Version
as at 6 June 2026

Fire and Emergency New Zealand (Levy) Regulations 2024

(SL 2024/255)

Cindy Kiro, Governor-General

Order in Council

At Wellington this 9th day of December 2024

Present:
Her Excellency the Governor-General in Council

These regulations are made under section 141 of the Fire and Emergency New Zealand Act 2017—

(a) on the advice and with the consent of the Executive Council; and

(b) on the recommendation of the Minister of Internal Affairs made—

  (i) in accordance with sections 142 and 143 of that Act; and

  (ii) after the Minister has had regard to the matters specified in section 141(4) of that Act.

Contents

		Page
1	Title	3
2	Commencement	3

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.

This Act is administered by the Department of Internal Affairs.

Part 1
Preliminary provisions

3 Interpretation 3
4 Transitional, savings, and related provisions 4

Part 2
Rates of levy for insured property

Rate of levy payable for motor vehicles

5 Amount of levy payable for motor vehicles 4

Rates of levy payable for certain property insured under contract of fire insurance

6 Application of regulations 7 to 15 4
7 Rate of levy payable for residential property 4
8 Rate of levy payable for household property 4
9 Rate of levy payable for aircraft insured under contract of insurance that insures only aircraft 5
10 Rate of levy payable for forests 5
11 Rate of levy payable for livestock 5
12 Rate of levy payable for property insured under certain contracts of contract works insurance 5
13 Rate of levy payable for mixed-use property 5
14 Sum for which mixed-use property is insured may be apportioned 7
15 Rate of levy payable for mixed-use property if sum for which property is insured is apportioned 7

Rate of levy payable for other property insured under contract of fire insurance

16 Rate of levy payable for all other property 8
17 Amount of levy payable exclusive of GST 8

Part 3
Exemptions

18 Exemptions for certain property 8
19 Exemptions for certain contracts of insurance 9

Part 4
Levy administration

Returns

20 Application of regulations 21 and 22 10
21 Information that must be contained in all returns 10
22 Additional information that must be contained in returns if levy of $1,000 or more was payable for single contract 10

Refunds of overpayments

23 Refund of overpayments where amount of levy was calculated on basis of estimate 11

24 Refund of overpayments that occurred for other reasons 11

Waivers of interest on levies that are unpaid

25 Waiver of interest on levies that are unpaid and inefficient to recover 13

26 Waiver of interest on levies that are unpaid due to unexpected event or error 13

Schedule 1 14
Transitional, savings, and related provisions

Regulations

1 Title

These regulations are the Fire and Emergency New Zealand (Levy) Regulations 2024.

2 Commencement

These regulations come into force on 1 July 2026.

Part 1
Preliminary provisions

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Fire and Emergency New Zealand Act 2017

aircraft has the same meaning as in section 5 of the Civil Aviation Act 2023

contract of contract works insurance means a contract of fire insurance that relates primarily to property that is being built or altered

GST means goods and services tax payable under the Goods and Services Tax Act 1985

mixed-use property means real property that is—

(a) composed of both residential property and any other class or classes of real property; and

(b) insured under 1 sum insured

residential percentage has the meaning given in regulation 13(2).

Regulation 3 **mixed-use property** paragraph (a): amended, on 6 June 2026, by section 96(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 3 **residential percentage**: inserted, on 6 June 2026, by section 96(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

4 Transitional, savings, and related provisions

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

Part 2
Rates of levy for insured property

Rate of levy payable for motor vehicles

5 Amount of levy payable for motor vehicles

For the purposes of section 84(2) of the Act, the annual amount of levy payable in respect of a motor vehicle is $25.

Rates of levy payable for certain property insured under contract of fire insurance

6 Application of regulations 7 to 15

Regulations 7 to 15 apply for the purposes of section 85(2) of the Act.

7 Rate of levy payable for residential property

(1) The annual rate of levy payable in respect of residential property is 10.74 cents for each $100 of the sum insured.

(2) The maximum amount of levy payable per year for residential property is $107.40 per dwelling.

Regulation 7(1): amended, on 6 June 2026, by section 97(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 7(2): amended, on 6 June 2026, by section 97(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 7(2): amended, on 6 June 2026, by section 97(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

8 Rate of levy payable for household property

(1) The annual rate of levy payable in respect of household property is 10.74 cents for each $100 of the sum insured.

