

Reprint
as at 20 December 2019



**Animal Products (Fees, Charges, and Levies) Amendment
Regulations 2019**
(LI 2019/123)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 27th day of May 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 117, 118, 121, and 166 of the Animal Products Act 1999—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Food Safety after being satisfied that the requirements of sections 113 and 115 of that Act have been met.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 Regulation 10A amended (Director-General may require information for purpose of calculating levies)	2

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

5	Schedule 1 amended	2
6	Schedule 2 amended	3
	Schedule 1	4
	Parts 1 and 2 of Schedule 1 replaced	
	Schedule 2	8
	Part 8 of Schedule 1 replaced	

Regulations

1 Title

These regulations are the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019.

2 Commencement

These regulations come into force on 1 July 2019.

Regulations: confirmed, on 20 December 2019, by section 8(a) of the Subordinate Legislation Confirmation Act 2019 (2019 No 82).

3 Principal regulations

These regulations amend the Animal Products (Fees, Charges, and Levies) Regulations 2007 (the **principal regulations**).

4 Regulation 10A amended (Director-General may require information for purpose of calculating levies)

Replace regulation 10A(3) with:

- (3) The information that may be required under this regulation is the information described in the following table:

Commodity	Information that may be required to be provided to Director-General
Fish and bivalve molluscan shellfish	Actual tonnage processed in the previous month or year, in individual commodity categories listed
Lambs, bobby calves, goats, sheep, pigs, cattle, horses, deer, and other animal species	Actual numbers of animals processed in the previous month or year, in individual commodity categories listed
Ostriches, emus, poultry, and other bird species	Actual numbers of birds processed in the previous month or year, in individual commodity categories listed

5 Schedule 1 amended

- (1) In Schedule 1, replace Parts 1 and 2 with the Parts 1 and 2 set out in Schedule 1 of these regulations.
- (2) In Schedule 1, Part 7, table, replace item 2, relating to circuit charge, with:

2	Circuit charge
----------	-----------------------

Hourly charges for verifiers
(for all verification activities)

Verifier—

(a)	non-penal rates—	
	per hour	\$176.00
	per hour at 1½ time	\$264.00
	per hour at double time	\$352.00
(b)	penal rates	the relevant rate specified in paragraph (a), plus an additional rate of—
		(i) \$88.00 per hour per verifier for penal time worked at penal rate 0.5
		(ii) \$176.00 per hour per verifier for penal time worked at penal rate 1.0
		(iii) \$352.00 per hour per verifier for penal time worked at penal rate 2.0

- (3) In Schedule 1, replace Part 8 with the Part 8 set out in Schedule 2 of these regulations.

6 Schedule 2 amended

- (1) In Schedule 2, preliminary provisions, clause 1(b), delete “hides and skins”.
- (2) In Schedule 2, preliminary provisions, after clause 1, insert:

1A However, the levies set out in this schedule are not payable by germplasm processors and poultry hatcheries.

- (3) In Schedule 2, table, item 5(f), first column, after “processors”, insert “and processors who process animal parts not for human or animal consumption”.

Schedule 1

Parts 1 and 2 of Schedule 1 replaced

r 5(1)

Part 1

Schedule of fees

Matter for which fee or charge payable under Animal Products Act 1999	Fee or charge*
1 Application under section 20 for registration of risk management programme	\$135 per application
2 Application under section 25 for agreement to amendment of risk management programme	\$67.50 per application
3 Fee in relation to update of risk management programme under section 26	\$67.50 per application
4 Application under section 34 for registration of food control plan as risk management programme	\$135 per application plus assessment charge on hourly basis after the first hour as specified in Part 2
5 Application for market access functions	\$135 per application
6 Application under section 54 for registration as exporter	\$135 per application
7 Application for approval of premises for export of products where required under export requirements	\$135 per application
8 Annual exporter registration fee under section 57	\$135
9 Application under section 65G for listing as a game estate	\$135 per application
10 Annual listing fee under section 65L	\$135
11 Application under section 75 for listing as homekill or recreational catch service provider	\$135 per application
12 Annual listing fee under section 77	\$135
13 Application under section 107 for recognition	\$135 per application
14 Application under section 112D for renewal of recognition	\$135 per application
15 Annual recognition fee under section 112F	\$135
16 Application under section 112E for substituted notice of recognition	\$67.50 per application
17 Issue of official assurance under section 61	\$33.75 per official assurance plus assessment charge on hourly basis after the first 15 minutes as specified in Part 2
18 Issue of official assurances under section 61 for live animals or germplasm	\$46.58 per official assurance plus assessment charge on hourly basis after the first 15 minutes as specified in Part 2

