

**Reprint
as at 1 December 2014**



**Superannuation Schemes (Fees)
Regulations 1992**

(SR 1992/284)

Superannuation Schemes (Fees) Regulations 1992: revoked, on 1 December 2014, by section 5(p) of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 5th day of October 1992

Present:

The Hon Ruth Richardson presiding in Council

Pursuant to section 30 of the Superannuation Schemes Act 1989, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Treasury.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Superannuation Schemes (Fees) Regulations 1992.
- (2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Superannuation Schemes Act 1989

insurer includes—

- (a) a life insurance company within the meaning of section 2 of the Life Insurance Act 1908; and
- (b) the trustee or trustees of a registered superannuation scheme

net assets, in relation to a superannuation scheme,—

- (a) means the market value of the assets of the scheme, net of borrowings, at the close of the financial year to which the annual report refers: and
- (b) includes, where the assets of the scheme include policies or contracts of life insurance and annuities on the lives of scheme members and beneficiaries, the aggregate of the amounts assessed by the insurer as the current value of those policies or contracts at the close of the financial year to which the annual report refers

policies or contracts of life insurance and annuities excludes any policy or contract which provides only for a lump sum payment on death or disablement or both.

3 Fees

There shall be paid to the FMA, for each matter specified in the Schedule, the fee specified for it in that schedule, or, as the case may be, the appropriate fee calculated in accordance with the rate prescribed in that schedule.

Regulation 3: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

4 Goods and services tax included

The fees prescribed by, or to be calculated in accordance with, these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

5 Revocation

The Superannuation Schemes (Fees) Regulations 1991 (SR 1991/214) are hereby consequentially revoked.

Schedule

r 3

Fees payable to FMA

Schedule: substituted, on 1 January 2002, by regulation 3 of the Superannuation Schemes (Fees) Amendment Regulations 2001 (SR 2001/358).

Schedule heading: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

Part 1

**Fees payable in respect of registered
superannuation schemes**

- | | | |
|----|--|-------|
| 1 | On application to register a superannuation scheme under section 3 or section 4 of the Act | \$100 |
| 1A | For an application for approval of a transfer under section 9BAA of the Act, for each | \$100 |

Part 1—*continued*

	half-hour spent by the FMA considering the application	
2	For lodging an amendment to a trust deed under section 12(2) of the Act	\$50
3	For filing an annual report under section 14(3) of the Act	<p>\$100 if net assets of the scheme are less than \$3,000,000 and no actuarial report is required to be filed under section 15(3) of the Act</p> <p>\$350 if net assets of the scheme are greater than \$3,000,000 and no actuarial report is required to be filed under section 15(3) of the Act</p> <p>\$500 if net assets of the scheme are less than \$3,000,000 and an actuarial report is required to be filed under section 15(3) of the Act</p> <p>\$750 if net assets of the scheme are greater than \$3,000,000 and an actuarial report is required to be filed under section 15(3) of the Act</p>
4	On application under section 19(2) of the Act for cancellation of registration	\$250
5	For filing under section 21(1)(d)(i) of the Act the final accounts of a scheme that is wound up	\$250

Part 1—*continued*

- | | | |
|---|--|-------|
| 6 | For requesting consent to the reversion of assets to an employer in accordance with section 22 of the Act, for each half-hour spent by the FMA considering the request | \$100 |
| 7 | For requesting the confirmation of the FMA as required by section 47 of the Act, for each half-hour spent by the Government Actuary considering the request | \$100 |

Schedule Part 1 item 1A: inserted, on 1 December 2006, by regulation 4 of the Superannuation Schemes (Fees) Amendment Regulations 2006 (SR 2006/359).

Schedule Part 1 item 1A: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

Schedule Part 1 item 6: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

Schedule Part 1 item 7: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

Part 2

Fees payable in respect of miscellaneous matters

- | | | |
|---|---|------|
| 1 | On application to classify a superannuation scheme as a qualifying superannuation scheme under section EY 11 of the Income Tax Act 2007, for each half-hour spent by the FMA considering the application if the scheme is not required to file an actuarial report under section 15(3) of the Act | \$50 |
|---|---|------|

Schedule Part 2 item 1: amended, on 1 May 2011, by section 85(2) of the Financial Markets Authority Act 2011 (2011 No 5).

Schedule Part 2 item 1: amended, on 1 April 2008 (effective for 2008–09 income year and later income years, except when the context requires otherwise), by section ZA 2(1) of the Income Tax Act 2007 (2007 No 97).

Marie Shroff,

**Superannuation Schemes (Fees)
Regulations 1992**

Reprinted as at
1 December 2014

Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 8 October 1992.

Reprints notes

1 *General*

This is a reprint of the Superannuation Schemes (Fees) Regulations 1992 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70): section 5(p)

Financial Markets Authority Act 2011 (2011 No 5): section 85(2)

Income Tax Act 2007 (2007 No 97): section ZA 2(1)

Superannuation Schemes (Fees) Amendment Regulations 2006 (SR 2006/359)

Superannuation Schemes (Fees) Amendment Regulations 2001 (SR 2001/358)
