

Reprint
as at 21 January 2019



**Building Practitioners (Licensing Fees and Levy)
Regulations 2010**
(SR 2010/44)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 1st day of March 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(d) and (e) and (2) of the Building Act 2004, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister (as defined by section 7 of that Act), 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 Building Practitioners (Licensing Fees and Levy) Regulations 2010.

2 Commencement

These regulations come into force on 1 April 2010.

3 Interpretation

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

Act means the Building Act 2004

area of practice, in relation to an application to be licensed in the licensing class called bricklaying and blocklaying, external plastering, foundations, or roofing, means a category of building work of that kind (for example, in relation to roofing, metal-tile roofing and torch-on membrane roofing are areas of practice)

area of practice 1, **area of practice 2**, and **area of practice 3**, in relation to licensing, or an application to be licensed, in a licensing class, have the same meanings as in the rules

recognised qualification, in relation to licensing in a licensing class, has the same meaning as in the rules.

- (2) Terms or expressions used and not defined in these regulations but defined in the Act have, in these regulations, the same meanings as they have in the Act.

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

Regulation 3A: inserted, on 21 January 2019, by regulation 4 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Fees payable by applicants to be licensed

4 Application fee

- (1) An application fee of \$217.39 is payable in respect of an application to be licensed as a building practitioner in 1 or more licensing classes.
- (2) The fee prescribed in subclause (1) must be paid by an applicant at the time of making the application.

Regulation 4(1): amended, on 21 January 2019, by regulation 5 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

5 Administration fee

[Revoked]

Regulation 5: revoked, on 21 January 2019, by regulation 6 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

6 Assessment and interview fee for application to be licensed in licensing class called design: any applicant

- (1) An assessment and interview fee of the following amount is payable in respect of an application to be licensed as a building practitioner in the licensing class called design and that is an application made by any applicant:
 - (a) \$675.56, if the application is made in respect of area of practice 1:
 - (b) \$777.78, if the application is made in respect of area of practice 2:
 - (c) \$880.00, if the application is made in respect of area of practice 3.
- (2) The fee prescribed in subclause (1) must be paid by an applicant at the time of making the application.

Regulation 6(1)(a): amended, on 21 January 2019, by regulation 7(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 6(1)(b): amended, on 21 January 2019, by regulation 7(2) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 6(1)(c): amended, on 21 January 2019, by regulation 7(3) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

7 Assessment fee for application to be licensed in other licensing classes: applicant with recognised qualification

- (1) An assessment fee of the following amount is payable in respect of an application to be licensed as a building practitioner in 1 or more licensing classes (other than the licensing class called design) if, and only insofar as, the application is one made by an applicant who has a recognised qualification for licensing in each of those 1 or more classes:
- (a) \$111.11, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 1:
 - (b) \$137.78, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 2:
 - (c) \$177.78, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 3:
 - (d) \$111.11, if the application is one to be licensed in any other licensing class or licensing classes (other than the licensing class called design).
- (2) The fee prescribed in subclause (1) must be paid by a qualified applicant at the time of making the application.

Regulation 7(1)(a): amended, on 21 January 2019, by regulation 8(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 7(1)(b): amended, on 21 January 2019, by regulation 8(2) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 7(1)(c): amended, on 21 January 2019, by regulation 8(3) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 7(1)(d): amended, on 21 January 2019, by regulation 8(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

8 Assessment fee for application to be licensed in other licensing classes: without recognised qualification

- (1) An assessment fee of the following amount is payable in respect of an application to be licensed as a building practitioner in 1 or more licensing classes (other than the licensing class called design) if, and only insofar as, the application is one made by an applicant who does not have a recognised qualification for licensing in each of those 1 or more classes:
- (a) \$244.44, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 1:
 - (b) \$271.11, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 2:
 - (c) \$280.00, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 3:
 - (d) \$244.44, if the application is one to be licensed in the licensing class called carpentry:

- (e) \$293.33, if the application is one to be licensed in the licensing class called carpentry, and is also one to be licensed in the licensing class called site and one that is made in respect of area of practice 1:
 - (f) if the application is one to be licensed in the licensing class called brick-laying and blocklaying,—
 - (i) \$244.44, if the application is made in respect of 1 area of practice only:
 - (ii) \$293.33, if the application is made in respect of 2 or more areas of practice:
 - (g) if the application is one to be licensed in the licensing class called foundations,—
 - (i) \$244.44, if the application is made in respect of 1 area of practice only:
 - (ii) \$293.33, if the application is made in respect of 2 or more areas of practice:
 - (h) \$244.44, if the application is one to be licensed in the licensing class called concrete structure:
 - (i) if the application is one to be licensed in the licensing class called external plastering,—
 - (i) \$244.44, if the application is made in respect of 1 area of practice only:
 - (ii) \$293.33, if the application is made in respect of 2 or more areas of practice:
 - (j) if the application is one to be licensed in the licensing class called roofing,—
 - (i) \$244.44, if the application is made in respect of 1 area of practice only:
 - (ii) \$293.33, if the application is made in respect of 2 or more areas of practice:
 - (k) \$244.44, if the application is one to be licensed in the licensing class called steel structure.
- (2) The fee prescribed in subclause (1) must be paid by an applicant at the time of making the application.

