

Version
as at 28 October 2021



New Zealand Business Number Act 2016

Public Act 2016 No 16
Date of assent 15 April 2016
Commencement see section 2

Contents

	Page
1 Title	3
2 Commencement	3
Part 1	
Preliminary provisions	
<i>Purposes and overview</i>	
3 Main purposes	4
4 Overview	4
<i>Interpretation</i>	
5 Interpretation	5
<i>Other preliminary provisions</i>	
6 Status of examples	7
7 Transitional, savings, and related provisions	7
8 Act binds the Crown	7

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 Ministry of Business, Innovation, and Employment.

Part 2
Provisions concerning NZBNs, register, Registrar, and miscellaneous matters

Eligibility for NZBN

9	Meaning of corporate or public entity and unincorporated entity	7
10	Entities eligible for NZBN	8
11	Persons that are more than 1 entity: eligibility for NZBN	8
12	Entities ineligible for NZBN	8

Applications for NZBN

13	Application for NZBN	9
14	Registrar's powers on application for NZBN	9

Registration of entities

15	Registrar's power to register eligible entities without application	9
16	Process for registering entity	9

Cancellation of registration

17	Registrar's power to cancel registration	10
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New Zealand Business Number Register

18	Registrar to keep register	10
19	Form of register	10
20	Contents of register	10
21	Public primary business data	11
22	Power to amend Schedules 3 and 4	11
23	Updating register	12

Public and third party access to information in register

24	Manner register to be kept and operated concerning access to information	12
25	Public access to information in register	12
26	Third party access to information in register	12

Government agencies' powers relating to register and use of NZBNs

27	Government agencies may access and provide information	13
28	Government agencies may use NZBN	13
29	Government agencies may be empowered to require NZBN	13

Registrar of New Zealand Business Numbers

30	Registrar of New Zealand Business Numbers	14
31	Delegation of Registrar's duties and powers	14
32	Registrar's verification powers	15
33	Registrar must notify reasons for certain decisions and appeal rights	16
34	Appeals against decisions of Registrar	16

35	Privacy Commissioner may require Registrar to report	16
	<i>Miscellaneous provisions</i>	
36	No legal or beneficial interest in NZBN	17
37	Regulations	17
37A	Regulations relating to fees and charges	18
37B	Regulations relating to levy	19
37C	Minister must consult about fee, charge, or levy regulations	20
38	Giving documents and doing other things in manner determined by Registrar	21
39	Offence in relation to NZBN	21
40	False or misleading statements	21
41	Consequential amendments	22
	Schedule 1	23
	Transitional, savings, and related provisions	
	Schedule 2	24
	Public register entities	
	Schedule 3	25
	Public primary business data	
	Schedule 4	26
	Other primary business data	
	Schedule 5	28
	Consequential amendments	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the New Zealand Business Number Act 2016.

2 Commencement

- (1) This Act comes into force for all purposes, except the purposes referred to in subsections (2) and (3), 28 days after the date on which it receives the Royal assent.
- (2) This Act comes into force for the purpose of applying to unincorporated entities on a date to be appointed by the Governor-General by Order in Council, and 1 or more orders may be made appointing different dates for the purposes of the Act applying to different types of unincorporated entities.
- (3) If, in respect of 1 or more types of unincorporated entity, no order under subsection (2) appointing a date is made before 12 December 2016, the Act comes into force, for the purpose of applying to those unincorporated entities, on that date.

- (4) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 2(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Part 1 Preliminary provisions

Purposes and overview

3 Main purposes

The main purposes of this Act are to—

- (a) enable eligible entities in New Zealand to interact more easily with government; and
- (b) enable eligible entities in New Zealand to interact more easily with one another; and
- (c) reduce transaction costs in New Zealand; and
- (d) establish and maintain the New Zealand Business Number Register that will—
 - (i) enable an NZBN identifier to be allocated to eligible entities; and
 - (ii) enable individuals dealing with NZBN entities to use the NZBN; and
 - (iii) enable certain information to be collected and shared between authorised government agencies; and
 - (iv) make certain information publicly available; and
- (e) protect the security and confidentiality of information provided under this Act and the privacy of individuals in business (within the meaning set out in section 9(2)).

4 Overview

In this Act,—

- (a) Part 1 provides for preliminary matters, including the purposes of this Act, the application of this Act to the Crown, transitional provisions, and interpretation:

- (b) Part 2 provides for—
- (i) which entities are eligible for an NZBN, how entities obtain an NZBN, and registration of entities in the New Zealand Business Number Register; and
 - (ii) the Registrar’s obligations to keep and operate the register, information that may be contained in the register, and who may access that information; and
 - (iii) government agencies’ powers to access information in the register, provide information to the register, and use and require the use of NZBNs; and
 - (iv) the appointment of the Registrar, the Registrar’s functions and powers in relation to the register, and rights of appeal against decisions of the Registrar; and
 - (v) miscellaneous matters, including legal rights in relation to NZBNs, the power to amend Schedule 3 (which sets out the information in the register that must be publicly available) and Schedule 4 (which sets out other information in the register that may be publicly available), regulation-making powers, offences, consequential amendments to other enactments, and related matters.

Interpretation

5 Interpretation

In this Act, unless the context otherwise requires,—

company means a company registered under the Companies Act 1993

corporate or public entity has the meaning set out in section 9(1)(a)

eligible entity means an entity that is eligible for an NZBN under section 10

entity includes (without limitation),—

- (a) a company or an overseas company:
- (b) any other body corporate:
- (c) a corporation sole:
- (d) a sole trader:
- (e) a partnership (within the meaning of section 8(1) of the Partnership Law Act 2019), or association of persons, whether incorporated or not:
- (f) in the case of a trust,—
 - (i) if the trust has only 1 trustee, the trustee acting in his, her, or its capacity as trustee; and
 - (ii) if the trust has more than 1 trustee, the trustees acting jointly in their capacity as trustees: