



**LAND TRANSPORT (CERTIFICATION AND OTHER FEES)
REGULATIONS 1999**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of February 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to sections 167, 168, and 218 of the Land Transport Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Land Transport (Certification and Other Fees) Regulations 1999.

(2) These regulations come into force on 1 March 1999.

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

“the Act” means the Land Transport Act 1998:

“Certifier” means a person appointed by the Director to certify motor vehicles under rules made under the Act:

“Certifying organisation” means a person approved by the Director to employ 1 or more persons appointed as a certifier:

“Director” has the same meaning as it has in the Act:

“Vehicle Standards Compliance rule” means a rule for the time being in force under the Act that imposes—

(a) Requirements for the certification of motor vehicles for compliance with applicable requirements; and

(b) Requirements relating to certification of motor vehicles generally.

3. Fees for approval of certifying organisations and certifiers—

(1) An application for appointment as a certifying organisation (which includes the appointment of 1 employee as a certifier) must be accompanied by a fee of \$74.50.

(2) An application for each subsequent appointment of an employee as a certifier, if the application for appointment is to be considered in conjunction with an application for approval as a certifying organisation, must be accompanied by a fee of \$39.00.

(3) An application for each subsequent appointment of an employee as a certifier, if the application for appointment is to be considered at any other time, must be accompanied by a fee of \$74.50.

4. Refund or waiver of fees—The Director may refund or waive all or part of any fee payable under regulation 3 if the applicant is operating a quality assurance programme for the inspection of vehicles that has been approved by the Director.

5. Fees payable to Director for certifications—(1) A certifying organisation must pay to the Director, in respect of each evidence of vehicle inspection issued for a motor vehicle, a fee of \$0.90.

(2) Subclause (1) does not apply in respect of a motor vehicle of a kind specified as a heavy motor vehicle or commercial vehicle in the Vehicle Standards Compliance rule unless it is also of a kind specified as a miscellaneous motor vehicle in a schedule of miscellaneous motor vehicles in that rule.

6. Standards development fee—(1) The owner of a motor vehicle of a kind specified as a heavy motor vehicle or commercial vehicle in the Vehicle Standards Compliance rule must pay to the Director, at the time of annual relicensing of the vehicle, a fee in respect of standards development and audit of \$1.50.

(2) Subclause (1) does not apply in respect of a motor vehicle of a kind specified as a miscellaneous motor vehicle in a schedule of miscellaneous motor vehicles in the Vehicle Standards Compliance rule.

7. Fee for issue of duplicate certificates—(1) The fee to be paid by the operator of a motor vehicle to a certifier for a duplicate of an evidence of vehicle inspection is \$7.50.

(2) Subclause (1) does not apply in respect of a motor vehicle of a kind specified as a heavy motor vehicle or commercial vehicle in the Vehicle Standards Compliance rule unless it is also of a kind specified as a

miscellaneous motor vehicle in a schedule of miscellaneous motor vehicles in that rule.

(3) The fee to be paid by the operator of a motor vehicle to a certifier for a duplicate of a certificate of loading is \$16.00.

8. Application fees for certification of in-service fitness or registration—(1) The fee to be paid by an applicant for certification of a vehicle for in-service fitness, or certification for registration purposes, is an amount fixed by the certifier or certifying organisation that is reasonable, having regard to—

- (a) The time spent in inspecting the vehicle to ascertain whether it complies with the relevant requirements; and
- (b) Any fees payable to the Director under regulation 5; and
- (c) Any standard or usual rate at which the certifier or certifying organisation imposes charges for other work carried out in respect of motor vehicles.

(2) Where, as a result of inspection of a motor vehicle for the purposes of certification for in-service fitness, no evidence of vehicle inspection is issued, no additional fee is payable for any subsequent application to the same certifier or certifying organisation for the purposes of the same certification, if any such application is made within 28 days after the first inspection for the issue of evidence of vehicle inspection.

(3) Subclause (2) does not apply in respect of a motor vehicle of a kind specified as a heavy motor vehicle or commercial vehicle in the Vehicle Standards Compliance rule unless it is also of a kind specified as a miscellaneous motor vehicle in a schedule of miscellaneous motor vehicles in that rule.

9. Fees to be inclusive of GST—The fees prescribed by these regulations are inclusive of goods and services tax.

10. Revocations—Schedule 1A of the Traffic Regulations 1976* is consequentially amended by revoking items 3 to 6.

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 on 1 March 1999, prescribe fees—

- For appointment of certifying organisations and certifiers
- Payable to the Director of the Land Transport Safety Authority for certifications and for standards development
- For a duplicate of an evidence of vehicle inspection and a certificate of loading.

The regulations also enable the Director of the Land Transport Safety Authority to refund or waive all or part of certain fees. Certifiers or certifying organisations are also empowered to fix reasonable fees for the certification of a vehicle for in-service fitness.

The fees prescribed by these regulations are similar to those currently prescribed in Schedule 1A of the Traffic Regulations 1976. These regulations are necessary as a consequence of the replacement of regulations dealing with the certification of motor vehicles with rules made by the Minister of Transport.

Issued under the authority of the Acts and Regulations Publication Act 1989.

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These regulations are administered in the Ministry of Transport.