood that proposed forthcoming amendments to the Health and Safety at Work Act will re-emphasise that PCBUs will not be held liable in the event of loss of life or injury if the relevant requirements of other legislation are being followed (including if a building owner is meeting their responsibility under the EPB system).



Would seismic assessments continue to be required?

Determining whether or not buildings will be earthquake-prone would be evaluated through consideration of specific structural features. This will require specific engineering input which is likely to draw upon information in seismic assessments, but will not require full new seismic assessments.

The simpler, characteristics-based methods and guidelines by which a building will be found to be earthquake-prone and have that status lifted in future would be developed as part of implementation work for the proposed provisions.

Seismic assessments will remain appropriate for other risk-related purposes, and their use is expected to remain commonplace outside of the EPB system—remembering that fewer vulnerable buildings will be managed via the revised and more narrowly focused EPB system.

Seismic assessment processes are also commonly used in relation to building alterations, additions, or when changing a building's use.

These expectations are reflected in the Joint Committee's continued efforts to advance and improve non-EPB seismic assessment and retrofit guidelines on an approximately 5-year cycle.

If, under the new proposals, a building was removed from the EPB register, what does that tell us about its risk?

MBIE's review terms (and the government's proposals) have sought to balance earthquake risk with the affordability and workability of legislation that requires building owners to act. The government's proposals set a higher risk tolerance, and a narrower focus of mandatory retrofit requirements.

Elements in buildings that have been assessed as < 34% (but would no longer fall within the new criteria for classifying EPB requirements) are still vulnerable and could fail in a significant earthquake. The difference is that owners would now make their own choices about prioritising and carrying out retrofit work overtime, as action would no longer be mandatory.

Engineers can help by ensuring summaries in non-EPB assessments give clear and concise commentary on the likely consequence of failure of any low-scoring building elements (directly alongside their scores and associated seismic grades).

This is good assessment practice, and will help owners decide how to prioritise remediation work for vulnerable buildings or parts of buildings (for aspects that are no longer mandatory).

The amended EPB system proposes to use characteristics-based evaluation.

A more focussed EPB system creates opportunities to benefit from simpler, characteristics-based engineering evaluation processes that have been successful in similar programs in other seismically active countries.

A feasibility study, undertaken to explore the use of a structural characteristics-based evaluation, has indicated this approach is suitable for New Zealand buildings.

Are there building types that aren't as well suited to this approach?

Detailed development of the evaluation procedure is a priority prior to commencement of the new EPB system. Any limitations to the application of this characteristics-based evaluation procedure will be assessed during detailed development.



When can we see more detail about the proposed new EPB system?

MBIE are working on a draft EPB methodology, and we expect this draft document to be available for the Select Committee process (i.e. once an amendment Bill is put before parliament). This will provide more clarity on how the proposed changes would work in practice.

Alongside this, the Joint Committee (including NZSEE) are preparing advice that more clearly articulates our engineering assessment of the shift in risk settings, and what sorts of building risks will and won't be managed as part of the new EPB proposals.

This anticipates engineers and their clients wanting more clarity on the 'residual risk'.

How would the proposed changes affect the seismic risk management of non-EPB buildings?

Based on the current policy announcements, we expect a relatively modest impact on the drivers and approaches for non-EPB seismic assessment and seismic risk management outside the EPB system in the longer term.

However, non-EPB guidelines would require editing to adjust legislation references and definitions (especially Part A and some of the general sections), and we understand this essential enabling work to be supported within MBIE's implementation work plan.

We anticipate this work also clarifying the relationship of revised EPB settings to the NZSEE grading system that remains the basis for non-EPB seismic assessments. This presents an opportunity to improve the consistency and clarity in the way engineers communicate seismic risk.

Should we expect developer or tenant seismic rating expectations to change as a result of these reforms?

People will make their own choices about how they want to prioritise seismic risk and resilience, and whether their views change given revised EPB requirements. However, we expect that many informed participants in the market will recognise and understand the reasoning behind the legislation's adjusted focus. Many are likely to maintain a desire for comfort in the seismic safety of buildings that they choose to tenant or occupy, and will continue to prioritise this to varying degrees amongst other drivers (no matter the EPB settings).

This is especially the case for large tenant organisations, whose preferences (in terms of building performance) have historically set common levels of expectation in the market. We expect this will continue to a degree.

Should seismic retrofit projects and risk mitigation programmes continue?

The proposed changes to the EPB system focus on minimum regulatory requirements. They don't address all significant hazards, nor wider risk and resilience considerations.

Programs of work to voluntarily mitigate identified and confirmed seismic vulnerabilities to a low-risk level should continue to be prioritised over time, alongside other risks and ordinary building maintenance.

Also see the question on the prior page: *If a building is being removed from the EPB register, what does that tell us about its risk?*



How has the engineering sector contributed to the review?

As part of their role in advising the Minister, MBIE have sought engineering sector feedback on an ongoing basis via the Joint Committee for Seismic Assessment and Retrofit (MBIE, NHC, NZSEE, SESOC, NZGS) and via NZSEE’s representation on the independently chaired [seismic review steering group](#).

The engineering sector has also contributed via the specific contributions to technical work that MBIE has commissioned externally. This includes:

- An independent review of the current system’s implementation.
 - A jurisdictional analysis/comparison of overseas approaches.
 - Economic analysis of the EPB system.
 - A societal willingness to pay study.
 - A feasibility study of targeted seismic retrofit approaches for URM and heavy non-URM buildings.
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