(2) The maximum amount of levy payable per year for household property is $21.48 per dwelling in or on which the household property is, or is usually, located.

Regulation 8 heading: amended, on 6 June 2026, by section 98(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 8(1): amended, on 6 June 2026, by section 98(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 8(2): amended, on 6 June 2026, by section 98(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 8(2): amended, on 6 June 2026, by section 98(3) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

9 Rate of levy payable for aircraft insured under contract of insurance that insures only aircraft

(1) This regulation applies in respect of an aircraft that is insured under a contract of fire insurance that relates only to—

(a) that aircraft; or

(b) that aircraft and any other aircraft.

(2) The annual rate of levy payable in respect of the aircraft is 7.76 cents for each $100 of the sum insured.

(3) The maximum amount of levy payable per year for the aircraft is $77.60.

10 Rate of levy payable for forests

The annual rate of levy payable in respect of a forest is 1.94 cents for each $100 of the sum insured.

11 Rate of levy payable for livestock

The annual rate of levy payable in respect of livestock is 1.94 cents for each $100 of the sum insured.

12 Rate of levy payable for property insured under certain contracts of contract works insurance

(1) This regulation applies—

(a) in respect of property that is insured under a contract of contract works insurance; but

(b) only if the sum insured reflects an amount for which the property, once complete, might reasonably be insured.

(2) The annual rate of levy payable in respect of the property is 3.88 cents for each $100 of the sum insured.

13 Rate of levy payable for mixed-use property

(1) The annual rate of levy payable in respect of a mixed-use property is,—

(a) if the residential percentage of the property is 50% or more, the amount that results from—

(i) determining, in accordance with regulation 7, the amount of levy payable in respect of each dwelling; and

(ii) adding those amounts together; or

(b) subject to regulations 14 and 15, if the residential percentage of the property is less than 50%, 7.76 cents for each $100 of the sum insured.

(2) The **residential percentage** is calculated as follows:

$$r = [(d + a) \div b] \times 100$$

where—

r is the residential percentage

d is the total floor area of the dwelling or dwellings of the mixed-use property

a is the total floor area of any ancillary residential property of the mixed-use property

b is the total floor area of each building or structure of the mixed-use property, excluding any mixed-use common property.

(3) For the purposes of subclause (2),—

ancillary residential property means a building or another immovable structure, or part of a building or another immovable structure, of a mixed-use property—

(a) that is not part of a dwelling; and

(b) that is available for use by the owner or occupant of a dwelling, either exclusively or in common with owners or occupants of any other dwelling in the mixed-use property,—

(i) for residential purposes such as parking, storage, or to house service infrastructure; or

(ii) for access to the dwelling or dwellings; and

(c) that is not mixed-use common property

mixed-use common property means, in relation to a building or structure of a mixed-use property, the parts of the building or structure that are available for the common use of—

(a) an owner or occupant of a dwelling of which the mixed-use property is composed; and

(b) an owner or occupant of any other class of property of which the mixed-use property is composed.

Regulation 13(1)(a): amended, on 6 June 2026, by section 99(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 13(1)(a)(i): amended, on 6 June 2026, by section 99(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 13(1)(b): amended, on 6 June 2026, by section 99(3) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 13(2): inserted, on 6 June 2026, by section 99(4) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 13(3): inserted, on 6 June 2026, by section 99(4) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

14 Sum for which mixed-use property is insured may be apportioned

(1) This regulation applies in relation to a mixed-use property if the residential percentage of the property is less than 50%.

(2) A policyholder may provide the insurer with a valuation of the mixed-use property for the purpose of apportioning the sum insured between—

(a) the part or parts of the property that are residential; and

(b) the part or parts of the property that are not residential (as determined by the valuation).

(3) The valuation must—

(a) be prepared and signed by a registered valuer (as defined in section 2 of the Valuers Act 1948); and

(b) show how the value of the property is apportioned between the residential part or parts of the property and the non-residential part or parts of the property.

(4) If a policyholder provides an insurer with a valuation, the insurer must apportion the sum insured between the residential part or parts of the property and the non-residential part or parts of the property in the same way as the property value is apportioned between those parts in the valuation.