Matter for which fee or charge payable under Animal Products Act 1999	Fee or charge*
19 Reissue of official assurance under section 64(2) if replacement assurance demanded by importing country	\$405.00 per official assurance plus assessment charge on hourly basis after the first 3 hours as specified in Part 2
20 Reissue of official assurance under section 64(2) for live animals or germplasm if replacement assurance demanded by importing country	\$405.00 per official assurance plus assessment charge on hourly basis after the first 2 hours and 30 minutes as specified in Part 2
21 Issue, on request, of statement of New Zealand standard under section 83	\$32 per statement issued
22 Registration of transport operator, vehicle docking facility operator, or wharf operator under a notice issued under section 40	\$135 per application
23 Application to list animal material depot as required under notice issued under section 167 and renewal of listing	\$135 per application
24 Application for issue or revocation of relay permit for bivalve molluscan shellfish issued under the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006	\$135 per application
25 Application for registration as bivalve molluscan shellfish harvest operator under the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006	\$135 per application
26 Annual bivalve molluscan shellfish harvest operator fee under the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006	\$135
27 Application to list or renew listing as transport operator, sorting shed operator, or depot operator required by notice made under the Animal Products (Regulated Control Scheme—Bivalve Molluscan Shellfish) Regulations 2006	\$135 per application
28 Application to register a limited processing vessel under the Animal Products (Regulated Control Scheme—Limited Processing Fishing Vessels) Regulations 2001	\$135 per application
29 Annual limited processing vessel registering fee under the Animal Products (Regulated Control Scheme—Limited Processing Fishing Vessels) Regulations 2001	\$135
30 Application for approval of MPI Devices (brands/seals) made under the Animal Products (Export Requirements for Branding, Marking and Security Devices) Notice 2012 or any replacement notice	\$135 per application
31 Application for approval as a manufacturer or supplier of official devices under the Animal	\$135 per application

Matter for which fee or charge payable under Animal Products Act 1999	Fee or charge*
Products (Export Requirements for Branding, Marking and Security Devices) Notice 2012 or any replacement notice	
32 Application to be certified as either a certified supplier (wild animals) or a certified game estate supplier under the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2013 or any replacement notice	\$135 per application
33 Applications for re-certification as either a certified supplier (wild animals) or a certified game estate supplier under the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2013 or any replacement notice	\$135 per application
34 Application for listing as further (pet food) processor under the Animal Products (Specifications for Products Intended for Animal Consumption) Notice 2014 or any replacement notice	\$135 per application
35 Applications to re-list as a further pet food processor under the Animal Products (Specifications for Product Intended for Animal Consumption) Notice 2014 or any replacement notice	\$67.50 per application
36 Notification of change of a recognised agency on a risk management programme under sections 16(2) and 19(g)	\$67.50 per notification
37 Application to list as an approved halal premises under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice	\$135 per application
38 Application to list as an approved halal organisation under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice	\$135 per application
39 Audit of approved halal organisations under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice	\$135
40 Application for approving, renewing, or revoking an issuing officer's approval under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice	\$135 per application
41 Listing of halal assessment and approval personnel and a competent halal slaughter	\$135 per listing

Matter for which fee or charge payable under Animal Products Act 1999	Fee or charge*
person under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice	
42 Inspection and audit under the Animal Products Act 1999	Assessment charge on hourly basis as specified in Part 2
43 Performance of a function, power, or duty that is—	\$67.50 plus assessment charge on hourly basis after the first 30 minutes as specified in Part 2
<ul style="list-style-type: none"> • required to be undertaken under the Animal Products Act 1999, including under any regulations or notices; and • not prescribed elsewhere in these regulations 	
44 Application for approval of any maintenance compounds that is required to be undertaken under the Animal Products Act 1999, including under any regulations or notices	\$67.50 per application plus assessment charge on hourly basis after the first 30 minutes as specified in Part 2

*Fee or charge exclusive of any applicable costs payable under Parts 3, 4, and 5

Part 2

Assessment charges on hourly basis

Where Part 1 specifies an assessment charge on an hourly basis, that charge is to be determined as follows for each hour (or final part-hour) beyond the first 15 minutes, the first 30 minutes, the first hour, the first 2 hours and 30 minutes, or the first 3 hours, as the case may be, spent on assessing the matter concerned:

Category	Fee (\$)
(a) For each hour (excluding final part-hour) spent by a person employed by the Ministry (not relating to live animals or germplasm)	135
(b) For each 15-minute block in final part-hour spent under paragraph (a)	33.75
(c) For each hour (excluding final part-hour) spent by a person employed by the Ministry (relating to live animals or germplasm)	186.30
(d) For each 15-minute block in final part-hour spent under paragraph (c)	46.58
(e) For each hour (excluding final part-hour) spent by a person employed by the Ministry under item 4 in Part 1 of this schedule	135
(f) For each 15-minute block in final part-hour spent under paragraph (e)	33.75
(g) For each hour (excluding final part-hour) spent by a person who is not employed by the Ministry	135
(h) For each 15-minute block in final part-hour spent under paragraph (g)	33.75

