



Retirement Villages (Fees) Regulations 2006

Anand Satyanand, Governor-General

Order in Council

At Wellington this 25th day of September 2006

Present:

His Excellency the Governor-General in Council

Pursuant to sections 101 and 102 of the Retirement Villages Act 2003, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
4 Fee for registration of retirement village	2
5 Fee for filing annual return for retirement village	3
6 Fee for notifying Registrar of change to retirement village	3
7 Fee for requesting cancellation of registration of village	3
8 Fees include GST	4
9 Penalties for late delivery of annual returns	4
10 How fees and penalties may be paid	4

Regulations

1 Title

These regulations are the Retirement Villages (Fees) Regulations 2006.

2 Commencement

These regulations come into force on 1 May 2007.

3 Interpretation

In these regulations, unless the context requires otherwise,—
Act means the Retirement Villages Act 2003

Registrar means the Registrar of Retirement Villages appointed under section 87 of the Act

Registrar-General means the Registrar-General of Land.

4 Fee for registration of retirement village

- (1) The fee for registration of a retirement village is the sum of—
- (a) the amount (the **units component**) worked out under subclause (2); and
 - (b) the amount (the **Registrar-General component**) worked out under subclause (3).

- (2) The units component is set out in the table.

Item	Number of units in the village	Units component
1	Not more than 34	\$540
2	At least 35 but not more than 84	\$1,700
3	At least 85	\$4,410

- (3) The Registrar-General component is the sum of—

- (a) \$20; and
- (b) \$30 for the first computer register, and \$2 for each other computer register (if any), on which the Registrar-General must note a memorial under section 21(3) of the Act if the village is registered and the other requirements of section 21 of the Act are met; and
- (c) \$10 for each notice of memorial (if any) that the Registrar-General must give under section 21(4) of the Act if the village is registered and the other requirements of section 21 of the Act are met.

5 Fee for filing annual return for retirement village

The fee for filing an annual return for a retirement village is set out in the table.

Item	Number of units in the village	Fee
1	Not more than 34	\$450
2	At least 35 but not more than 84	\$1,510
3	At least 85	\$3,850

6 Fee for notifying Registrar of change to retirement village

The fee for notifying the Registrar under section 17 of the Act of a change to the property, building, or premises comprising a retirement village is the sum of—

- (a) \$20; and
- (b) \$30 for the first computer register, and \$2 for each other computer register (if any), on which the Registrar-General must note a memorial under section 21(3) of the Act because of the change if the other requirements of section 21 of the Act are met; and
- (c) \$10 for each notice of memorial (if any) that the Registrar-General must give under section 21(4) of the Act because of the change if the other requirements of section 21 of the Act are met; and
- (d) \$30 for the first computer register, and \$2 for each other computer register (if any), that—
 - (i) is for land that, because of the change, has ceased to be part of the village; and
 - (ii) had a memorial noted on it under section 21(3) of the Act before the change.

7 Fee for requesting cancellation of registration of village

The fee for an operator of a retirement village giving the Registrar a request for cancellation of the registration of the village is the sum of—

- (a) \$20; and
- (b) \$30 for the first computer register, and \$2 for each other computer register (if any), from which the Registrar-General must remove a memorial under section 23(3) of the Act if the registration is cancelled and the other requirements of section 23 of the Act are met.

8 Fees include GST

The fees prescribed by these regulations include goods and services tax.

9 Penalties for late delivery of annual returns

- (1) The operator of a retirement village who delivers to the Registrar an annual return for the village after the month allocated for that purpose is liable to pay the Registrar, by way of penalty,—
 - (a) \$25, if the return is delivered within 25 working days after the end of that month; or
 - (b) \$100, if the return is delivered later.
- (2) However, the Registrar may waive the penalty if satisfied that—
 - (a) the lateness of the delivery of the annual return was accidental or due to inadvertence; or
 - (b) it is just and equitable to waive the penalty.

10 How fees and penalties may be paid

- (1) Fees and penalties set by these regulations may be paid in any of the following ways:
 - (a) by cash;
 - (b) by cheque;
 - (c) by a credit card that is acceptable to the Registrar;
 - (d) by direct debit from an account held with a financial institution by the person liable to pay the fee or penalty.
- (2) This regulation does not limit the ways in which fees or penalties may be paid.

Martin Bell,
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 come into force on 1 May 2007.

They provide for—

- fees payable for various matters under the Retirement Villages Act 2003; and
- penalties for late lodgement of annual returns for retirement villages; and
- some of the means for paying fees and penalties.

Some fees have been set to reflect fees payable under Schedule 5 of the Land Transfer Regulations 2002 for the Registrar-General of Land performing functions like those he or she has as a result of sections 21 and 23 of the Retirement Villages Act 2003. The fees set by these regulations in this way are—

- the fee for registration of a retirement village, which is set by *regulation 4* (especially *subclause (3)* of that regulation, which sets the Registrar-General component); and
- the fee for notifying the Registrar of Retirement Villages (the **Registrar**) of a change to the property, building, or premises comprising a retirement village, which is set by *regulation 6*; and
- the fee for requesting the Registrar to cancel the registration of a retirement village, which is set by *regulation 7*.

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

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These regulations are administered by the Department of Building and Housing.