Regulation 14(1): replaced, on 6 June 2026, by section 100 of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

15 Rate of levy payable for mixed-use property if sum for which property is insured is apportioned

(1) This regulation applies in relation to a mixed-use property if the residential percentage of the property is less than 50% and the policyholder provides the insurer with a valuation under regulation 14.

(2) The annual levy payable in respect of the property is the lesser of—

(a) the total of the following 2 amounts:

(i) 10.74 cents for each $100 of the sum insured that is apportioned to the residential part or parts of the property in accordance with regulation 14(4), subject to a maximum of $107.40 per dwelling:

(ii) 7.76 cents for each $100 of the sum insured that is apportioned to the non-residential part or parts of the property in accordance with regulation 14(4); and

(b) 7.76 cents for each $100 of the sum insured.

Regulation 15(1): replaced, on 6 June 2026, by section 101(1) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Regulation 15(2)(a)(i): amended, on 6 June 2026, by section 101(2) of the Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26).

Rate of levy payable for other property insured under contract of fire insurance

16 Rate of levy payable for all other property

For the purposes of section 85(2) of the Act, the annual rate of levy payable in respect of any property to which regulations 7 to 15 do not apply is 7.76 cents for each $100 of the sum insured.

17 Amount of levy payable exclusive of GST

An annual amount or rate of levy payable under these regulations is exclusive of GST.

Part 3
Exemptions

18 Exemptions for certain property

(1) Despite section 85 of the Act, a levy is not payable in respect of the following property or classes of property:

(a) art or an item that is in a collection of a cultural heritage body (whether or not the art or item is currently present in or on that body's premises):

(b) a reservoir, dam, drain, or channel:

(c) an offshore installation:

(d) a cable or pipeline on the sea floor:

(e) a breakwater, mole, or groyne:

(f) a bridge, road, street, or path, including while it is under construction:

(g) a mine:

(h) a tunnel, including while it is under construction:

(i) equipment that is used in a mining operation or tunnelling operation:

(j) an aircraft that flies international routes:

(k) a ship:

(l) a good for import or export:

(m) property that is insured under a contract of contract works insurance if that property is also insured under any other contract of fire insurance (meaning a levy is already payable in respect of that property).

(2) In this regulation,—

archive—

(a) includes Archives New Zealand (Te Rua Mahara o te Kāwanatanga) and the National Library of New Zealand Te Puna Mātauranga o Aotearoa; and

(b) includes specialist archival units (for example, an archival unit within a general university library such as the Hocken Collections—Uare Taoka o Hākena); but

(c) does not include a library

cultural heritage body means a museum/whare taonga, archive, or art gallery that—

(a) is a permanent non-profit-making body whose primary purpose is to exhibit or conserve cultural heritage items in perpetuity to enable public education, public enjoyment, or the preservation of those cultural heritage items; and

(b) exhibits or conserves its collection or collections in or on premises that are not a private residence and that are usually open to the public or a class of the public

cultural heritage items means property (tangible or intangible) that is significant from a scientific, historical, artistic, or cultural perspective

offshore installation has the same meaning as in section 222(1) of the Maritime Transport Act 1994

ship has the same meaning as in section 2(1) of the Maritime Transport Act 1994

tunnelling operation has the same meaning as in clause 4 of Schedule 3 of the Health and Safety at Work Act 2015.

19 Exemptions for certain contracts of insurance

(1) Despite section 85 of the Act, a levy is not payable in respect of any property that is insured—

(a) under a contract of fire insurance by, and for the purposes of, the New Zealand Defence Force:

(b) under a contract of insurance for war or terrorism risk:

(c) under a contract of deductible buydown insurance.

(2) In this regulation,—

contract of deductible buydown insurance means a contract of fire insurance that provides cover, in relation to property, up to the amount of the deductible or excess of any other contract of fire insurance under which the property is insured

contract of insurance for war or terrorism risk means a contract of fire insurance under which property is insured against loss or damage by war or terrorism.

Part 4
Levy administration

Returns

20 Application of regulations 21 and 22

Regulations 21 and 22 apply for the purposes of section 93(4)(a) of the Act.

