



Companies Office Registers Funding Validation Act 2022

Public Act 2022 No 27
Date of assent 24 May 2022
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Companies Office Registers Funding Validation Act 2022.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

Part 1

Amendments to Acts

3 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

Subpart 1—Amendment to Auditor Regulation Act 2011

4 Principal Act

This subpart amends the Auditor Regulation Act 2011.

5 New section 84A and cross-heading inserted

After section 84, insert:

Validation of fees

84A Validation of fees used to recover costs of unrelated Companies Office registers

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers or in exercising or performing any powers, functions, and duties under this Act or any regulations made under this Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing any powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and

- (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
- (a) the Building Societies Act 1965:
 - (b) the Companies Act 1993:
 - (c) the Financial Markets Conduct Act 2013:
 - (d) the Financial Reporting Act 1993:
 - (e) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (f) the Friendly Societies and Credit Unions Act 1982:
 - (g) the Incorporated Societies Act 1908:
 - (h) the Insolvency Practitioners Regulation Act 2019:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Building Societies Act 1965:
 - (b) the Charitable Trusts Act 1957:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Reporting Act 2013:
 - (g) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.

(6) In this section,—

Companies Office means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):

- (a) the former Department of Justice:
- (b) the former Ministry of Commerce:
- (c) the former Ministry of Economic Development:
- (d) the Ministry of Business, Innovation, and Employment

fee—

- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
- (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 2—Amendment to Building Societies Act 1965

6 Principal Act

This subpart amends the Building Societies Act 1965.

7 New section 137A inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 137, insert:

137A Validation of fees used to recover costs of other Companies Office registers, etc

(1) This section applies to a fee—

- (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of

the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.

- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011:
 - (b) the Companies Act 1993:
 - (c) the Financial Markets Conduct Act 2013:
 - (d) the Financial Reporting Act 1993:
 - (e) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (f) the Friendly Societies and Credit Unions Act 1982:
 - (g) the Incorporated Societies Act 1908:
 - (h) the Insolvency Practitioners Regulation Act 2019:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
 - (a) the Auditor Regulation Act 2011:
 - (b) the Charitable Trusts Act 1957:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Reporting Act 2013:
 - (g) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:

- (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee**—
- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 3—Amendment to Companies Act 1993

8 Principal Act

This subpart amends the Companies Act 1993.

9 New section 403 inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 402, insert:

403 Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
- (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other

- powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
 - (2) The fee is and always has been validly imposed.
 - (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
 - (4) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Financial Markets Conduct Act 2013;
 - (d) the Financial Reporting Act 1993;
 - (e) the Financial Service Providers (Registration and Dispute Resolution) Act 2008;
 - (f) the Friendly Societies and Credit Unions Act 1982;
 - (g) the Incorporated Societies Act 1908;
 - (h) the Insolvency Practitioners Regulation Act 2019;
 - (i) the Limited Partnerships Act 2008;
 - (j) the Personal Property Securities Act 1999;
 - (k) the Retirement Villages Act 2003;
 - (l) the Securities Act 1978.
 - (5) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Charitable Trusts Act 1957;
 - (d) the Financial Markets Conduct Act 2013;
 - (e) the Financial Reporting Act 1993;
 - (f) the Financial Reporting Act 2013;

- (g) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee—**
- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 4—Amendment to Financial Markets Conduct Act 2013

10 Principal Act

This subpart amends the Financial Markets Conduct Act 2013.

11 New section 552A inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 552, insert:

552A Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
 - (a) that—

- (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Companies Act 1993;
 - (d) the Financial Reporting Act 1993;
 - (e) the Financial Service Providers (Registration and Dispute Resolution) Act 2008;
 - (f) the Friendly Societies and Credit Unions Act 1982;
 - (g) the Incorporated Societies Act 1908;
 - (h) the Insolvency Practitioners Regulation Act 2019;
 - (i) the Limited Partnerships Act 2008;
 - (j) the Personal Property Securities Act 1999;
 - (k) the Retirement Villages Act 2003;
 - (l) the Securities Act 1978.
- (5) The Acts are—
 - (a) the Auditor Regulation Act 2011;

- (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Reporting Act 2013:
 - (g) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee**—
- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 5—Amendment to Financial Service Providers (Registration and Dispute Resolution) Act 2008

12 Principal Act

This subpart amends the Financial Service Providers (Registration and Dispute Resolution) Act 2008.