Schedule 2

Part 8 of Schedule 1 replaced

r 5(3)

Part 8	
Unit charges, hourly rates, and callout charges in respect of export of live animals and animal germplasm	
Unit charges payable for each relevant unit to be exported	Charge (\$)
Note: If an animal is a zoo animal and comes within the description of another animal, only the unit charge for the animal as a zoo animal is payable.	
Cats and dogs (including semen) (per animal or semen consignment)	114.44
Equine animals (per animal)	41.22
Equine semen (per straw)	3.09
Livestock (only bovine, caprine, cervine, ovine, and porcine) (per animal)	10.83, with a maximum charge of \$54,150 per consignment
Bovine semen (per straw)	0.06, with a maximum charge of \$2,400 per consignment
Caprine and ovine semen (per straw)	0.06, with a maximum charge of \$2,400 per consignment
Cervine semen (per straw)	0.06, with a maximum charge of \$2,400 per consignment
Embryos and ova (only bovine, caprine, cervine, and ovine) (per embryo or ovum)	0.06
Porcine semen (per straw)	0.17, with a maximum charge of \$6,800 per consignment
Day-old chicks and hatching eggs (only poultry and ducklings) (per chick or egg)	0.02, with a maximum charge of \$600 per consignment
Bumble bees	0.32
Either per kg of honey bees (including a queen bee if applicable) or per queen bee (including a small number of attendant bees)	0.32
Lamoids (per animal)	257.50
Birds (excluding budgies, lovebirds, cockatiels, finches, and rosellas) (per bird)	17.89, with a maximum charge of \$536.70 per consignment
Budgies, lovebirds, cockatiels, finches, and rosellas (per bird)	0.27
Zoo animals (per animal)	572.63
Other animals and animal germplasm not specified (per consignment)	114.44
	Charge (\$)
Hourly rates	
(1) Hourly rate for recognised persons who are employees of the Ministry undertaking specialist functions and activities necessary for the export of live animals or germplasm:	
(a) a minimum charge for up to the first 30 minutes	93.15
(b) for each complete hour after the first half hour	186.30
(c) for each 15-minute block after the first half hour	46.58

Hourly rates		Charge (\$)
(2)	Hourly rate for services undertaken by an employee of the Ministry, on behalf of an exporter, to negotiate with the importing country alternative measures for meeting access requirements for overseas markets:	
(a)	a minimum charge for up to the first 30 minutes	93.15
(b)	for each complete hour after the first half hour	186.30
(c)	for each 15-minute block after the first half hour	46.58
(3)	Hourly rate for services undertaken by an employee of the Ministry, on behalf of an exporter, to negotiate new access requirements for overseas markets (except for exporters of cats and dogs):	
(a)	a minimum charge for up to the first 30 minutes	93.15
(b)	for each complete hour after the first half hour	186.30
(c)	for each 15-minute block after the first half hour	46.58
Callout charges		
Callout charges for recognised persons who are employees of the Ministry undertaking specialist functions and activities at any place or premises outside normal agreed hours of work and necessary for the export of live animals or germplasm:		
(a)	where an employee is entitled, by his or her contract of employment, to time and a half rates	252.17 per hour or part of an hour
(b)	where an employee is entitled, by his or her contract of employment, to double time rates	318.04 per hour or part of an hour
(c)	where an employee works on a public holiday within the meaning of the Holidays Act 2003	845.13 per day or part of a day, plus 211.28 for each hour or part of an hour worked

Michael Webster,
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 2019, amend the Animal Products (Fees, Charges, and Levies) Regulations 2007 (the **principal regulations**). These regulations—

- amend the description of information that the Director-General may require for the purpose of calculating the amount of levies payable in respect of certain commodities (*see regulation 4*); and
- prescribe new fees and charges set out in *new Parts 1, 2, and 8* of Schedule 1 of the principal regulations; and

- prescribe new hourly charges for verifiers in relation to circuit charges in Part 7 of Schedule 1 of the principal regulations; and
- amend the description of matters for which levies are payable in Schedule 2 of the principal regulations so that an annual levy is payable by processors who process animal parts not for human or animal consumption. However, the levies in that schedule are not payable by germplasm processors and poultry hatcheries.

These regulations are a confirmable instrument under section 47B of the Legislation Act 2012. They are revoked at the close of 30 June 2020, unless earlier confirmed by an Act of Parliament. That stated time is the applicable deadline under section 47C(1)(a) of that Act.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 30 May 2019.

Reprints notes

1 *General*

This is a reprint of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Subordinate Legislation Confirmation Act 2019 (2019 No 82): section 8(a)