

**Reprint
as at 1 September 2007**



**Cadastral Survey (Fees) Regulations 2003
(SR 2003/123)**

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 26th day of May 2003

Present:
Her Excellency the Governor-General in Council

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by Land Information New Zealand.

Pursuant to section 48 of the Cadastral Survey Act 2002, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- These regulations are the Cadastral Survey (Fees) Regulations 2003.

2 Commencement

- These regulations come into force on 1 July 2003.

3 Interpretation

- In these regulations, unless the context otherwise requires,—
Act means the Cadastral Survey Act 2002
department means the department of State that, with the authority of the Prime Minister, is responsible for the administration of the Act
paper plan means a plan that is not a digital cadastral survey dataset
parcel, in relation to a survey plan,—
 - (a) includes the balance of a parcel if the survey plan relates to a survey of less than the whole parcel; but
 - (b) does not include a parcel to which paragraph (a) applies if the parcel—
 - (i) is a marginal strip or railway land or a road; or
 - (ii) is the bed of a lake, river, or stream; or
 - (iii) is due to an acquisition of land under the Public Works Act 1981**sheet** means 1 page of paper plan.

4 Fees

- (1) The fees specified in the Schedule are payable for—
 - (a) determining under section 9(a) of the Act whether cadastral survey datasets and cadastral surveys comply with standards set under section 49 of the Act; and
 - (b) auditing compliance with those standards where the standards provide for the production of records or information for the purposes of section 7(1)(j) of the Act.
- (2) The chief executive may permit a person to pay fees in accordance with a credit arrangement.
- (3) A party to a credit arrangement who fails to pay a fee in accordance with the arrangement is liable to pay interest on the fee—
 - (a) at the rate prescribed for the time being under section 87 of the Judicature Act 1908; and
 - (b) from the date on which the fee should have been paid to the date on which it is paid.
- (4) If there is no credit arrangement, a fee in respect of a requested matter is payable before the request is met.

5 Refund or waiver of fees

- The chief executive may authorise the refund or waiver of a fee, or part of a fee, payable under these regulations—
 - (a) if the fee is payable during, and in relation to, the introduction of a new system or change to the system for processing matters in respect of which fees are payable under these regulations; or
 - (b) if the cost of the work involved in a particular case is substantially lower than the fee payable in that case.
 - (c) to encourage the lodgement of digital cadastral survey datasets; or
 - (d) to recognise any over-recovery of fees in previous financial years.

Regulation 5: amended, on 5 July 2004, by regulation 3(1) of the Cadastral Survey (Fees) Amendment Regulations 2004 (SR 2004/159).

Regulation 5(c): added, on 5 July 2004, by regulation 3(2) of the Cadastral Survey (Fees) Amendment Regulations 2004 (SR 2004/159).

Regulation 5(d): added, on 5 July 2004, by regulation 3(2) of the Cadastral Survey (Fees) Amendment Regulations 2004 (SR 2004/159).

6 Fees inclusive of GST

- The fees prescribed or fixed by these regulations are inclusive of goods and services tax.

7 Revocation

- The Cadastral Survey (Fees) Regulations 2002 (SR 2002/217) are revoked.

**Schedule
Fees**

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Part 1

Determining compliance with standards

- Schedule Part 1: substituted, on 1 September 2007, by regulation 4 of the Cadastral Survey (Fees) Amendment Regulations 2007 (SR 2007/218).

For determining compliance with standards set out under section 49 of Act	If lodged as digital cadastral survey dataset (\$)
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1 Cross-lease—

- | | |
|---|-----|
| • (a) basic fee | 72 |
| • (b) each building or part of building | n/a |

2 Unit title—

- | | |
|---|----|
| • (a) basic fee | 61 |
| • (b) each principal unit or accessory unit | 20 |

3 Survey plans—

- | | |
|---|-----|
| • (a) basic fee | 216 |
| • (b) each additional sheet | n/a |
| • (c) each parcel | 42 |
| • (d) each area or location separately identified for an easement or covenant | 21 |

4 Compiled plans and computed plans

60% of fee in this column
applicable under item 3

5 Plans of survey data, including redefinition surveys, for which no title plans are required

No fee

6 Plans not specified in items 1 to 5 for which approval is required

50% of fee in this column
applicable under item 3

7 Plans of parts of same survey lodged at different times

Full fee in this column
applicable under item 3

8 Requisitioned plans resubmitted to the department—

- | | |
|--|--|
| • (a) on the first item on which the plan is requisitioned | 134 |
| • (b) for each additional item on which the plan is requisitioned | n/a |
| • (c) for each parcel altered (except where directed by the department), or each new parcel or sheet added | Full fee in this column
applicable under items 1 to 6 |

Part 2

Auditing compliance with standards

\$

For auditing compliance with standards set under section 49 of the Act where the standards provide for the production of records or information for the purposes of the function in section 7(1)(j) of the Act

130 per hour
or part of an
hour

Martin Bell,
Acting for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 29 May 2003.

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Notes

1 General

- This is a reprint of the Cadastral Survey (Fees) Regulations 2003. The reprint incorporates all the amendments to the regulations as at 1 September 2007, as specified in the list of amendments at the end of these notes.
Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

- Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.
This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

- A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

- Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- •omission of unnecessary referential words (such as “of this section” and “of this Act”)
- •typeface and type size (Times Roman, generally in 11.5 point)
- •layout of provisions, including:
 - •indentation
 - •position of section headings (eg, the number and heading now appear above the section)
- •format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- •format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- •position of the date of assent (it now appears on the front page of each Act)
- •punctuation (eg, colons are not used after definitions)
- •Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- •case and appearance of letters and words, including:
 - •format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - •small capital letters in section and subsection references are now capital letters
- •schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- •running heads (the information that appears at the top of each page)
- •format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 List of amendments incorporated in this reprint (most recent first)

- Cadastral Survey (Fees) Amendment Regulations 2007 (SR 2007/218)
- Cadastral Survey (Fees) Amendment Regulations 2004 (SR 2004/159)