



Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2008

Anand Satyanand, Governor-General

Order in Council

At Wellington this 6th day of October 2008

Present:

His Excellency the Governor-General in Council

Pursuant to sections 117 and 166 of the Animal Products Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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New Part 2 added to Schedule

Regulations

- 1 Title**
These regulations are the Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2008.
- 2 Commencement**
These regulations come into force on 1 January 2009.
- 3 Principal regulations amended**
These regulations amend the Animal Products (Dairy Industry Fees and Charges) Regulations 2007.
- 4 Schedule amended**
- (1) The Schedule is amended by inserting the heading set out in Schedule 1 of these regulations after the Schedule heading.
 - (2) The item relating to *Certification*—Application for, evaluation of, and issue of IMA certificate in the Schedule is omitted.
 - (3) The Schedule is amended by adding the Part 2 set out in Schedule 2 of these regulations.

Schedule 1 r 4(1)

New Part 1 heading inserted into Schedule

Part 1
Fixed fees

Schedule 2
New Part 2 added to Schedule

r 4(3)

Part 2

Fee for services of certification and
reconciliation

1 Quarterly fee payable by holder of export licence

- (1) A fee is payable for services of certification and reconciliation provided by the New Zealand Food Safety Authority in relation to the regulated control scheme described in regulation 3 of the Animal Products (Regulated Control Scheme—Dairy Export Quota Products) Regulations 2008 (**services**).
- (2) The holder of an export licence on 1 July, 1 October, 1 January, or 1 April must pay the fee on that date (**payment date**).
- (3) The fee is calculated as follows:

$$\text{Fee} = \frac{\text{amount to recover for year}}{4} \times \frac{\text{holder's allocated quantity}}{\text{total allocated quantity}}$$

where—

amount to recover for year is the amount, as determined by the New Zealand Food Safety Authority, that needs to be recovered to fund the services in relation to all holders of export licences for the financial year in which the payment date falls (inclusive of goods and services tax)

holder's allocated quantity is the total quantity (in tonnes) of all products in all designated markets for which the holder holds an export licence on the payment date

total allocated quantity is the total quantity (in tonnes) of all products in all designated markets for which all holders hold export licences on the payment date.

Part 2—*continued*

2 Interpretation

In this schedule, **designated market**, **export licence**, and **holder** have the same meaning as in section 5(1) of the Dairy Industry Restructuring Act 2001.

Rebecca Kitteridge,
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 come into force on 1 January 2009.

They amend the Animal Products (Dairy Industry Fees and Charges) Regulations 2007, which provide for the payment of fees for certain dairy-related matters.

The amendments create a *new Part 1* in the Schedule to cover all of the current fees in the Schedule. However, 1 of those fixed fees is removed and replaced by a *new Part 2* of the Schedule.

New Part 2 of the Schedule provides for holders of export licences for designated markets to pay a quarterly fee for certain certification and reconciliation services provided by the New Zealand Food Safety Authority.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 9 October 2008.

These regulations are administered by the New Zealand Food Safety Authority.