21 Information that must be contained in all returns

(1) A return provided by a levy payer must contain the following information:

(a) if the levy payer is—

(i) an insurer, the name and address of the insurer:

(ii) a policyholder, the name of the policyholder:

(iii) an insurance intermediary,—

(A) the name of the insurance intermediary; and

(B) if, in relation to 1 or more relevant contracts of insurance, the insurance intermediary acted as the representative of the policyholder, evidence that the insurance intermediary was authorised to represent each policyholder they represented:

(b) the amount of GST payable on the total amount of levy payable by the levy payer in relation to the month specified in section 93(1) of the Act:

(c) the type or types of insurance policy to which each relevant contract of insurance relates and the total amount of levy payable in respect of each type of insurance policy.

(2) In this regulation, **relevant contract of insurance**, in relation to a return, means a contract of insurance that a levy payer entered into during the month specified in section 93(1) of the Act for which levy is payable.

22 Additional information that must be contained in returns if levy of $1,000 or more was payable for single contract

(1) This regulation applies if, during the month specified in section 93(1) of the Act, a levy payer entered into 1 or more contracts of insurance in respect of which a levy of $1,000 or more (excluding GST) was payable.

(2) In addition to the information specified in regulation 21, a return must contain the following information for each contract of insurance in respect of which a levy of $1,000 or more (excluding GST) was payable:

(a) the name of the policyholder:

(b) the start date and end date of the contract of insurance:

(c) the total amount of levy payable by the levy payer in relation to the contract of insurance (excluding GST):

(d) the amount of GST payable on the amount referred to in paragraph (c):

(e) the type or types of insurance policy to which the contract of insurance relates and the total amount of levy payable in respect of each type of insurance policy:

(f) the number of motor vehicles insured under the contract of insurance, if applicable:

(g) if the levy payable in relation to the contract was overpaid by less than $10,000 as a result of 1 or more of the circumstances specified in regulation 24(2),—

(i) the total amount of levy overpaid:

(ii) the type or types of insurance policy to which the overpayment relates and the total amount of levy overpaid in respect of each type of insurance policy.

Refunds of overpayments

23 Refund of overpayments where amount of levy was calculated on basis of estimate

(1) This regulation applies if—

(a) a levy payer overpays a levy; and

(b) the overpayment occurred because—

(i) the amount of levy payable in respect of a property to which the levy relates was calculated on the basis of an estimated insured value of the property (not the final sum insured); and

(ii) the estimated insured value of the property is more than the final sum insured.

(2) The levy payer may, for the purpose of refunding the amount of levy overpaid, adjust an amount of levy that they are liable for paying by the amount overpaid.

(3) The adjustment must be made within 6 years of the date by which the levy payer was required to pay the levy to which the overpayment relates (*see* section 88 of the Act).

24 Refund of overpayments that occurred for other reasons

(1) This regulation applies if—

(a) a levy payer overpays a levy; and

(b) the overpayment occurred as a result of 1 or more of the circumstances specified in subclause (2).

(2) The circumstances are as follows:

(a) an amount of money was paid in respect of property or a class of property that is exempt from a levy under regulation 18:

(b) an amount of money was paid in respect of property that is insured under a contract of insurance that is exempt from a levy under regulation 19:

(c) a property in respect of which the levy was paid was, in error, classified incorrectly by the levy payer and, had the property been classified correctly, a lesser amount of levy would have been payable:

(d) the sum insured of a property in respect of which the levy was paid was decreased and, after the sum insured was decreased, the amount of levy payable in respect of the property was calculated on the basis of an amount that was more than the sum insured:

(e) any other circumstance.

Overpayments of less than $10,000

(3) If the amount of levy overpaid is less than $10,000, the levy payer may, for the purpose of refunding the amount overpaid, adjust an amount of levy that they are liable for paying by the amount overpaid.

Overpayments of $10,000 or more

(4) If the amount of levy overpaid is $10,000 or more, the levy payer may make a written request to FENZ for a refund of the amount overpaid.

(5) The request must include the following information:

(a) the amount of the overpayment:

(b) the reason for the overpayment:

(c) for each property to which the overpayment relates,—

(i) a copy of the contract of insurance under which the property is insured:

(ii) the start date and end date of the period of insurance:

(iii) evidence of the sum insured (such as the property schedule).

(6) FENZ may refund the amount of levy overpaid to the levy payer who paid the amount if—

(a) in relation to the circumstances specified in subclause (2)(a) to (d), FENZ is satisfied that the overpayment occurred a result of 1 or more of those circumstances (whichever apply):

(b) in relation to any other circumstance, the board or a delegate of the board agrees to refund the amount.

