



THE BOILERS, LIFTS, AND CRANES (FEES) REGULATIONS 1990

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 23rd day of October 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 58 of the Boilers, Lifts, and Cranes Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Fee for examination of drawings 4. Fee for inspections during manufacture or construction 5. Fee for first, periodic, and special inspections 6. Fees for inspections out of normal hours and travelling time 7. Fees for clerical work | <ol style="list-style-type: none"> 8. Fees may be reduced in certain circumstances 9. Cancellation of inspection arrangements 10. Fees for welder qualification tests 11. Replacement certificates 12. Fees inclusive of goods and services tax 13. Fees payable to Secretary 14. Revocation Schedules |
|--|---|

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Boilers, Lifts, and Cranes (Fees) Regulations 1990.

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Boilers, Lifts, and Cranes Act 1950:

“Approved”, in relation to a boiler, lift, or crane, means a boiler, lift, or crane that has been approved by the Chief Engineer Surveyor, or one that is identical to one so approved:

“Chief Engineer Surveyor” means the Chief Engineer Surveyor appointed in accordance with section 5 (2) of the Act:

“First inspection”, in relation to a boiler or machinery, means the first inspection carried out under section 11 (1) of the Act after the installation of a boiler or machinery:

“Heating surface”, in relation to a boiler, means the total surface area of all plates and tubes exposed to heat on one side and in contact with water on the other (measured on the side that has the larger area):

Provided that the surface areas of the following plates and tubes shall not form part of the heating surface:

(a) The front tube plate of an underfired multi-tubular boiler:

(b) The front tube plate of a locomotive type boiler:

(c) The upper tube plate, and the upper one-third of the length of the vertical tubes, of a vertical tubular boiler:

“Ministry” means the Ministry of Transport:

“Periodic inspection”, in relation to a boiler or machinery, means any inspection under section 11 (1) of the Act carried out subsequent to the first inspection, as required by section 13 of the Act:

“Secretary” means the Secretary for Transport:

“Special inspection”, in relation to a boiler or machinery, means a special inspection under section 20 of the Act:

“Surveyor” means an Engineer Surveyor appointed in accordance with section 5 (1) of the Act.

3. Fee for examination of drawings—(1) The fee for the examination by a Surveyor of drawings of a boiler, lift, or crane specified in the First Schedule to these regulations shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the examination takes.

(2) The fee for the examination of drawings of a boiler, lift, or crane that has been approved previously by the Chief Engineer Surveyor shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the examination takes.

(3) The fee for the examination of drawings that are accompanied by a certificate of approved design and construction acceptable to the Chief Engineer Surveyor shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the examination takes.

(4) The fee for the examination of modifications to drawings that have already been examined by a Surveyor shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the re-examination takes.

4. Fee for inspections during manufacture or construction—

(1) The fee for the inspections during the manufacture or construction of boilers, lifts, cranes, and other machinery specified in the Second Schedule to these regulations shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the inspection takes.

(2) No fee shall be payable under this regulation in respect of a boiler, pressure vessel, or crane that has been entirely manufactured, assembled, and tested outside New Zealand for installation in New Zealand if,—

- (a) In the case of a boiler, it is accompanied by an inspection report or a certificate as to the independent inspection and hydraulic testing of the boiler during its manufacture that is acceptable to the Chief Engineer Surveyor:
- (b) In the case of a crane other than a tower crane, it is accompanied by an inspection report or a certificate acceptable to the Chief Engineer Surveyor:
- (c) In the case of a tower crane or a component of a tower crane, it has been manufactured strictly in accordance with approved drawings and such manufacture is supported by documentation acceptable to the Chief Engineer Surveyor.

(3) Where the documentation is incomplete and the Surveyor needs to spend time obtaining further documentation, or the Surveyor needs to spend time processing any documentation, an amount calculated at the rate of \$105 for every hour or part of an hour so spent by the Surveyor shall be payable.

5. Fee for first, periodic, and special inspections—The fee for the first, periodic, or special inspection of any machinery specified in the Third Schedule to these regulations shall be an amount calculated at the rate of \$105 for every hour or part of an hour that the inspection takes.

6. Fees for inspections out of normal hours and travelling time—

(1) Notwithstanding regulations 4 and 5 of these regulations, where a Surveyor is required to carry out an inspection of a boiler or an item of machinery before 8 a.m. or after 5 p.m., on a week day, or at any time on a Saturday, Sunday, or public holiday, the following fees shall be payable:

- (a) In the case of an inspection before 8 a.m. or after 5 p.m., on a week day other than a day when the offices of the Ministry are normally closed, an amount calculated at the rate of \$157.50 for every hour or part of an hour that the inspection takes for the first 3 hours with a minimum fee of \$315, and \$210 for every hour or part of an hour thereafter that the inspection takes:
- (b) In the case of an inspection at any time on a Saturday, Sunday, or any other day when the offices of the Ministry are normally closed, an amount calculated at the rate of \$210 for every hour or part of an hour that the inspection takes, with a minimum fee of \$630.

