



THE COMPANIES (FEES) ORDER 1980

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 13th day of October 1980

Present:

THE RIGHT HON. D. MACINTYRE PRESIDING IN COUNCIL

PURSUANT to section 470 of the Companies Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Companies (Fees) Order 1980.

(2) Subject to section 470 (2) of the Act, this order shall come into force at 4.30 p.m. on the 24th day of October 1980.

2. Interpretation—In this order, the term “the Act” means the Companies Act 1955.

3. Fees payable on registration increased—Part I of the table of fees set out in the First Schedule to the Act (as substituted by section 25 (1) of the Companies Amendment Act 1975) is hereby amended—

- (a) By omitting the expression “100” where it appears opposite the item “For registration of a company”, and substituting the expression “130”;
- (b) By omitting the expression “100” where it appears opposite the item that begins with the words “For registration of any existing company”, and substituting the expression “130”;
- (c) By omitting the expression “100” where it appears opposite the item that begins with the words “For registration of an overseas company”, and substituting the expression “130”.

4. Miscellaneous fees increased—Part II of the table of fees set out in the First Schedule to the Act (as substituted by section 25 (1) of the Companies Amendment Act 1975) is hereby amended—

- (a) By omitting the expression "20" where it appears opposite the item that begins with the words "For registration of any increase in share capital", and substituting the expression "25":
- (b) By omitting the expression "20" where it appears opposite the item that begins with the words "For registration of any increase in the number of members", and substituting the expression "25":
- (c) By omitting the expression "10" where it appears opposite the item that begins with the words "For an application for the Registrar's approval", and substituting the expression "15":
- (d) By omitting the expression "10" where it appears opposite the item that begins with the words "For an application to the Registrar", and substituting the expression "15":
- (e) By omitting the expression "20" where it appears opposite the item that begins with the words "For recording any alteration", and substituting the expression "25":
- (f) By omitting the expression "10" where it appears opposite the item that begins with the words "For an application for the Registrar's approval of a name", and substituting the expression "30":
- (g) By omitting the expression "20" where it appears opposite the item that begins with the words "For registering any change of name", and substituting the expression "30":
- (h) By omitting the expression "20" where it appears opposite the item "For registering any prospectus", and substituting the expression "50":
- (i) By omitting the expression "10" where it appears opposite the item that begins with the words "For registering under Part IV", and substituting the expression "20":
- (j) By omitting the expression "5" where it appears opposite the item that begins with the words "Where 2 or more instruments", and substituting the expression "10":
- (k) By omitting the expression "5" where it appears opposite the item that begins with the words "For registering any satisfaction", and substituting the expression "10":
- (l) By omitting the expression "20" where it appears opposite the item that begins with the words "For re-registration of a company", and substituting the expression "50":
- (m) By omitting the expression "20" where it appears opposite the item that begins with the words "For filing the documents required", and substituting the expression "50":
- (n) By omitting the expression "1" where it appears opposite paragraph (b) of the item that begins with the words "For a copy", and substituting the expression "1.20".

5. Annual return and other fees payable under Part XV of the Act increased—Part III of the table of fees set out in the First Schedule to the Act (as substituted by section 25 (1) of the Companies Amendment Act 1975) is hereby amended—

- (a) By omitting the expression "\$1", and substituting the expression "\$1.50":

- (b) By omitting from the proviso the expressions “\$1,000” and “\$10”, and substituting respectively the expressions “\$1,500” and “\$15”;
- (c) By omitting from the column of fees the expression “10” wherever it appears, and substituting in each case the expression “15”;
- (d) By omitting from the column of fees the expression “1,000” wherever it appears, and substituting in each case the expression “1,500”.

6. Altered table of fees—The table of fees in the First Schedule to the Act, as altered by clauses 3 to 5 of this order, is set out in the Schedule to this order.

SCHEDULE

Clause 6

TABLE OF FEES IN FIRST SCHEDULE TO THE ACT AS ALTERED BY CLAUSES 3 TO 5 OF THIS ORDER

I. Fees Payable on Registration of a Company or Overseas Company

	\$
For registration of a company	130
For registration of any existing company (except such companies as are exempted from payment of fees in respect of registration under this Act)	130
For registration of an overseas company under Part XII of this Act	130

II. Miscellaneous Fees

For registration of any increase in share capital made after the registration of the company	25
For registration of any increase in the number of members pursuant to section 21 (3) of this Act	25
For an application for the Registrar's approval or consent required under this Act or any regulations, where no other fee is prescribed	15
For an application to the Registrar to exercise his discretion under section 7 (3) of this Act	15
For recording any alteration of the objects of a company	25
For an application for the Registrar's approval of a name of a company (except as provided in section 8 (1) (b) and (c) of this Act)	30
For registering any change of name (except as provided in section 8 (1) (b) of this Act)	30
For registering any prospectus	50
For registering under Part IV of this Act the instrument creating or evidencing any charge required to be registered thereunder	20
Where 2 or more instruments create or evidence a charge or charges securing the same money, for every such instrument after the first	10

SCHEDULE—*continued*

	\$
For registering any satisfaction or partial satisfaction of a charge or release or partial release of property from a charge under Part IV of this Act	10
For re-registration of a company pursuant to section 365 or section 366 of this Act	50
For filing the documents required to be filed under section 7 (1) of the Companies Amendment Act 1963	50
For certification of a copy of or extract from any document for a copy of or extract from any document, in addition to any fee for certifying the same,—	10
(a) Where a photocopy machine is provided for public use, for each A4 international metric size sheet not more than	0.20
(b) Where a photocopy machine is not provided for public use, for four A4 international metric size sheets or part thereof	1.20
For the submission of any document to the Registrar after the time specified in this Act in respect of that document (whether or not any other fee is payable, and in addition to any other fee so payable)—	
(a) Where submitted not more than one month after the time specified	5
(b) Where submitted more than one month after the time specified	25

III. Annual Return and Other Fees Payable Under Part XV of this Act

The annual return fee or other fee payable under Part XV of this Act shall be an amount equal to—

	\$
In the case of any company having a nominal share capital (other than a company specified below) \$1.50 for every \$1,000, or part of \$1,000, of the nominal share capital of the company: Provided that no such fee shall be more than \$1,500 or less than \$15	
In the case of any company not having a nominal share capital	15
In the case of any overseas insurance company or overseas banking company	1,500
In the case of any company to which subsection (1) or subsection (2) of section 449 of this Act applies	15
In the case of any company to which section 450 (3) of this Act applies	15
In the case of the Government Insurance Commissioner and the State Insurance General Manager	1,500
In the case of any agent of an overseas insurer to which section 452 (2) of this Act applies	1,500

A. C. McLEOD,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order increases most of the fees set out in the table of fees in the First Schedule to the Companies Act 1955.

The table of fees, as altered, is set out in the Schedule to this order.

Subject to section 470 (2) of the Companies Act 1955, this order comes into force at 4.30 p.m. on 24 October 1980. That section requires publication in the *Gazette* of the altered table of fees before the new fees can be charged. It is intended that such publication will be made immediately after the order comes into force, and accordingly that in practice the new fees will be payable on and after 28 October 1980.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 October 1980.

This order is administered in the Department of Justice.