13 New section 44AA inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 44A, insert:

44AA Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Friendly Societies and Credit Unions Act 1982:
 - (g) the Incorporated Societies Act 1908:
 - (h) the Insolvency Practitioners Regulation Act 2019:

- (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee**—
- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 6—Amendment to Friendly Societies and Credit Unions Act 1982

14 Principal Act

This subpart amends the Friendly Societies and Credit Unions Act 1982.

15 New section 152A inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 152, insert:

152A Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:

- (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (g) the Incorporated Societies Act 1908:
 - (h) the Insolvency Practitioners Regulation Act 2019:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:

- (c) the former Ministry of Economic Development;
 - (d) the Ministry of Business, Innovation, and Employment
- fee—**
- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 7—Amendment to Incorporated Societies Act 1908

16 Principal Act

This subpart amends the Incorporated Societies Act 1908.

17 New section 37 inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 36, insert:

37 Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and

- (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (g) the Friendly Societies and Credit Unions Act 1982:
 - (h) the Insolvency Practitioners Regulation Act 2019:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.

(6) In this section,—

Companies Office means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):

- (a) the former Department of Justice:
- (b) the former Ministry of Commerce:
- (c) the former Ministry of Economic Development:
- (d) the Ministry of Business, Innovation, and Employment

fee—

- (a) includes any penalty or overdue fee imposed, or interest charged, in respect of an unpaid or overdue fee; and
- (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 8—Amendment to Insolvency Practitioners Regulation Act 2019

18 Principal Act

This subpart amends the Insolvency Practitioners Regulation Act 2019.

19 New section 80A and cross-heading inserted

After section 80, insert:

Validation of fees

80A Validation of fees used to recover costs of other Companies Office registers, etc

(1) This section applies to a fee—

- (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of

- the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
- (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to cover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (g) the Friendly Societies and Credit Unions Act 1982:
 - (h) the Incorporated Societies Act 1908:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 1908:
 - (k) the Incorporated Societies Act 2022:

- (l) the Industrial and Provident Societies Act 1908:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee**—
- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 9—Amendment to Limited Partnerships Act 2008

20 Principal Act

This subpart amends the Limited Partnerships Act 2008.

21 New section 116A inserted (Validation of fees used to recover costs of other Companies Office registers, etc)

After section 116, insert:

116A Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other

- powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
 - (2) The fee is and always has been validly imposed.
 - (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
 - (4) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Companies Act 1993;
 - (d) the Financial Markets Conduct Act 2013;
 - (e) the Financial Reporting Act 1993;
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008;
 - (g) the Friendly Societies and Credit Unions Act 1982;
 - (h) the Incorporated Societies Act 1908;
 - (i) the Insolvency Practitioners Regulation Act 2019;
 - (j) the Personal Property Securities Act 1999;
 - (k) the Retirement Villages Act 2003;
 - (l) the Securities Act 1978.
 - (5) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Charitable Trusts Act 1957;
 - (d) the Companies Act 1993;
 - (e) the Financial Markets Conduct Act 2013;
 - (f) the Financial Reporting Act 1993;

- (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 1908:
 - (k) the Incorporated Societies Act 2022:
 - (l) the Industrial and Provident Societies Act 1908:
 - (m) the Insolvency Practitioners Regulation Act 2019:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee—**
- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 10—Amendment to Personal Property Securities Act 1999

22 Principal Act

This subpart amends the Personal Property Securities Act 1999.