(7) An adjustment or a request for a refund must be made within 6 years of the date by which the levy payer was required to pay the levy to which the overpayment relates (*see* section 88 of the Act).

Waivers of interest on levies that are unpaid

25 Waiver of interest on levies that are unpaid and inefficient to recover

Despite sections 137 and 138 of the Act, FENZ may waive all or part of an amount of interest on an unpaid levy if—

(a) FENZ is satisfied that recovering the interest or part of the interest would involve an inefficient use of FENZ's resources; and

(b) the levy payer agrees to pay the levy as soon as reasonably practicable.

26 Waiver of interest on levies that are unpaid due to unexpected event or error

Despite sections 137 and 138 of the Act, FENZ may waive all or part of an amount of interest on an unpaid levy if—

(a) the levy payer applies for a waiver on the basis that they have not paid the levy because of an unexpected event or error outside their control; and

(b) FENZ is satisfied that the levy payer has made the application as soon as reasonably practicable after the unexpected event or error; and

(c) FENZ is satisfied that the unexpected event or error is a reasonable justification for the levy payer having not paid the levy; and

(d) the levy payer agrees to pay the levy as soon as reasonably practicable.

Schedule 1
Transitional, savings, and related provisions

r 4

Part 1
Provisions relating to these regulations as made

There are no transitional, savings, or related provisions relating to these regulations as made.

Rachel Hayward,
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 July 2026, are made under section 141 of the Fire and Emergency New Zealand Act 2017.

Amount of levy payable

Regulations 5 to 16 specify the amount of levy payable to FENZ by insurers for—

- a motor vehicle insured under a contract of motor vehicle insurance; and
- all other property insured under a contract of fire insurance.

The amount of levy payable for a motor vehicle is $25 (*see regulation 5*).

The amount of levy payable for other property differs depending on the type of property. *Regulations 7 to 15* specify the levy rates for specific types of property. The levy rate for all other property is specified in *regulation 16*.

For example, the rate of levy payable for property insured under a contract of contract works insurance is 3.88 cents for each $100 of the sum insured, but only if the sum for which the property is insured under the contract reflects an amount for which the property, once complete, might reasonably be insured (*see regulation 12*).

The rate of levy for all other property insured under a contract of contract works insurance (for example, property insured under a contract of contract works insurance where the sum insured is based on progress payments) is 7.76 cents for each $100 of the sum insured (*see regulation 16*).

An annual amount or rate of levy payable under these regulations is exclusive of goods and services tax (*see regulation 17*).

Exemptions

Regulations 18 and 19 specify the property and contracts of insurance that are exempt from a levy.

Regulation 18 specifies the property and classes of property that are exempt from a levy. Exempt property includes art, bridges, roads, streets, aircraft that fly international routes (even if they also fly domestic routes), and ships.

Regulation 19 specifies the contracts of insurance that are exempt from a levy. Exempt contracts include contracts of deductible buydown insurance and contracts for war or terrorism risk.

Information that must be contained in a return

Regulations 21 and 22 specify the information that must be contained in a return provided to FENZ.

Regulation 21 specifies the information that must be contained in all returns. This includes the name of the levy payer and the total amount of levy payable for each type of insurance policy to which the contract or contracts of insurance that were entered into in the relevant month relate.

Regulation 22 specifies the additional information that must be contained in a return if a levy of $1000 of more was payable for a contract of insurance. The information includes the start and end dates of the contract and the total amount of levy payable in relation to the contract.

Refunds of overpayments

Regulations 23 and 24 specify when and how an amount of levy overpaid may be refunded.

Refunds by adjustment

An amount of levy overpaid may be refunded by way of an adjustment if—

- the levy was calculated on the basis of an estimated insured value of the property (regardless of the amount of levy overpaid) (*see regulation 23*); or
- the levy was overpaid for any other reason, but only if the amount of levy overpaid is less than $10,000 (*see regulation 24(3)*).

Refunds by application to FENZ

An amount of levy overpaid by $10,000 or more may be refunded by FENZ if the levy payer makes a written request to FENZ for a refund (*see regulation 24(4) to (6)*).

