



Secondhand Dealers and Pawnbrokers (Fees) Amendment Regulations 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 84 of the Secondhand Dealers and Pawnbrokers Act 2004, 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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Regulations

1 Title

These regulations are the Secondhand Dealers and Pawnbrokers (Fees) Amendment Regulations 2013.

2 Commencement

These regulations come into force on 1 July 2013.

3 Principal regulations

These regulations amend the Secondhand Dealers and Pawnbrokers Regulations 2005 (the **principal regulations**).

4 Regulation 5 amended (Fees)

(1) In regulation 5,—

- (a) replace “\$413.80” with “\$410” in each place; and
- (b) replace “\$177.30 ” with “\$180” in each place.

(2) Replace regulation 5(2) with:

“(2) Despite subclause (1)(c), no fee is payable for an application for a certificate made under section 21 of the Act if that application is submitted along with—

- “(a) an application for a licence made under section 8 of the Act for which any fee or fees are payable under subclause (1)(b); or
- “(b) advice to issue an amended licence submitted under section 17 of the Act for which any fee or fees are payable under subclause (1)(b).

“(3) If a licence has been issued to a company under section 10 of the Act and the Licensing Authority is subsequently required to amend the licence under section 17 of the Act to account for a new director of the company,—

- “(a) the new director is to be treated as an additional director who is part of an application to which subclause (1)(b)(ii) applies; and
- “(b) the fee payable for the new director is \$180.

“(4) The fees prescribed in these regulations are inclusive of goods and services tax.”

Rebecca Kitteridge,
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 July 2013, amend the Secondhand Dealers and Pawnbrokers Regulations 2005 (the **principal regulations**). The amendments, which implement changes to civil fees as a result of the civil fees review by the Ministry of Justice,—

- decrease from \$413.80 to \$410 the fee for an application by an individual, or a company with 1 director, for a licence under section 8 of the Secondhand Dealers and Pawnbrokers Act 2004 (the **Act**); and
- decrease from \$413.80 to \$410 the fee for the first director and to increase the fee for each additional director from \$177.30 to \$180 for an application by a company with more than 1 director for a licence under section 8 of the Act; and
- increase from \$177.30 to \$180 the fee for an application for a certificate under section 21 of the Act; and
- clarify that no fee is payable for an application for a certificate made under section 21 of the Act if that application is submitted along with an application for a licence made under section 8 of the Act for which a fee is payable under regulation 5(1)(b) of the principal regulations or advice to issue an amended licence submitted under section 17 of the Act for which any fee or fees are payable under regulation 5(1)(b); and
- clarify that, if a licence has been issued to a company under section 10 of the Act and the Licensing Authority is subsequently required to amend the licence under section 17 of the Act to account for a new director of the company, the new director is to be treated as an additional director who is part of an application to which regulation 5(1)(b)(ii) applies and the fee payable for the new director is \$180.

These fees are inclusive of goods and services tax.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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These regulations are administered by the Ministry of Justice.
