

**Reprint
as at 1 April 2010**



Building Practitioners (Licensing Fees and Levy) Regulations 2009

(SR 2009/410)

Building Practitioners (Licensing Fees and Levy) Regulations 2009: revoked, on 1 April 2010, by regulation 16 of the Building Practitioners (Licensing Fees and Levy) Regulations 2010 (SR 2010/44).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 14th day of December 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(d) and (e) of the Building Act 2004, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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

Minister (as defined by section 7 of that Act), makes the following regulations.

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Regulations

- 1 Title**

These regulations are the Building Practitioners (Licensing Fees and Levy) Regulations 2009.
- 2 Commencement**

These regulations come into force on 15 February 2010.
- 3 Interpretation**
 - (1) In these regulations,—

Act means the Building Act 2004

area of practice, in relation to bricklaying and blocklaying, external plastering, or roofing, means a category of building work of that kind (for example, in relation to roofing, metal-tile roofing and torch-on membrane roofing are areas of practice)

qualified applicant, in relation to a licensing class, means an applicant who has a recognised qualification for the class

recognised qualification, in relation to a licensing class, means a qualification of a kind the Registrar recognises as sufficient evidence on which to assess whether the minimum standards of competency for that class have been achieved without requiring an applicant to—

- (a) provide any details of relevant work history or other training; or
 - (b) attend an interview.
- (2) Terms or expressions used and not defined in these regulations but defined in the Act have, in these regulations, the same meanings as they have in the Act.

4 Fees payable in respect of application for design licence

- (1) The fees payable in respect of an application to be licensed as a building practitioner holding any class of design licence are—
- (a) an application fee of \$80; and
 - (b) an assessment and interview fee of—
 - (i) \$760, in the case of a design licence—class 1:
 - (ii) \$875, in the case of a design licence—class 2:
 - (iii) \$990, in the case of a design licence—class 3.
- (2) The fees prescribed in subclause (1) must be paid by an applicant at the time of making the application.

5 Fees payable in respect of application for non-design licence by qualified applicant

- (1) This regulation applies in respect of an application to be licensed as a building practitioner holding 1 or more licensing classes (other than 1 or more classes of design licence) that is made by a qualified applicant.
- (2) The fees payable in respect of an application are—
- (a) an application fee of \$80 (whether the application is for 1 or more licensing classes); and
 - (b) an assessment fee of—
 - (i) \$125, in the case of a site licence—class 1:
 - (ii) \$155, in the case of a site licence—class 2:
 - (iii) \$200, in the case of a site licence—class 3:
 - (iv) \$125, in the case of any other licensing class.

- (3) The fees prescribed in subclause (2) must be paid by a qualified applicant at the time of making the application.

6 Fees payable in respect of application for non-design licence by non-qualified applicant

- (1) This regulation applies in respect of an application to be licensed as a building practitioner holding 1 or more licensing classes (other than 1 or more classes of design licence) that is made by an applicant who is not a qualified applicant.
- (2) The fees payable in respect of an application are—
- (a) an application fee of \$80 (whether the application is for 1 or more licensing classes); and
 - (b) an assessment fee of—
 - (i) \$275, in the case of a site licence—class 1:
 - (ii) \$305, in the case of a site licence—class 2:
 - (iii) \$315, in the case of a site licence—class 3:
 - (iv) \$275, in the case of a carpentry licence:
 - (v) \$330, in the case of an application for both a carpentry licence and a site licence—class 1:
 - (vi) in the case of an application for a bricklaying and blocklaying licence,—
 - (A) \$275, if the application is in respect of one area of practice only:
 - (B) \$330, if the application is in respect of 2 or more areas of practice:
 - (vii) \$275, in the case of an application for a concrete structure licence:
 - (viii) in the case of an application for an external plastering licence,—
 - (A) \$275, if the application is in respect of one area of practice only:
 - (B) \$330, if the application is in respect of 2 or more areas of practice:
 - (ix) in the case of an application for a roofing licence,—
 - (A) \$275, if the application is in respect of one area of practice only:
 - (B) \$330, if the application is in respect of 2 or more areas of practice:

- (x) \$275, in the case of an application for a steel structure licence; and
- (c) an interview fee of—
 - (i) \$470, in the case of a site licence—class 1:
 - (ii) \$485, in the case of a site licence—class 2:
 - (iii) \$500, in the case of a site licence—class 3:
 - (iv) \$470, in the case of a carpentry licence:
 - (v) \$470, in the case of an application for both a carpentry licence and a site licence—class 1:
 - (vi) \$470, in the case of an application for a bricklaying and blocklaying licence:
 - (vii) \$470, in the case of an application for a concrete structure licence:
 - (viii) \$470, in the case of an application for an external plastering licence:
 - (ix) \$470, in the case of an application for a roofing licence:
 - (x) \$470, in the case of an application for a steel structure licence.
- (3) The fees prescribed in subclause (2)(a) and (b) must be paid by an applicant at the time of making the application.
- (4) The fees prescribed in subclause (2)(c) must be paid by an applicant if the applicant is notified that he or she is required to attend an interview for the purpose of determining whether he or she meets the applicable minimum standards for licensing.

7 Administration fee

An administration fee of \$170 is payable to the Registrar by—

- (a) an applicant (including a qualified applicant) at the time of making an application to be licensed as a building practitioner; and
- (b) a licensed building practitioner, each time he or she responds to the Registrar under section 303(2) of the Act confirming that he or she wishes to continue to be licensed.

- 8 Voluntary suspension fee**
The fee payable by a licensed building practitioner for the voluntary suspension of his or her licence under section 296 of the Act is \$50.
- 9 Reissue fee**
The fee payable by a licensed building practitioner for the re-issue of documentation evidencing that he or she is licensed is \$30.
- 10 Board levy**
The annual levy payable by a licensed building practitioner under section 303(2)(b) of the Act for, or in connection with, the costs of the operation and administration of the Board is \$25.
- 11 Late fee**
The fee payable by a licensed building practitioner under section 303(3) of the Act for late compliance with section 303(2) of the Act is \$25.
- 12 GST included**
The fees and levy prescribed by these regulations are inclusive of goods and services tax.
- 13 Regulations revoked**
The Building Practitioners (Licensing Fees and Levy) Regulations 2007 (SR 2007/299) are revoked.

Rebecca Kitteridge,
Clerk of the Executive Council.

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Notes

1 *General*

This is a reprint of the Building Practitioners (Licensing Fees and Levy) Regulations 2009. The reprint incorporates all the amendments to the regulations as at 1 April 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions,

see <http://www.pco.parliament.govt.nz/editorial-conventions/>
or Part 8 of the *Tables of New Zealand Acts and Ordinances
and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Building Practitioners (Licensing Fees and Levy) Regulations 2010 (SR 2010/44): regulation 16
