

Reprint
as at 12 November 2018



Retirement Villages (Fees) Regulations 2006 (SR 2006/297)

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.

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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 Ministry of Business, Innovation, and Employment.

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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

The fee for registration of a retirement village is the sum of—

- (a) \$900; and
- (b) \$176 for the Registrar-General to note a memorial on 1 or more records of title 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) \$5 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.

Regulation 4: substituted, on 11 August 2011, by regulation 4 of the Retirement Villages (Fees) Amendment Regulations 2011 (SR 2011/248).

Regulation 4(b): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

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 following table:

Item	Number of units in the village	Fee (\$)
1	Not more than 34	400
2	At least 35 but not more than 84	650
3	At least 85	1,300

Regulation 5: substituted, on 11 August 2011, by regulation 4 of the Retirement Villages (Fees) Amendment Regulations 2011 (SR 2011/248).

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 any of the following amounts that are applicable:

- (a) \$176 for the Registrar-General to note a memorial on 1 or more records of title under section 21(3) of the Act because of the change if the other requirements of section 21 of the Act are met:
- (b) \$5 for each notice of memorial 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:
- (c) \$176 for the Registrar-General to remove a memorial from 1 or more records of title that—
 - (i) are for land that, because of the change, has ceased to be part of the village; and
 - (ii) had a memorial noted on them under section 21(3) of the Act before the change.

Regulation 6: substituted, on 11 August 2011, by regulation 4 of the Retirement Villages (Fees) Amendment Regulations 2011 (SR 2011/248).

Regulation 6(a): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

Regulation 6(c): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

7 Fee for requesting cancellation of registration of retirement village

The fee for an operator of a retirement village requesting a cancellation of the registration of the village is \$176 (which includes, if the registration is cancelled and the other requirements of section 23 are met, the Registrar-General removing a memorial from 1 or more records of title under section 23(3) of the Act).

Regulation 7: substituted, on 11 August 2011, by regulation 4 of the Retirement Villages (Fees) Amendment Regulations 2011 (SR 2011/248).

Regulation 7: amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

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.

Reprints notes

1 *General*

This is a reprint of the Retirement Villages (Fees) Regulations 2006 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*

Land Transfer Act 2017 (2017 No 30): section 250

Retirement Villages (Fees) Amendment Regulations 2011 (SR 2011/248)