Version
as at 1 July 2026

Climate Change (Emissions Rulings: Fees and Charges) Regulations 2010

(SR 2010/213)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 26th day of July 2010

Present:
His Excellency the Governor-General in Council

Pursuant to section 167 of the Climate Change Response Act 2002, 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

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry for Cities, Environment, Regions and Transport.

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Regulations

1 Title

These regulations are the Climate Change (Emissions Rulings: Fees and Charges) Regulations 2010.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

In these regulations,—

application means an application for an emissions ruling under section 107 of the Climate Change Response Act 2002

charge means a charge prescribed by these regulations

fee means a fee prescribed by these regulations

forestry matter means—

(a) a forestry activity, a proposed forestry activity, or forest land; or

(b) a matter directly related to a forestry activity, a proposed forestry activity, or forest land.

Regulation 3 **forestry matter**: inserted, on 1 July 2026, by regulation 4 of the Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2026 (SL 2026/159).

4 Fee and charge for application

(1) The fee payable for an application is—

(a) $535.32 if the application relates only to forestry matters:

(b) $495.00 in any other case.

(2) The charge payable for the application is,—

(a) if the application relates only to forestry matters, $133.83 for each hour or part of an hour spent in processing the application after the first 4 hours:

(b) in any other case, $165.00 for each hour or part of an hour spent in processing the application after the first 4 hours.

Regulation 4: replaced, on 1 July 2026, by regulation 5 of the Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2026 (SL 2026/159).

5 Goods and services tax

Fees and charges are exclusive of goods and services tax payable under the Goods and Services Tax Act 1985, if any.

Regulation 5: amended, on 12 January 2023, by regulation 5 of the Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2022 (SL 2022/337).

6 Estimates

(1) When an applicant has made an application,—

(a) the applicant may request the EPA to provide an estimate of the total charge payable for the application; and

(b) the EPA must provide the estimate.

(2) When an applicant makes an application that the EPA considers will take longer than 4 weeks to process, the EPA must provide the applicant with an estimate of the time likely to be taken to process the application.

(3) If the EPA provides an estimate under this regulation that the EPA later considers incorrect, the EPA must provide the applicant with a corrected estimate.

(4) If the EPA has provided an estimate under this regulation,—

(a) the applicant may request the EPA from time to time to update the estimate; and

(b) the EPA must provide an update each time the applicant requests one.

Regulation 6(1)(a): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(1)(b): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(2): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(3): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(4): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(4)(a): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 6(4)(b): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

7 Minimisation of charges

The EPA must take all practicable steps to minimise the amount of charges.

Regulation 7: amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

8 Time of payment of fee and charge

(1) A fee must be paid at the time at which the application is made.

(2) The EPA may invoice payment of a charge periodically or as a lump sum.

(3) A charge must be paid on receipt of an invoice from the EPA.

Regulation 8(2): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 8(3): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

9 Exemptions, waivers, and refunds

(1) In exceptional circumstances, the EPA may—

(a) exempt an applicant from paying all or part of a fee or charge:

(b) waive the payment of all or part of a fee or charge:

(c) refund all or part of a fee or charge paid.

(2) An instrument granting an exemption or a waiver or refund is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named persons.

Legislation Act 2019 requirements for secondary legislation made under this regulation		
Publication	It is not required to be published	LA19 s 73(2)
Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

Regulation 9(1): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 9(2): inserted, on 28 October 2021, by regulation 72 of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

10 Reimbursement of costs of services

(1) This regulation applies if the EPA obtains advice from a third party on an application.

(2) The applicant must reimburse the full costs to the EPA of obtaining the advice.

Regulation 10(1): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

Regulation 10(2): amended, on 5 December 2011, by section 53(2) of the Environmental Protection Authority Act 2011 (2011 No 14).

11 Fee and charge before 1 October 2010

[Revoked]

Regulation 11: revoked, on 12 January 2023, by regulation 6 of the Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2022 (SL 2022/337).

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 29 July 2010.

Notes

1 General

This is a consolidation of the Climate Change (Emissions Rulings: Fees and Charges) Regulations 2010 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2026 (SL 2026/159)

Climate Change (Emissions Rulings: Fees and Charges) Amendment Regulations 2022 (SL 2022/337)

Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248): regulation 72

Environmental Protection Authority Act 2011 (2011 No 14): section 53(2)

Wellington, New Zealand:

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