(2) In addition to any fee specified in regulation 4 or regulation 5 of these regulations, the person liable to pay that fee shall pay the following:

- (a) Whenever a Surveyor is required to travel by land or sea more than 50 kilometres from the nearest office of the Ministry at which the Surveyor is based to the place where the boiler or item of machinery (not being a boiler or item of machinery specified in paragraph (e) (iii) of the Third Schedule to these regulations) is

presented for inspection, an amount calculated at the rate of \$105 for every hour or part of an hour spent travelling beyond 50 kilometres from that office for the purpose of the inspection:

- (b) Whenever a boiler or item of machinery is presented for inspection at the Chatham Islands, Stewart Island, or Milford Sound, or where, by prior arrangement with the person liable to pay any fee, a Surveyor travels by air to where the boiler or item is presented for inspection,—
- (i) The cost of return air travel for the most practicable route between that place and the nearest appropriate office of the Ministry at which a Surveyor is based; and
 - (ii) An amount calculated at the rate of \$105 for every hour or part of an hour spent travelling between that place and that office for the purpose of the inspection.

7. Fees for clerical work—(1) Subject to subclauses (2) and (3) of this regulation, where any clerical work is required to be carried out by the Ministry in respect of any work or service for which a fee is payable under these regulations, an additional fee calculated at the rate of \$62 for every hour or part of an hour spent on such clerical work by any person employed by the Ministry shall be payable.

(2) Where such clerical work is carried out before 8 a.m. or after 5 p.m., on a weekday, the rate of the fee shall be \$93 for every hour or part of an hour for the first 3 hours spent on the work and \$124 for every hour or part of an hour spent thereafter.

(3) Where such clerical work is carried out on a statutory holiday or a weekend, the rate of the fee shall be \$124 for every hour or part of an hour spent on the work.

8. Fees may be reduced in certain circumstances—Notwithstanding regulations 4 and 5 of these regulations, the Secretary may, if in the opinion of a Surveyor any number of boilers or any items of machinery may conveniently be grouped together for the purposes of inspection, and subject to such requirements for those purposes as the Secretary may think fit to impose, reduce the fee for the inspection of those boilers or items of machinery to such amount (not being less than an amount calculated at \$105 for every hour or part of an hour that the inspection takes) as the Secretary thinks fit having regard to the nature of the boilers or machinery, their number, the purpose for which they are used, and the convenience with which they may be inspected as a group.

9. Cancellation of inspection arrangements—(1) Where the owner of any boiler or item of machinery is unable to make it available for inspection at any time, date, or place arranged by the owner with a Surveyor, the owner shall give at least 1 working day's notice to the Surveyor of the unavailability for inspection of the boiler or item of machinery.

(2) Where the notice required to be given under subclause (1) of this regulation is not given, there shall be payable, on the next inspection of the boiler or item of machinery, in addition to the other fees payable under these regulations, a fee of \$420.

10. Fees for welder qualification tests—The fee for every welder qualification test conducted under the supervision of the Maritime Transport Division of the Ministry shall be—

- (a) For plate tests, \$164.25 for each position test:
- (b) For pipe tests, \$164.25 for each position test:
- (c) Where more than one person is examined at the same time in respect of any position test, \$109.15 for each person being tested for that position test.

11. Replacement certificates—An application for replacement of any certificate of inspection that has been lost, destroyed, or disfigured shall be accompanied by a fee of \$62.

12. Fees inclusive of goods and services tax—The fees prescribed by these regulations are inclusive of goods and services tax at the rate of 12.5 percent payable under the Goods and Services Tax Act 1985.

13. Fees payable to Secretary—The fees prescribed by these regulations shall be payable to the Secretary.

14. Revocation—The Boilers, Lifts, and Cranes (Fees) Regulations 1989* are hereby revoked.

*S.R. 1989/132

SCHEDULES

FIRST SCHEDULE

Reg. 3 (1)

EXAMINATIONS OF DRAWINGS

Fees shall be payable under regulation 3 (1) of these regulations for the examination of drawings of—

- (a) Boilers—
 - (i) A boiler, other than a type specified in subparagraph (ii) of this paragraph:
 - (ii) An electric or electrode boiler:
 - (iii) A tubular heating exchanger:
 - (iv) An unfired steam, air, or gas pressure vessel:
 - (v) A pressurised piping system:
- (b) Lifts:
- (c) Cranes—
 - (i) An overhead travelling crane:
 - (ii) A mobile crane or a derrick crane fixed with a single jib:
 - (iii) A lattice jib mobile crane or a derrick crane, with a variable length jib:
 - (iv) A cantilever jib mobile crane with fixed, mechanical, or hydraulic jib extensions:
 - (v) A portal or semi-portal crane:
 - (vi) A tower crane:
 - (vii) A goliath or semi-goliath crane:
 - (viii) A straddle carrier:
- (d) Miscellaneous—

FIRST SCHEDULE—*continued*EXAMINATIONS OF DRAWINGS—*continued*

- (i) Any component part of any item specified in this Schedule:
- (ii) A boiler or item of machinery that is of novel or unconventional design:
- (iii) A passenger-carrying ski lift or aerial ropeway.