23 New section 190A and cross-heading inserted

After section 190, insert:

Validation of fees

190A Validation of fees used to recover costs of other Companies Office registers, etc

- (1) This section applies to a fee—

- (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties of the Registrar under this Act or any regulations made under this Act; or
- (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (g) the Friendly Societies and Credit Unions Act 1982:
 - (h) the Incorporated Societies Act 1908:
 - (i) the Insolvency Practitioners Regulation Act 2019:
 - (j) the Limited Partnerships Act 2008:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—

- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 1908:
 - (k) the Incorporated Societies Act 2022:
 - (l) the Industrial and Provident Societies Act 1908:
 - (m) the Insolvency Practitioners Regulation Act 2019:
 - (n) the Limited Partnerships Act 2008:
 - (o) the New Zealand Business Number Act 2016:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment
- fee**—
- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
 - (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 11—Amendment to Retirement Villages Act 2003

24 Principal Act

This subpart amends the Retirement Villages Act 2003.

25 New section 102A and cross-heading inserted

After section 102, insert:

*Validation of fees***102A Validation of fees used to recover costs of other Companies Office registers, etc**

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under this Act or in exercising or performing any other powers, functions, and duties under this Act or any regulations made under this Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under this Act or any regulations made under this Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing the powers, functions, and duties of a Registrar under any of those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) is and always has been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(a)(ii) and (b)(ii).
- (4) The Acts are—
 - (a) the Auditor Regulation Act 2011;
 - (b) the Building Societies Act 1965;
 - (c) the Companies Act 1993;
 - (d) the Financial Markets Conduct Act 2013;
 - (e) the Financial Reporting Act 1993;
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008;

- (g) the Friendly Societies and Credit Unions Act 1982:
 - (h) the Incorporated Societies Act 1908:
 - (i) the Insolvency Practitioners Regulation Act 2019:
 - (j) the Limited Partnerships Act 2008:
 - (k) the Personal Property Securities Act 1999:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 1908:
 - (k) the Incorporated Societies Act 2022:
 - (l) the Industrial and Provident Societies Act 1908:
 - (m) the Insolvency Practitioners Regulation Act 2019:
 - (n) the Limited Partnerships Act 2008:
 - (o) the New Zealand Business Number Act 2016:
 - (p) the Personal Property Securities Act 1999:
 - (q) the Securities Act 1978.
- (6) In this section,—
- Companies Office** means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):
- (a) the former Department of Justice:
 - (b) the former Ministry of Commerce:
 - (c) the former Ministry of Economic Development:
 - (d) the Ministry of Business, Innovation, and Employment

fee—

- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
- (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Part 2

Provisions relating to repealed Acts

Subpart 1—Provision relating to Financial Reporting Act 1993 (repealed but preserved in part for certain purposes)

26 Validation of fees used to recover costs of other Companies Office registers

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under the Financial Reporting Act 1993 (as preserved in part for certain purposes) or in exercising or performing any other powers, functions, and duties under that Act or any regulations made under that Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under the Financial Reporting Act 1993 or any regulations made under that Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing any other powers, functions, and duties under those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) has always been lawfully collected and applied; and
 - (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(b)(ii).
- (4) The Acts are—

- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (f) the Friendly Societies and Credit Unions Act 1982:
 - (g) the Incorporated Societies Act 1908:
 - (h) the Insolvency Practitioners Regulation Act 2019:
 - (i) the Limited Partnerships Act 2008:
 - (j) the Personal Property Securities Act 1999:
 - (k) the Retirement Villages Act 2003:
 - (l) the Securities Act 1978.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 2013:
 - (g) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (h) the Friendly Societies and Credit Unions Act 1982:
 - (i) the Incorporated Societies Act 1908:
 - (j) the Incorporated Societies Act 2022:
 - (k) the Industrial and Provident Societies Act 1908:
 - (l) the Insolvency Practitioners Regulation Act 2019:
 - (m) the Limited Partnerships Act 2008:
 - (n) the New Zealand Business Number Act 2016:
 - (o) the Personal Property Securities Act 1999:
 - (p) the Retirement Villages Act 2003:
 - (q) the Securities Act 1978.
- (6) In this section,—

