



## Summary Proceedings (Costs and Fees— Budget Measures) Amendment Regulations 2024

Cindy Kiro, Governor-General

### Order in Council

At Wellington this 27th day of May 2024

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 212 of the Summary Proceedings Act 1957 on the advice and with the consent of the Executive Council.

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## Regulations

### 1 Title

These regulations are the Summary Proceedings (Costs and Fees—Budget Measures) Amendment Regulations 2024.

### 2 Commencement

- (1) These regulations come into force on 1 July 2024.
- (2) However, regulations 5(1) and 7(2) come into force on 1 October 2024.

### 3 Principal regulations

These regulations amend the Summary Proceedings Regulations 1958.

### 4 New regulation 4A inserted (Transitional, savings, and related provisions)

After regulation 4, insert:

#### 4A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

### 5 Regulation 15C amended (Costs payable by defendant in respect of infringement offence)

- (1) In regulation 15C(1), replace “\$30” with “\$55”.
- (2) In regulation 15C(2), replace “\$30” with “\$33”.

### 6 New Schedule 1AA inserted

Insert the Schedule 1AA set out in the Schedule of these regulations as the first schedule to appear after the last regulation of the principal regulations.

### 7 Schedule 2 amended

- (1) Replace the Schedule 2 heading with:

#### Schedule 2 Court fees

rr 4, 15D, 15K

- (2) In Schedule 2, item (1), replace “30” with “55”.
- (3) In Schedule 2, item (2), replace “102” with “133”.

**Schedule**  
**New Schedule 1AA inserted**

r 6

**Schedule 1AA**  
**Transitional, savings, and related provisions**

r 4A

**Part 1**  
**Provisions relating to Summary Proceedings (Costs and Fees—  
Budget Measures) Amendment Regulations 2024**

**1 Costs payable by defendant in respect of infringement offence**

*Costs under order under section 21(5) or (5A) of Act*

- (1) The amount in regulation 15C(1) as amended on 1 October 2024 applies only for an order deemed to have been made—
- (a) under section 21(5) or (5A) of the Act; and
  - (b) on or after 1 October 2024.

*Costs under section 21(9) of Act*

- (2) The amount in regulation 15C(2) as amended on 1 July 2024 applies only for an order made—
- (a) by the court under section 21(9) of the Act; and
  - (b) on or after 1 July 2024.

**2 Court fees**

*Filing fee for providing particulars of reminder notice*

- (1) The fee in item (1) of Schedule 2 as amended on 1 October 2024 applies only for providing particulars of a reminder notice that is deemed to have been filed in a court—
- (a) under section 21(4C) of the Act; and
  - (b) on or after 1 October 2024.

*Fee for enforcement of fine*

- (2) The fee in item (2) of Schedule 2 as amended on 1 July 2024 applies only for enforcement—
- (a) of a fine, in accordance with regulation 15K; and
  - (b) commenced on or after 1 July 2024.

Nicola Purvis,  
Acting Clerk of the Executive Council.

## Explanatory note

*This note is not part of the regulations but is intended to indicate their general effect.*

These regulations, most of which come into force on 1 July 2024, amend the Summary Proceedings Regulations 1958. The amendments increase costs payable by the defendant in respect of an infringement offence, and court fees, under those regulations and the Summary Proceedings Act 1957 (the **Act**), as follows:

*Costs under order under section 21(5) or (5A) of Act*

- This amount is increased on 1 October 2024 from \$30 to \$55 to reflect the 83% increase in the New Zealand Consumers Price Index (the **CPI**) since the amount was last updated in 1998:

*Costs under section 21(9) of Act*

- This amount is increased by 10% from \$30 to \$33 to keep the maximum court costs payable for a contested infringement offence at the same level as those for other criminal matters heard by the court:

*Filing fee for providing particulars of reminder notice*

- This fee is increased on 1 October 2024 from \$30 to \$55 to reflect the 83% increase in the CPI since the fee was last updated in 1998:

*Fee for enforcement of fine*

- This fee is increased from \$102 to \$133 to reflect the 30% increase in the CPI since the fee was last updated in 2013.

## Regulatory impact statement

The Ministry of Justice produced a regulatory impact statement on 11 April 2024 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.justice.govt.nz/justice-sector-policy/regulatory-stewardship/regulatory-impact-assessments/>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 30 May 2024.

These regulations are administered by the Ministry of Justice.