FENZ may refund the amount overpaid if satisfied that the overpayment occurred as a result of 1 or more of the following circumstances:

- an amount of money was paid in respect of property or a class of property that is exempt from a levy:

- an amount of money was paid in respect of property that is insured under a contract of insurance that is exempt from a levy:
- a property in respect of which the levy was paid was, in error, classified incorrectly by the levy payer and, had the property been classified correctly, a lesser amount of levy would have been payable:
- the sum insured of a property in respect of which the levy was paid was decreased and, after the sum insured was decreased, the amount of levy payable in respect of the property was calculated on the basis of an amount that was more than the sum insured.

FENZ may refund the amount overpaid if it occurred as a result of any other circumstance and the board of FENZ or a delegate of that board agrees to refund the amount.

Waivers of interest on levies that are unpaid

Regulations 25 and 26 specify when and how interest on an unpaid levy may be waived.

FENZ may waive all or part of an amount of interest on an unpaid levy if—

- FENZ is satisfied that recovering the interest of part of the interest would involve an inefficient use of FENZ's resources and the levy payer agrees to pay the levy as soon as reasonably practicable (*see regulation 25*):
- a levy payer has not paid a levy because of an unexpected event or error outside their control and the levy payer meets certain requirements (*see regulation 26*).

Statement of reasons

Regulations 18, 19, and 23 to 26 of these regulations are made under section 141(3)(e) and (f) of the Fire and Emergency New Zealand Act 2017. Section 141(5) of that Act requires the Minister to publish a statement of reasons for recommending the making of regulations 18, 19, and 23 to 26.

Exemptions

The Minister recommends the making of regulations that provide for an exemption from the levy for—

- the following property, for the reason that policyholders who insure the property receive minimal or no benefit from fire and emergency services:
    - art and collections held by cultural heritage bodies:
    - reservoirs, dams, drains, and channels;
    - offshore installations:
    - cables and pipelines on the sea floor:
    - breakwaters, moles, and groynes:
    - bridges, roads, streets, and paths, including while under construction:

    - mines:
    - tunnels, including while under construction:
    - equipment that is used in mining operations and tunnelling operations:
    - aircraft that fly international routes;
    - ships:
    - goods insured for import and export:
- the following classes of contracts of insurance, for the reason that the classes of contracts of insurance will generally be purchased for property that is already insured against fire (so providing an exemption for those classes of contract of insurance will avoid double payment of levy):
    - contracts of contract works, if the property that is insured under the contract is also insured under any other contract of fire insurance:
    - contracts of insurance for war or terrorism risk:
    - contracts of deductible buydown insurance:
- property that is insured under a contract of fire insurance by, and for the purposes of, the New Zealand Defence Force, for the reason that the New Zealand Defence Force operates it own fire response capacity on defence land.

Refunds

The Minister recommends the making of regulations that provide for refunds of an amount of levy that is overpaid for the following reasons:

- refunding an amount of levy overpaid will ensure a smooth implementation of the new levy by continuing the existing process for granting refunds:
- refunding an amount of levy overpaid will ensure that FENZ is compliant with the levy regime by only collecting levy that it is entitled to.

Waivers

The Minister recommends the making of regulations that provide for waivers of all or part an amount of interest on an unpaid levy if—

- FENZ is satisfied that recovering the interest or part of the interest would involve an inefficient use of FENZ's resources; or
- the levy is unpaid because of an unexpected event or error outside the levy payer's control.

The Minister recommends the making of those regulations for the following reasons:

- waiving all or part of the interest where it is inefficient for FENZ to recover the interest will increase the administrative efficiency of the levy and ensure a smooth transition between the transitional levy and the new system:
- waiving all of part of the interest where the levy is unpaid because of an unexpected event or error outside the levy payer's control will provide levy payers with relief in exceptional circumstances.

Regulatory and cost recovery impact statements

The Department of Internal Affairs produced regulatory impact statements on 13 February 2024 and 27 August 2024 and a cost recovery impact statement on 27 August 2024 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of these impact statements can be found at—

- https://www.dia.govt.nz/Resource-material-Regulatory-Impact-Statements-Index
- https://treasury.govt.nz/publications/informationreleases/ris

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 12 December 2024.
These regulations are administered by the Department of Internal Affairs.

Notes

1 General

This is a consolidation of the Fire and Emergency New Zealand (Levy) Regulations 2024 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

Regulatory Systems (Internal Affairs) Amendment Act 2026 (2026 No 26): sections 96–101

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2026