Companies Office means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):

- (a) the former Department of Justice:
- (b) the former Ministry of Commerce:
- (c) the former Ministry of Economic Development:
- (d) the Ministry of Business, Innovation, and Employment

fee—

- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
- (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Subpart 2—Provision relating to Securities Act 1978 (repealed but preserved in part for certain purposes)

27 Validation of fees used to recover costs of other Companies Office registers

- (1) This section applies to a fee—
 - (a) that—
 - (i) is or was payable or purportedly payable on or before 1 June 2022 under any of the Acts listed in subsection (4) or any regulations made under any of those Acts; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of the Registrar in operating 1 or more registers under the Securities Act 1978 (as preserved in part for certain purposes) or in exercising or performing any other powers, functions, and duties under that Act; or
 - (b) that—
 - (i) is or was payable or purportedly payable on or before 30 June 2022 under the Securities Act 1978 or any regulations made under that Act; and
 - (ii) was (or is or will be) used in whole or in part to recover the costs or a share of the costs of 1 or more registers operated under any of the Acts listed in subsection (5) or in exercising or performing any other powers, functions, and duties under those Acts or any regulations made under any of those Acts.
- (2) The fee is and always has been validly imposed.
- (3) Money received by the Registrar of any register maintained by the Companies Office in payment of the fee—
 - (a) has always been lawfully collected and applied; and

- (b) may continue to be applied on and after 1 July 2022 to recover costs referred to in subsection (1)(b)(ii).
- (4) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Companies Act 1993:
 - (d) the Financial Markets Conduct Act 2013:
 - (e) the Financial Reporting Act 1993:
 - (f) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (g) the Friendly Societies and Credit Unions Act 1982:
 - (h) the Incorporated Societies Act 1908:
 - (i) the Insolvency Practitioners Regulation Act 2019:
 - (j) the Limited Partnerships Act 2008:
 - (k) the Personal Property Securities Act 1999:
 - (l) the Retirement Villages Act 2003.
- (5) The Acts are—
- (a) the Auditor Regulation Act 2011:
 - (b) the Building Societies Act 1965:
 - (c) the Charitable Trusts Act 1957:
 - (d) the Companies Act 1993:
 - (e) the Financial Markets Conduct Act 2013:
 - (f) the Financial Reporting Act 1993:
 - (g) the Financial Reporting Act 2013:
 - (h) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:
 - (i) the Friendly Societies and Credit Unions Act 1982:
 - (j) the Incorporated Societies Act 1908:
 - (k) the Incorporated Societies Act 2022:
 - (l) the Industrial and Provident Societies Act 1908:
 - (m) the Insolvency Practitioners Regulation Act 2019:
 - (n) the Limited Partnerships Act 2008:
 - (o) the New Zealand Business Number Act 2016:
 - (p) the Personal Property Securities Act 1999:
 - (q) the Retirement Villages Act 2003.

(6) In this section,—

Companies Office means the division or part of each of the following departments (formerly or currently in existence) that collected or collects fees under this Act or any of the Acts listed in subsections (4) and (5):

- (a) the former Department of Justice:
- (b) the former Ministry of Commerce:
- (c) the former Ministry of Economic Development:
- (d) the Ministry of Business, Innovation, and Employment

fee—

- (a) includes any penalty or overdue fee imposed, or interest charged, in relation to an unpaid or overdue fee; and
- (b) in relation to the Insolvency Practitioners Regulation Act 2019, includes a levy imposed under section 81 of that Act.

Schedule 1

Transitional, savings, and related provisions

s 3

There are no transitional, savings, or related provisions in this Act as enacted.

Legislative history

19 May 2022

Introduction (Bill 126–1), first reading, second reading,
committee of the whole House, third reading

24 May 2022

Royal assent

This Act is administered by the Ministry of Business, Innovation, and Employment.