



Cadastral Survey (Fees) Regulations 2003

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 26th day of May 2003

Present:

Her Excellency the Governor-General in Council

Pursuant to section 48 of the Cadastral Survey Act 2002, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- Title**

These regulations are the Cadastral Survey (Fees) Regulations 2003.
- Commencement**

These regulations come into force on 1 July 2003.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Cadastral Survey Act 2002

department means the department of State that, with the authority of the Prime Minister, is responsible for the administration of the Act

paper plan means a plan that is not a digital cadastral survey dataset

parcel, in relation to a survey plan,—

- (a) includes the balance of a parcel if the survey plan relates to a survey of less than the whole parcel; but
- (b) does not include a parcel to which paragraph (a) applies if the parcel—
 - (i) is a marginal strip or railway land or a road; or
 - (ii) is the bed of a lake, river, or stream; or
 - (iii) is due to an acquisition of land under the Public Works Act 1981

sheet means 1 page of paper plan.

4 Fees

- (1) The fees specified in the Schedule are payable for—
 - (a) determining under section 9(a) of the Act whether cadastral survey datasets and cadastral surveys comply with standards set under section 49 of the Act; and
 - (b) auditing compliance with those standards where the standards provide for the production of records or information for the purposes of section 7(1)(j) of the Act.
- (2) The chief executive may permit a person to pay fees in accordance with a credit arrangement.
- (3) A party to a credit arrangement who fails to pay a fee in accordance with the arrangement is liable to pay interest on the fee—
 - (a) at the rate prescribed for the time being under section 87 of the Judicature Act 1908; and
 - (b) from the date on which the fee should have been paid to the date on which it is paid.
- (4) If there is no credit arrangement, a fee in respect of a requested matter is payable before the request is met.

5 Refund or waiver of fees

The chief executive may authorise the refund or waiver of a fee payable under these regulations—

- (a) if the fee is payable during, and in relation to, the introduction of a new system or change to the system for processing matters in respect of which fees are payable under these regulations; or
- (b) if the cost of the work involved in a particular case is substantially lower than the fee payable in that case.

6 Fees inclusive of GST

The fees prescribed or fixed by these regulations are inclusive of goods and services tax.

7 Revocation

The Cadastral Survey (Fees) Regulations 2002 (SR 2002/217) are revoked.

Schedule Fees

Part 1

Determining compliance with standards

For determining compliance with standards set under section 49 of Act	If lodged as paper plan (\$)	If lodged as digital cadastral survey dataset (\$)
1 Cross-lease—		
(a) basic fee	108	72
(b) each building or part of a building separately labelled	26	13
2 Unit title—		
(a) basic fee	130	72
(b) each principal unit or accessory unit (other than a unit for which a fee has been paid on a previous plan)	30	15
3 Survey plans (other than plans resulting from redefinition surveys for which no title plans are required)—		
(a) basic fee	424	320
(b) each additional sheet	113	n/a
(c) each parcel	123	105
(d) each area or location separately identified for a new easement or covenant	55	55

Part 1—*continued*

For determining compliance with standards set under section 49 of Act		If lodged as paper plan (\$)	If lodged as digital cadastral survey dataset (\$)
4	Compiled plans and computed plans	60% of fee in this column applicable under item 3	60% of fee in this column applicable under item 3
5	Survey plans resulting from redefinition survey for which no title plan is required	no fee	no fee
6	Plans not specified in items 1 to 5 for which approval or certification is required	50% of fee in this column applicable under item 3	50% of fee in this column applicable under item 3
7	Plans of parts of same survey lodged at different times	full fee in this column applicable under item 3	full fee in this column applicable under item 3
8	Requisitioned plans resubmitted to the Department—		
(a)	on the first item on which the plan is requisitioned	100	50
(b)	for each additional item on which the plan is requisitioned	20	10
(c)	for each parcel altered (except where directed by the Department) or for each new parcel or sheet added	full fee in this column applicable under items 1 to 6	full fee in this column applicable under items 1 to 6

Part 2

Auditing compliance with standards

	\$
For auditing compliance with standards set under section 49 of the Act where the standards provide for the production of records or information for the purposes of the function in section 7(1)(j) of the Act	130 per hour or part of an hour

Martin Bell,
Acting for 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 on 1 July 2003, prescribe the fees payable under the Cadastral Survey Act 2002 for—

- determining under section 9(a) of the Act whether cadastral survey datasets and cadastral surveys comply with standards set under section 49 of the Act; and
 - auditing compliance with those standards where the standards provide for the production of records or information for the purposes of the function in section 7(1)(j) of the Act.
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These regulations are administered in Land Information New Zealand.
