

Reprint
as at 1 April 2021



Land Transport (Certification and Other Fees) Regulations 2014 (LI 2014/291)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 1st day of September 2014

Present:

His Excellency the Governor-General in Council

Pursuant to sections 167 and 168 of the Land Transport Act 1998, 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 Transport.

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Regulations

1 Title

These regulations are the Land Transport (Certification and Other Fees) Regulations 2014.

2 Commencement

These regulations come into force on 1 November 2014.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Land Transport Act 1998

Agency means the New Zealand Transport Agency established under section 93 of the Land Transport Management Act 2003

authorised person means a person, or a member of a specified class of persons, authorised by the Agency to collect a fee under these regulations

Director means the Director of Land Transport appointed under section 104A of the Land Transport Management Act 2003

exemption means an exemption under section 166 of the Act for a vehicle from a specified requirement in a land transport rule

heavy motor vehicle means a motor vehicle of a kind specified as a heavy motor vehicle in the Vehicle Standards Compliance rule

inspecting organisation means a person authorised in that capacity by the Director under clause 2.2(1) of the Vehicle Standards Compliance rule who is responsible for inspection and certification outcomes

land transport rule means a rule made under Part 11 of the Act

light motor vehicle means any motor vehicle of a kind that is not a heavy motor vehicle

vehicle inspector means a person authorised in that capacity by the Director under clause 2.2(1) of the Vehicle Standards Compliance rule to carry out inspection and certification activities in accordance with requirements and conditions imposed by the Director

Vehicle Standards Compliance rule means the rule for the time being in force under the Act that imposes—

- (a) requirements for the certification of motor vehicles for compliance with applicable requirements; and
- (b) requirements relating to certification of motor vehicles generally.

Regulation 3 **Director**: inserted, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Regulation 3 **inspecting organisation**: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Regulation 3 **vehicle inspector**: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

4 **Application fees for inspecting organisations and vehicle inspectors**

The following fees are payable for an application for appointment as an inspecting organisation or a vehicle inspector:

Application for appointment as inspecting organisation	\$1,250 for 1 activity and 1 site plus \$160 per hour for assessment of each additional activity or site for which approval is sought
Application for appointment as vehicle inspector	\$430 for 1 activity

5 **Hourly rate for Agency services**

The Agency may charge an hourly rate of \$160 for the following services provided by the Director:

- (a) monitoring and review of an inspecting organisation or a vehicle inspector under the Vehicle Standards Compliance rule where there is evidence of serious or repeated failures to comply with any of the requirements or conditions of appointment:
- (b) assessing an application from an approved inspecting organisation to add or change an inspection activity, an inspection site, or a condition of approval:
- (c) assessing an application for an exemption.

Regulation 5: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

6 Waiver or refund of fees

- (1) The Agency may waive or refund the whole or part of the applicable fee payable under these regulations if—
 - (a) a person applies to be appointed as an inspecting organisation and a vehicle inspector at the same time; or
 - (b) a vehicle inspector applies to add an inspection activity; or
 - (c) an applicant for appointment as a vehicle inspector applies to resit an assessment; or
 - (d) a person is renewing his or her appointment as a vehicle inspector; or
 - (e) an application for appointment as an inspecting organisation or a vehicle inspector, or for an exemption, is withdrawn part of the way through the process; or
 - (f) aspects of the assessment of an application for appointment as an inspecting organisation or a vehicle inspector are undertaken by a person or persons authorised by the Director and billed separately by that person or those persons, and it would be inequitable for the Agency to charge the applicant the full application fee; or
 - (g) a person applies for an exemption and previous decisions have been made on applications of the same kind with the result that the amount of work and the cost involved in deciding the application are reduced; or
 - (h) a person applies for an exemption from a requirement of a land transport rule that has become outdated but the person can effectively comply using a more advanced motor vehicle technology.
- (2) The Agency or an authorised person may waive or refund the whole or part of any fee payable under regulation 10(1) if the Agency or authorised person is satisfied that—
 - (a) the work actually done to collect information does not justify the payment (or full payment) of the fee; or
 - (b) there are special circumstances applicable to the particular case.

Regulation 6(1)(f): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

7 Certification fee

A vehicle inspector or inspecting organisation must pay to the Agency, in respect of each record of certification issued, the following fee:

- (a) \$6.50 for a certificate of fitness; or
- (b) \$1.35 for an entry (new); or
- (c) \$1.69 for an entry (used); or

- (d) \$13.85 for a low volume vehicle; or
- (e) \$4.50 for a heavy vehicle specialist; or
- (f) \$3.85 for a repair; or
- (g) \$1.55 for a warrant of fitness.

8 Standards development fee

- (1) The person registered under Part 17 of the Act in respect of a motor vehicle of a kind specified in Schedule 2 of the Vehicle Standards Compliance rule must pay to the Agency, at the time of relicensing of the vehicle, a fee in respect of standards development and auditing of \$1.33 per annum.
- (2) Subclause (1) does not apply in respect of a motor vehicle of a kind specified in Schedule 3 of the Vehicle Standards Compliance rule.

