

Consultation outcomes: Disciplinary levy (2026/2027 APC year)

Purpose of this paper

This paper summarises the consultation undertaken by Te Poari Kaikorohiti o Aotearoa | the Chiropractic Board (Board) on the proposed reintroduction of a disciplinary levy for the 2026/2027 practising year, outlines the key themes raised in submissions, and records the Board's decision to set a disciplinary levy of **\$100 per practitioner (pro rata)** for the 2026/2027 Annual Practising Certificate (APC) year.

The Board confirms the disciplinary levy will be reviewed annually to ensure it remains proportionate to disciplinary costs incurred.

Legislative context

Under sections 130 and 131 of the Health Practitioners Competence Assurance Act 2003 (the HPCA Act), the Board is required to set fees and levies, including disciplinary levies, to enable it to carry out its statutory functions.

Disciplinary levies contribute to the costs associated with the Board's professional conduct and disciplinary responsibilities under the Act, including investigations, Professional Conduct Committee (PCC) processes, and proceedings before the Health Practitioners Disciplinary Tribunal (HPDT).

Consultation overview

The Board consulted on a proposal to reintroduce a disciplinary levy of \$125 per practitioner (pro rata) for the 2026/2027 APC year. The consultation was open from 24 November to 12 December 2025.

Three submissions were received from individual practitioners and one from an organisation. The Board carefully considered all submissions received.

Summary of key themes raised in submissions

Submissions raised a range of issues and perspectives, including:

- general acknowledgement that disciplinary costs have increased;
- concern about the costs of the proposed levy;
- questions about whether disciplinary costs should be recovered directly from practitioners subject to disciplinary findings;
- concerns about affordability and financial pressures on practitioners;

- references to ongoing disciplinary matters and the costs associated with those matters; and
- comparisons with regulatory approaches in overseas jurisdictions.

Not all matters raised in submissions fell within the scope of this consultation. Submissions commenting on the merits, conduct, or continuation of specific disciplinary proceedings were noted but are not addressed.

Board decision: confirmation of disciplinary levy

Having carefully considered the submissions received, the Board agreed to set a disciplinary levy of \$100 per practitioner (pro rata) for the 2026/2027 APC year which is lower than the proposed \$125 levy.

The levy will apply on a pro rata basis according to the length of the APC held, using the same monthly calculation methodology outlined in the consultation document; and will take effect from 27 February 2026 for the 2026/2027 practising year, following publication in the New Zealand Gazette.

The Board considers this decision an appropriate balance between financial sustainability, proportionality, and responsiveness to feedback received.

In previous years, the Board imposed a disciplinary levy of \$150 per practitioner. For the past three APC years, the levy was paused and disciplinary costs were met by Board reserves. Those reserves have now been significantly reduced, and it is no longer sustainable to fund disciplinary activity in this way. The Board has therefore agreed to reinstate a disciplinary levy to support its ongoing statutory responsibilities

Type of APC Application	Months covered	Disciplinary Levy	APC fee (no change)	Total Fee (incl. GST)
		\$	\$	\$
Full-year APC	12	100.00	1,003.25	1,103.25
Initial APC (1 November–31 March)	5	41.60	408.00	449.60
Partial year APC (6 months) ⁱ	6	50.00	501.62	551.62
Partial year APC (3 months) ⁱⁱ	3	25.00	250.80	275.80
Renewal of APC after 3+ years not practising	12	100.00	1,242.50	1,342.50

Rationale for the \$100 levy

In reaching its decision, the Board considered the following factors:

1. Increased and ongoing disciplinary costs

The Board's disciplinary expenditure has increased significantly in recent years. The Board is currently managing four active Tribunal proceedings and three ongoing PCC matters.

These matters generate substantial and unavoidable costs arising from the Board's statutory obligations under the HPCA Act.

Of note, contrary to concerns raised in submissions, not all complaints are referred to a PCC, many are managed within the framework of the HPCA Act and often result in mentoring and/or educational support.

2. Statutory obligations and public protection

Once statutory thresholds are met; the Board is required to progress complaints and disciplinary matters in accordance with the HPCA Act. The Board does not have discretion to discontinue or decline to pursue matters solely based on cost considerations.

3. Reserves are no longer sufficient

For several years, the Board did not impose a disciplinary levy and instead relied on reserves to meet disciplinary costs. Those reserves have now been substantially reduced, and continued reliance on general reserves to fund disciplinary activity is not appropriate.

4. Partial cost recovery

The Board acknowledges that a \$100 levy does not fully recover actual costs of disciplinary processes. The levy represents partial contribution only.

Response to key issues raised

Affordability and practitioner impact

The Board acknowledges practitioners are experiencing financial pressures and sought to keep the levy as low as practicable. The Board acknowledges the strength of feedback indicating that a \$125 levy was perceived too high in the current economic environment. In response, the Board reduced the levy to \$100.

Why disciplinary costs are not recovered solely from individual practitioners

Some submissions questioned why disciplinary costs are not met entirely by practitioners who are subject to disciplinary proceedings.

Decisions about cost recovery sit with the HPDT, not the Board, and cost orders are discretionary and are not for the full amount of costs incurred.

As a result, disciplinary costs are not always fully recoverable from individual practitioners, and the Board must ensure it has sufficient funds to meet its statutory obligations regardless of the outcome of any case.

International comparisons

Some submissions referred to regulatory approaches in overseas jurisdictions, including Australia, the United Kingdom, and Canada.

The Board notes that regulatory funding models vary significantly between jurisdictions and reflect different legislative frameworks and institutional arrangements. International approaches are therefore not directly comparable to the New Zealand context under the HPCA Act.

Matters outside the scope of this consultation

This consultation was limited to the question of whether a disciplinary levy should be imposed and, if so, at what level. The following matters were outside scope and are not addressed:

- the merits or conduct of any individual disciplinary case;
- decisions of PCCs or the HPDT;
- judicial review proceedings; and
- broader policy questions about the structure of the disciplinary regime under the HPCA Act.

Next steps

The confirmed disciplinary levy will be published in the New Zealand Gazette and will take effect from 27 February 2026 for the 2026/2027 practising year. The levy will be reviewed annually as part of the Board's regular fee-setting process.

Nāku iti noa, nā

Glenys Sharman

General Manager / Registrar

Te Poari Kaikorohiti o Aotearoa | the Chiropractic Board