



Building Practitioners (Licensing Fees and Levy) Regulations 2010

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.

Contents

		Page
1	Title	2
2	Commencement	2
3	Interpretation	2
	<i>Fees payable by applicants to be licensed</i>	
4	Application fee	3
5	Administration fee	3
6	Assessment and interview fee for application to be licensed in licensing class called design: any applicant	3

r 1	Building Practitioners (Licensing Fees and Levy) Regulations 2010	2010/44
7	Assessment fee for application to be licensed in other licensing classes: applicant with recognised qualification	4
8	Assessment fee for application to be licensed in other licensing classes: without recognised qualification	4
9	Interview fee for application to be licensed in other licensing classes: without recognised qualification	6
	<i>Fees and levy payable by licensed building practitioners</i>	
10	Voluntary suspension fee	7
11	Reissue fee	7
12	Administration fee with certain annual replies	7
13	Board levy	7
14	Late fee	7
	<i>Miscellaneous provisions</i>	
15	GST included	7
16	Regulations revoked	8

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.

Fees payable by applicants to be licensed

4 Application fee

- (1) An application fee of \$80 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.

5 Administration fee

- (1) An administration fee of \$170 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.

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) \$760, if the application is made in respect of area of practice 1:
 - (b) \$875, if the application is made in respect of area of practice 2:
 - (c) \$990, 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.

- 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) \$125, 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) \$155, 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) \$200, 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) \$125, 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.
- 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) \$275, 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) \$305, 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) \$315, 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) \$275, if the application is one to be licensed in the licensing class called carpentry:
 - (e) \$330, 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 bricklaying and blocklaying,—
 - (i) \$275, if the application is made in respect of 1 area of practice only:
 - (ii) \$330, 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) \$275, if the application is made in respect of 1 area of practice only:
 - (ii) \$330, if the application is made in respect of 2 or more areas of practice:
 - (h) \$275, 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) \$275, if the application is made in respect of 1 area of practice only:
 - (ii) \$330, 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) \$275, if the application is made in respect of 1 area of practice only:
 - (ii) \$330, if the application is made in respect of 2 or more areas of practice:
 - (k) \$275, 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.

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) \$470, 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) \$485, 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) \$500, 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) \$470, if the application is one to be licensed in the licensing class called carpentry:
 - (e) \$470, 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) \$470, if the application is one to be licensed in the licensing class called bricklaying and blocklaying:
 - (g) \$470, if the application is one to be licensed in the licensing class called foundations:
 - (h) \$470, if the application is one to be licensed in the licensing class called concrete structure:
 - (i) \$470, if the application is one to be licensed in the licensing class called external plastering:
 - (j) \$470, if the application is one to be licensed in the licensing class called roofing:
 - (k) \$470, 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.

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 \$50.
- 11 Reissue fee**
The fee payable by a licensed building practitioner for the re-issue of documentation evidencing that he or she is licensed is \$30.
- 12 Administration fee with certain annual replies**
An administration fee of \$170 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.
- 13 Board levy**
The annual levy payable by a licensed building practitioner under section 303(2)(b) of the Act for, or in connection with, the costs of the operation and administration of the Board is \$25.
- 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 \$25.

Miscellaneous provisions

- 15 GST included**
The fees and levy prescribed by these regulations are inclusive of goods and services tax.

16 Regulations revoked

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

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 April 2010 and are made under the Building Act 2004, revoke and replace the Building Practitioners (Licensing Fees and Levy) Regulations 2009 (the **2009 Regulations**) in order to reflect licensing classes changes in the Building (Designation of Building Work Licensing Classes) Order 2010.

The regulations prescribe the fees and levy payable under the Building Act 2004 for matters relating to the licensing of building practitioners. The fees and levy are inclusive of goods and services tax. The main changes from the 2009 Regulations are as follows:

- replacement fees are prescribed for an application to be licensed in the new single licensing class called design (which replaces the former 3 design licensing classes) or in the new single licensing class called site (which replaces the former 3 site licensing classes) and, like the former fees, the replacement fees differ depending on the area of practice in respect of which the application is made:
- new assessment fees, and a new interview fee, are prescribed for an application to be licensed in the new licensing class called foundations—
 - an assessment fee of \$275 if the application is made in respect of 1 area of practice only:
 - an assessment fee of \$330 if the application is made in respect of 2 or more areas of practice:

- an interview fee of \$470 if an interview is required in respect of the application.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 March 2010.
These regulations are administered by the Department of Building and Housing.
