

Reprint
as at 19 April 2019



**Fire and Emergency New Zealand (Levy Rates and
Information Requirements in Transitional Period)
Regulations 2017**
(LI 2017/102)

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 15th day of May 2017

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under clause 27 of Schedule 1 of the Fire and Emergency New Zealand Act 2017—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Internal Affairs.

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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 Department of Internal Affairs.

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Regulations

1 Title

These regulations are the Fire and Emergency New Zealand (Levy Rates and Information Requirements in Transitional Period) Regulations 2017.

2 Commencement

These regulations come into force on 1 July 2017.

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

Act means the Fire and Emergency New Zealand Act 2017

EQC Act means the Earthquake Commission Act 1993

return, certificate, or declaration means a return, certificate, or statutory declaration made or provided under section 49, 49A, 49B, 50, or 51A of the Fire Service Act 1975 (as continued by clause 26 of Schedule 1 of the Act).

- (2) *See also* clause 24 of Schedule 1 of the Act.

4 Rates of levy

The rates of the levy payable for the purposes of clause 25 of Schedule 1 of the Act are,—

- (a) for each motor vehicle, a rate of \$8.45 per annum; and
- (b) for all other property, a rate of 10.6 cents per annum for every \$100 of the amount for which the property is insured for the period of the contract of fire insurance.

5 Information to be provided with return, certificate, or declaration

- (1) This regulation applies to a contract of fire insurance for which the amount of levy payable to FENZ is equal to or greater than the amount calculated in accordance with the following formula:

$$\$1,000 \div 365 \times d$$

where d is the number of whole days in the period of the contract.

- (2) A person who is required to make or provide a return, certificate, or declaration to FENZ in relation to the contract must also provide the specified information to FENZ with the return, certificate, or declaration.
- (3) The specified information is—
- (a) whether the contract provides insurance for—

- (i) 1 or more motor vehicles; or
 - (ii) residential property; or
 - (iii) personal property; or
 - (iv) other property:
- (b) if the contract provides insurance for property other than motor vehicles, residential property, or personal property, the amount for which the property is insured (as determined in accordance with section 48(6)(c) and (d) of the Fire Service Act 1975):
 - (c) if the contract provides insurance for property that is or includes 1 or more heavy RUC vehicles (as defined in section 5(1) of the Road User Charges Act 2012), the number of heavy RUC vehicles for which the contract provides insurance:
 - (d) the amount insured (within the meaning of section 82 of the Act) of the property insured under the contract:
 - (e) the date on which the insurance provided under the contract commences and the date on which the insurance ends:
 - (f) the name of the policyholder (within the meaning of section 81(1) of the Act):
 - (g) the amount of levy paid.

6 Amounts fixed for purposes of levy for transitional period

For the purposes of subpart 3 of Part 1 of Schedule 1 of the Act,—

- (a) the amount by which the number of dwellings in a building must be multiplied is \$100,000 (*see* clause 28(1)(a) of Schedule 1 of the Act and section 18(1)(c) of the EQC Act):
- (b) the amount by which the area in square metres of the residential building must be multiplied is \$1,000 (*see* clause 28(1)(b) of Schedule 1 of the Act and section 18(2) of the EQC Act):
- (c) the amount provided for in section 20(b) of the EQC Act is \$20,000 (*see* clause 28(3) of Schedule 1 of the Act).

7 Revocation

These regulations are revoked on the date on which sections 80 to 140 of the Act come into force in accordance with section 2(5) or (6) of the Act.

Regulation 7: replaced, on 19 April 2019, by regulation 4 of the Fire and Emergency New Zealand (Levy Rates and Information Requirements in Transitional Period) Amendment Regulations 2019 (LI 2019/78).

Michael Webster,
Clerk of the Executive Council.

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Regulations 2017**

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Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 18 May 2017.

Reprints notes

1 *General*

This is a reprint of the Fire and Emergency New Zealand (Levy Rates and Information Requirements in Transitional Period) Regulations 2017 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*

Fire and Emergency New Zealand (Levy Rates and Information Requirements in Transitional Period) Amendment Regulations 2019 (LI 2019/78)