Regulation 8(1)(a): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(b): amended, on 21 January 2019, by regulation 9(2) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(c): amended, on 21 January 2019, by regulation 9(3) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(d): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(e): amended, on 21 January 2019, by regulation 9(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(f)(i): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(f)(ii): amended, on 21 January 2019, by regulation 9(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(g)(i): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(g)(ii): amended, on 21 January 2019, by regulation 9(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(h): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(i)(i): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(i)(ii): amended, on 21 January 2019, by regulation 9(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(j)(i): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(j)(ii): amended, on 21 January 2019, by regulation 9(4) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 8(1)(k): amended, on 21 January 2019, by regulation 9(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

9 Interview fee for application to be licensed in other licensing classes: without recognised qualification

- (1) An interview fee of the following amount is payable in respect of an application to be licensed as a building practitioner in 1 or more licensing classes (other than the licensing class called design) if, and only insofar as, the application is one made by an applicant who does not have a recognised qualification for licensing in each of those 1 or more classes:
 - (a) \$417.78, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 1:
 - (b) \$431.11, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 2:
 - (c) \$444.44, if the application is one to be licensed in the licensing class called site and one that is made in respect of area of practice 3:
 - (d) \$417.78, if the application is one to be licensed in the licensing class called carpentry:
 - (e) \$417.78, if the application is one to be licensed in the licensing class called carpentry, and is also one to be licensed in the licensing class called site and one that is made in respect of area of practice 1:
 - (f) \$417.78, if the application is one to be licensed in the licensing class called bricklaying and blocklaying:

- (g) \$417.78, if the application is one to be licensed in the licensing class called foundations:
 - (h) \$417.78, if the application is one to be licensed in the licensing class called concrete structure:
 - (i) \$417.78, if the application is one to be licensed in the licensing class called external plastering:
 - (j) \$417.78, if the application is one to be licensed in the licensing class called roofing:
 - (k) \$417.78, if the application is one to be licensed in the licensing class called steel structure.
- (2) The fee prescribed in subclause (1) must be paid by an applicant as soon as is reasonably practicable after he or she is notified that he or she is required to attend an interview for the purpose of determining whether he or she meets the applicable minimum standards for licensing.

Regulation 9(1)(a): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(b): amended, on 21 January 2019, by regulation 10(2) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(c): amended, on 21 January 2019, by regulation 10(3) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(d): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(e): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(f): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(g): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(h): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(i): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(j): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 9(1)(k): amended, on 21 January 2019, by regulation 10(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Fees and levy payable by licensed building practitioners

10 Voluntary suspension fee

The fee payable by a licensed building practitioner for the voluntary suspension of his or her licensing under section 296 of the Act is \$43.48.

Regulation 10: amended, on 21 January 2019, by regulation 11 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

11 Reissue fee

The fee payable by a licensed building practitioner for the reissue of documentation evidencing that he or she is licensed is \$43.48.

Regulation 11: amended, on 21 January 2019, by regulation 12 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

12 Annual licence fee

An annual licence fee of \$84.35 is payable to the Registrar by a licensed building practitioner each time he or she replies to the Registrar under section 303(2) of the Act indicating that he or she wishes to continue to be licensed.

Regulation 12 heading: replaced, on 21 January 2019, by regulation 13(1) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Regulation 12: amended, on 21 January 2019, by regulation 13(2) of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

13 Scheme levy

The annual levy payable by a licensed building practitioner under section 303(2)(b) of the Act is \$123.48.

Regulation 13: replaced, on 21 January 2019, by regulation 14 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

14 Late fee

The fee payable by a licensed building practitioner under section 303(3) of the Act for late compliance with section 303(2) of the Act is \$22.22.

Regulation 14: amended, on 21 January 2019, by regulation 15 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

*Miscellaneous provisions***15 Fees and levy GST exclusive**

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

Regulation 15: replaced, on 21 January 2019, by regulation 16 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

16 Regulations revoked

The Building Practitioners (Licensing Fees and Levy) Regulations 2009 (SR 2009/410) are revoked.

Schedule 1
Transitional, savings, and related provisions

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Schedule 1: inserted, on 21 January 2019, by regulation 17 of the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249).

Part 1
**Provision relating to Building Practitioners (Licensing Fees and
Levy) Amendment Regulations 2018**

**1 Amendments to regulations 12 and 13 do not apply where building
practitioner contacted before amendments commence**

The amendments to regulations 12 and 13 made by the Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 apply only to fees and levies payable where the Registrar, under section 303 of the Act, contacted a licensed building practitioner on or after 21 January 2019.

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 4 March 2010.

Reprints notes**1 *General***

This is a reprint of the Building Practitioners (Licensing Fees and Levy) Regulations 2010 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*

Building Practitioners (Licensing Fees and Levy) Amendment Regulations 2018 (LI 2018/249)