9 Application fees for certification of in-service fitness or registration or issue of duplicate certificate

- (1) The fee to be paid by an applicant for certification of a vehicle for in-service fitness, or certification for registration purposes, is an amount fixed by the inspecting organisation or vehicle inspector that is reasonable, having regard to—
 - (a) the time spent inspecting the vehicle to ascertain whether it complies with the relevant requirements; and
 - (b) any fees payable to the Agency under regulation 7; and
 - (c) any standard or usual rate at which the inspecting organisation or vehicle inspector imposes charges for other work carried out in respect of motor vehicles.
- (2) An inspecting organisation or a vehicle inspector may charge a reasonable fee for providing a duplicate of an evidence of vehicle inspection.
- (3) If, as a result of inspection of a motor vehicle for the purposes of certification for in-service fitness, no evidence of vehicle inspection is issued, no additional fee is payable for any subsequent application for the issue of evidence of vehicle inspection to the same inspecting organisation or vehicle inspector for the purposes of the same certification, if that application is made within 28 days after the first inspection.
- (4) Subclause (3) applies only in respect of motor vehicles that are required under the Vehicle Standards Compliance rule to have a warrant of fitness inspection and certification.

10 Fee payable by vehicle importer

- (1) A person who imports any motor vehicle that is to be registered in New Zealand must pay to the Agency or to an authorised person, before the vehicle is released from the control of Customs, a fee of \$5.50 in respect of the collection

of information about that vehicle while it is in the control of Customs for the purposes of the Vehicle Standards Compliance rule.

- (2) Despite subclause (1), a person who imports a new motor vehicle is not liable to pay a fee in respect of the collection of information about that vehicle while it is in the control of Customs if—
 - (a) the person imports a light motor vehicle and has been appointed as a vehicle inspector for vehicles of the same make as the vehicle that is imported; or
 - (b) the person imports a heavy motor vehicle and is the manufacturer or manufacturer's representative in New Zealand for the make and class of vehicle that is imported.

11 Fees payable for purposes of Land Transport Rule: Frontal Impact 2001

- (1) The fee payable for an application for the identification of a vehicle as an immigrant's vehicle under paragraph 3 of Schedule 1 of Land Transport Rule: Frontal Impact 2001 is \$160.
- (2) The fee payable for an application to obtain a special interest vehicle permit under paragraph 3 of Schedule 2 of Land Transport Rule: Frontal Impact 2001 is \$160.

Regulation 11(1): amended, on 17 January 2020, by regulation 4 of the Land Transport (Certification and Other Fees) Amendment Regulations 2019 (LI 2019/304).

11A Fees payable for purposes of Land Transport Rule: Light-vehicle Brakes 2002

- (1) The fee payable for an application for the identification of a vehicle as an immigrant's vehicle under paragraph 2 of Schedule 1 of Land Transport Rule: Light-vehicle Brakes 2002 is \$160.
- (2) The fee payable for an application to obtain a special interest motorcycle permit under paragraph 2 of Schedule 2 of Land Transport Rule: Light-vehicle Brakes 2002 is \$160.

Regulation 11A: inserted, on 17 January 2020, by regulation 5 of the Land Transport (Certification and Other Fees) Amendment Regulations 2019 (LI 2019/304).

12 Fee payable for Category A Left-hand Drive Vehicle Permit application

The fee payable for an application for a Category A Left-hand Drive Vehicle Permit under paragraph 1 of Part 2 of the Schedule of Land Transport Rule: Steering Systems 2001 is \$160.

12A Fees for permits to exceed mass limits

The fee payable for the issue of a permit by a road controlling authority under section 5 of the Land Transport Rule: Vehicle Dimensions and Mass 2016 is the relevant fee specified in the Schedule.

Regulation 12A: inserted, on 1 February 2017, by regulation 4 of the Land Transport (Certification and Other Fees) Amendment Regulations 2016 (LI 2016/278).

12B Fees for permits to exceed dimension limits

- (1) The fee payable to the Agency for an application for a permit under clause 6.49 of the Land Transport Rule: Vehicle Dimensions and Mass 2016 is \$20.
- (2) The fee payable to the Agency for the issue of a permit under clause 6.49 of the Land Transport Rule: Vehicle Dimensions and Mass 2016 is \$8.

Regulation 12B: inserted, on 1 February 2017, by regulation 4 of the Land Transport (Certification and Other Fees) Amendment Regulations 2016 (LI 2016/278).

13 Fees to be exclusive of GST

The fees prescribed by these regulations are exclusive of goods and services tax.

14 Revocation

The Land Transport (Certification and Other Fees) Regulations 1999 (SR 1999/27) are revoked.

**Schedule
Fees for permits to exceed mass limits**

r 12A

Schedule: inserted, on 1 February 2017, by regulation 5 of the Land Transport (Certification and Other Fees) Amendment Regulations 2016 (LI 2016/278).

	Fee (\$)
Application for each single, multiple trip, or linked permit where 3 or more working days available for processing	18.18
Application for each single, multiple trip, or linked permit where less than 3 working days available for processing	27.27
Application for each continuous, high-productivity motor vehicle, or specialist vehicle permit where 3 or more working days available for processing	54.55
Application for each continuous, high-productivity motor vehicle, or specialist vehicle permit where less than 3 working days available for processing	63.64
Application for renewal of each continuous permit where 3 or more working days available for processing	9.09
Application for renewal of each continuous permit where less than 3 working days available for processing	18.18

Notes

- 1 A linked permit is a permit that applies to any vehicle only when used in conjunction with another vehicle for which a permit is also required.
- 2 A continuous permit is a permit relating to a vehicle that is used frequently and does not have a divisible load.

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 4 September 2014.

Reprints notes

1 *General*

This is a reprint of the Land Transport (Certification and Other Fees) Regulations 2014 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 Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48): section 175(2)

Land Transport (Certification and Other Fees) Amendment Regulations 2019 (LI 2019/304)

Land Transport (Certification and Other Fees) Amendment Regulations 2016 (LI 2016/278)