SECOND SCHEDULE

Reg. 4 (1)

INSPECTIONS DURING MANUFACTURE OR CONSTRUCTION

Fees shall be payable under regulation 4 of these regulations for the inspection during the manufacture or construction of—

- (a) Boilers—
 - (i) A water tube or cylindrical shell boiler in which steam is generated:
 - (ii) An electric or electrode boiler or an unfired steam air or gas pressure vessel or unfired heat exchanger:
 - (iii) A pressurised piping system:
 - (iv) A multi-roll paper machine:
- (b) Lifts:
- (c) Cranes—
 - (i) An overhead travelling crane with main girders of box girder construction or a goliath crane or semi-goliath crane:
 - (ii) Any other type of overhead travelling crane:
 - (iii) A straddle carrier:
 - (iv) A derrick crane:
 - (v) A mobile crane with a single length jib:
 - (vi) A mobile crane with other than a single length jib or a mobile crane with jibs extended by hydraulic means:
 - (vii) A portal or semi-portal crane:
 - (viii) A tower crane jib, jib sections, counter-jib, mast head structure, slewing section assembly, and each tower section:
 - (ix) A container handling transporter:
- (d) Winding engines:
- (e) Miscellaneous—
 - (i) Any component part of a boiler or item of machinery specified in this Schedule where the inspection is not undertaken at the location of the boiler or machinery:
 - (ii) Welding procedure tests:
 - (iii) Passenger-carrying ski lift or aerial ropeway.

Reg. 5

THIRD SCHEDULE

FIRST, PERIODIC, AND SPECIAL INSPECTIONS OF MACHINERY

Fees shall be payable under regulation 5 of these regulations for first, periodic, and special inspections of—

(a) Boilers—

- (i) A cylindrical and water tube boiler:
- (ii) A water tube boiler:
- (iii) A cylindrical boiler:
- (iv) An electrode boiler, transportable pressure vessel, digester (meat and wood products), or process pressure vessel that is subject to general or local corrosion or is operating under conditions giving rise to metal fatigue:
- (v) A pressure vessel used for the storage of liquefied or permanent gas, a pressure vessel forming part of a refrigeration system or used as a pressure accumulator, or a pressure vessel heated by electric elements:
- (vi) A pressurised piping system having a nominal internal diameter exceeding 150 mm:
- (vii) A multi-roll paper machine:

(b) Lifts—

- (i) A passenger or goods lift (other than a type specified in subparagraph (ii) or subparagraph (iii) of this paragraph):
- (ii) A passenger lift in a residential building (other than a hotel or motel) with a passenger carrying capacity not exceeding 12 persons:
- (iii) A lift that is not certified for the carriage of passengers and the car of which has a floor area not exceeding 1 m² and a height not exceeding 1.25 m, being a lift operated from landings only:

(c) Cranes—

- (i) An overhead travelling crane that operates under medium or heavy duty working conditions (including a crane installed and employed at a cement works or fertiliser works or steelworks or foundry on duties such as lifting magnets, ladles, or grabs, or breaking up or handling scrap metal, charging furnaces, or handling ingots):
- (ii) Any other type of overhead travelling crane operating under light duty conditions or under circumstances where the crane is used infrequently:
- (iii) A derrick crane or a mobile crane with a fixed length jib:
- (iv) A mobile crane with an adjustable length jib:
- (v) A portal or semi-portal crane:
- (vi) A tower crane—
 - (A) For the inspection and testing association with the re-erection of a tower crane:
 - (B) For the inspection of a tower crane which has previously been issued with a certificate of inspection while erected on that foundation or rails at that site:
- (vii) A land mounted container handling transporter:
- (viii) A goliath type or semi-goliath type crane:
- (ix) A straddle carrier:

(d) Winding engines:

(e) Miscellaneous—

THIRD SCHEDULE—*continued*FIRST, PERIODIC, AND SPECIAL INSPECTIONS OF MACHINERY—*continued*

- (i) Any component part of a boiler or item of machinery specified in this Schedule, at a location separate from the boiler or item of machinery:
 - (ii) A passenger-carrying ski lift or aerial ropeway:
 - (iii) A return visit made by a Surveyor to any boiler or item of machinery to complete or undertake additional inspections:
- (f) Repairs—Any modification or repairs to any boiler or item of machinery.

MARIE SHROFF,
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, which come into force 28 days after the date of their notification in the *Gazette*, prescribe fees payable under the Boilers, Lifts, and Cranes Act 1950. The principal change is that most work and services under the Act are charged for at an hourly rate, which is \$105 in most cases.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 25 October 1990.
These regulations are administered in the Ministry of Transport.