

**Reprint
as at 12 May 2011**



**Dairy Industry (Fonterra Levy)
Regulations 2006**

(SR 2006/157)

Dairy Industry (Fonterra Levy) Regulations 2006: revoked, on 12 May 2011,
by clause 3 of the Regulatory Reform (Revocations) Order 2011 (SR 2011/99).

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 19th day of June 2006

Present:

The Hon Dr Michael Cullen presiding in Council

Pursuant to section 134 of the Dairy Industry Restructuring Act 2001,
Her Excellency the Administrator of the Government, acting on the
advice and with the consent of the Executive Council, makes the
following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989
have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together
with other explanatory material about this reprint.

These regulations are administered by the Ministry of Agriculture and Forestry.

Contents

	Page
1 Title	2
2 Commencement	2
3 Levy	2
4 GST included	2

Regulations

- 1 Title**
These regulations are the Dairy Industry (Fonterra Levy) Regulations 2006.
- 2 Commencement**
These regulations come into force on the 28th day after the date of their notification in the *Gazette*.
- 3 Levy**
- (1) The Fonterra Co-operative Group Limited must pay a levy of \$562,500 for the financial year commencing on 1 July 2006 and ending on 30 June 2007.
 - (2) However, \$155,250 was under-recovered by the levy paid for the financial year commencing on 1 July 2004 and ending on 30 June 2005.
 - (3) The balance of the levies payable is therefore \$717,750.
 - (4) The balance of the levies must be paid in 2 equal instalments of \$358,875 to the Minister with—
 - (a) the first instalment due within 1 month after the commencement of these regulations; and
 - (b) the second instalment due within 6 months after the commencement of these regulations.
- 4 GST included**
The levy under regulation 3 is inclusive of goods and services tax.

Diane Morcom,
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 the 28th day after the date of their notification in the *Gazette*.

The regulations require the Fonterra Co-operative Group Limited (**Fonterra**) to pay a levy of \$717,750 in 2 equal instalments of \$358,875 to the Minister with—

- the first instalment due within 1 month after the commencement of these regulations; and
- the second instalment due within 6 months after the commencement of these regulations.

The sum of \$155,250 was under-recovered in respect of the levy paid for the 2004/2005 financial year under the Dairy Industry (Application Fees and Fonterra Levy) Regulations 2004.

The Minister of Agriculture has added this under-recovery to the levy of \$562,500 that would otherwise be payable by Fonterra for the 2006/2007 financial year.

The purpose of the levy is to pay the Commerce Commission's costs of making and enforcing determinations under the Dairy Industry Restructuring Act 2001, and the cost of enforcing parts of that Act.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Dairy Industry (Fonterra Levy) Regulations 2006. The reprint incorporates all the amendments to the regulations as at 12 May 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Regulatory Reform (Revocations) Order 2011 (SR 2011/99): clause 3
