

**Reprint
as at 20 June 2011**



**Residential Tenancies (Fees)
Regulations 1998**
(SR 1998/244)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 24th day of August 1998

Present:
His Excellency the Governor-General in Council

Pursuant to section 140 of the Residential Tenancies Act 1986, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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 the Department of Building and Housing.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Residential Tenancies (Fees) Regulations 1998.
- (2) These regulations come into force on 5 October 1998.

2 Tenancy Tribunal application fee

- (1) The fee payable for the filing of an application with the Tenancy Tribunal under section 86 of the Residential Tenancies Act 1986 (except an application that relates to a unit title dispute within the meaning of section 171 of the Unit Titles Act 2010) is \$20.44.
- (2) The fee must be paid before the application is lodged.

Regulation 2(1): substituted, on 20 June 2011, by regulation 4 of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

3 Method of fee payment

The Tenancy Tribunal application fee may be paid—

- (a) by deposit into a bank account nominated by the department at any branch of Westpac New Zealand Limited, using the deposit slip printed on the application form provided by the department; or
- (b) *[Revoked]*
- (c) by such other method as may be determined in advance by the chief executive of the department.

Regulation 3(a): amended, on 20 June 2011, by regulation 5(1) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

Regulation 3(b): revoked, on 20 June 2011, by regulation 5(2) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

Regulation 3(c): amended, on 20 June 2011, by regulation 5(3) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

Regulation 3(a): amended, on 1 November 2006, by section 23(1) of the Westpac New Zealand Act 2006 (2006 No 3 (P)).

4 Records in Tribunal registry

- (1) The fee for inspecting the records and papers of the Tribunal relating to each application to the Tribunal is \$10.22.
- (2) The fee for a true copy of any such record or paper is 51 cents for each page.

Regulation 4(1): amended, on 20 June 2011, by regulation 6(1) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

Regulation 4(2): amended, on 20 June 2011, by regulation 6(2) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

5 Fees for transcribing and copying of proceedings

- (1) The fee for transcribing an audio tape of any proceedings of the Tribunal is \$25.55 for each hour or part of an hour of the hearing of those proceedings.
- (2) The fee for copying an audio tape of any proceedings of the Tribunal is \$10.22 for each hour or part of an hour of the hearing of those proceedings.
- (3) The Registrar may charge for the cost of a cassette, if the person requesting the transcript does not supply a cassette.

Regulation 5(1): amended, on 20 June 2011, by regulation 7(1) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

Regulation 5(2): amended, on 20 June 2011, by regulation 7(2) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

6 Goods and services tax included

The fees and rates of fees prescribed by these regulations are inclusive of goods and services tax.

Marie Shroff,
Clerk of the Executive Council.

**Residential Tenancies (Fees)
Regulations 1998**

Reprinted as at
20 June 2011

Date of notification in *Gazette*: 27 August 1998.

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Notes

1 *General*

This is a reprint of the Residential Tenancies (Fees) Regulations 1998. The reprint incorporates all the amendments to the regulations as at 20 June 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

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)***

Residential Tenancies (Fees) Amendment Regulations 2011 (2011/125)
Westpac New Zealand Act 2006 (2006 No 3 (P)): section 23(1)
