

Reprint
as at 1 January 2017



Crown Minerals (Petroleum Fees) Amendment Regulations 2014 (LI 2014/382)

Crown Minerals (Petroleum Fees) Amendment Regulations 2014: revoked, on 1 January 2017, pursuant to regulation 16 of the Crown Minerals (Petroleum Fees) Regulations 2016 (LI 2016/274).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 8th day of December 2014

Present:

His Excellency the Governor-General in Council

Pursuant to section 105(1)(i), (j), and (k) of the Crown Minerals Act 1991, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations	2
4	New regulation 4A inserted (Transitional provisions)	2
	4A Transitional provisions	2
5	Part 1 heading replaced	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 of Business, Innovation, and Employment.

6	Regulation 5 amended (Application)	3
7	Regulation 6 replaced (Annual fee payable under prospecting permits)	3
6	Annual fee payable under prospecting permits	3
8	Regulation 7 amended (Annual fee payable under exploration permits)	3
9	Regulation 8 amended (Annual fee payable under mining permits)	3
10	Regulation 9 amended (Annual fee payable under extension of duration of exploration permit for appraisal work)	3
11	Regulation 12 amended (Application)	3
12	Regulation 13 amended (Application fees and monetary deposit or bond)	3
13	Part 3 revoked	3
14	Regulation 19 revoked (Revocation and saving)	3
15	Schedule replaced	3
	Schedule	4
	Schedule replaced by new Schedules 1 and 2	

Regulations

- 1 Title**
These regulations are the Crown Minerals (Petroleum Fees) Amendment Regulations 2014.
- 2 Commencement**
These regulations come into force on 12 December 2014.
- 3 Principal regulations**
These regulations amend the Crown Minerals (Petroleum Fees) Regulations 2006 (the **principal regulations**).
- 4 New regulation 4A inserted (Transitional provisions)**
After regulation 4, insert:

4A Transitional provisions
The transitional provisions set out in Schedule 1 have effect according to their terms.
- 5 Part 1 heading replaced**
Replace the Part 1 heading with:

Part 1 Annual fees

6 Regulation 5 amended (Application)

- (1) In regulation 5, replace “The annual fees in this Part apply to—” with “Subject to clause 1 of Schedule 1, the annual fees in this Part apply to—”.
- (2) In regulation 5(b), replace “section 37(1) or (2)” with “section 35A or 36”.

7 Regulation 6 replaced (Annual fee payable under prospecting permits)

Replace regulation 6 with:

6 Annual fee payable under prospecting permits

- (1) The annual fee payable under a prospecting permit (other than a non-exclusive prospecting permit) is \$1 per square kilometre or part of a square kilometre.
- (2) The annual fee payable under a non-exclusive prospecting permit is \$50,000.

8 Regulation 7 amended (Annual fee payable under exploration permits)

In regulation 7, replace “\$10.50” with “\$10.73”.

9 Regulation 8 amended (Annual fee payable under mining permits)

In regulation 8, replace “\$100” with “\$102.22”.

10 Regulation 9 amended (Annual fee payable under extension of duration of exploration permit for appraisal work)

- (1) In regulation 9, replace “section 37(2)” with “section 35A”.
- (2) In regulation 9, replace “\$10.50” with “\$10.73”.

11 Regulation 12 amended (Application)

In regulation 12, replace “the Schedule” with “Schedule 2”.

12 Regulation 13 amended (Application fees and monetary deposit or bond)

In regulation 13, replace “the Schedule” with “Schedule 2”.

13 Part 3 revoked

Revoke Part 3.

14 Regulation 19 revoked (Revocation and saving)

Revoke regulation 19.

15 Schedule replaced

Replace the Schedule with the Schedules 1 and 2 set out in the Schedule of these regulations.

Schedule

Schedule replaced by new Schedules 1 and 2

r 15

Schedule 1

Transitional provisions

r 4A

Transitional provisions relating to amendments taking effect after 11 December 2014

- 1 New annual fees for prospecting permits take effect after 11 December 2014**
- Despite regulation 5, the annual fees payable under regulation 6 take effect after 11 December 2014.
- 2 Amount payable if outstanding debt for annual fee for 2014/15 year**
- (1) This clause applies to a prospecting permit for which there is, on 12 December 2014, an outstanding debt for an annual fee amount.
- (2) The annual fee for the year beginning 1 July 2014 is deemed to be paid if the new annual fee is paid.
- (3) In this clause and clause 3,—
- annual fee amount** means an amount that is all or part of the annual fee for the year beginning 1 July 2014
- new annual fee** means the amount payable had the annual fee for the year beginning 1 July 2014 been calculated in accordance with regulation 6 (as in force after 11 December 2014).
- 3 Partial refund of annual fees for prospecting permits for 2014/15 year**
- (1) This clause applies to a prospecting permit for which an annual fee amount has been paid before 12 December 2014.
- (2) The chief executive must refund the difference between—
- (a) the annual fee amount paid; and
- (b) the new annual fee.
- (3) The chief executive must pay the refund on or before 31 March 2015.
- (4) To avoid doubt, no refund is payable if the annual fee amount paid is less than the new annual fee.

Schedule 2
Application fees and monetary deposit or bond payable

rr 12, 13

Fees payable on application	\$
Prospecting permit	6,133.33
Exploration permit	6,133.33
Mining permit	25,555.55
Extension of duration of exploration permit under section 36 of the Act	2,555.55
Extension of duration of exploration permit under section 35A of the Act	14,311.11
Any application under section 36 of the Act (other than an application to extend the duration of an exploration permit)	2,555.55
Application for Minister's consent under section 41, 41B, or 41C of the Act	1,022.22
Deposit or bond payable with application for permit	
Deposit or bond	250,000

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 12 December 2014, amend the Crown Minerals (Petroleum Fees) Regulations 2006 (the **principal regulations**). Principally, the amendments—

- introduce a distinction between the annual fees payable under petroleum prospecting permits according to whether they confer exclusive or non-exclusive rights; and
- prescribe new annual fees payable under each of those 2 types of permit (the **new annual fees**).

The amendments also—

- adjust the existing fees prescribed in the principal regulations to reflect the increase in goods and services tax from 12.5% to 15% that took effect from 1 October 2010 (previously, section 78(3) of the Goods and Services Tax Act 1985 operated to automatically apply the increase);
- update references to the Crown Minerals Act 1991, in light of amendments made to the Act in 2013;
- revoke spent transitional provisions that applied in relation to the 2006/07 year:

- provide that, for outstanding debts relating to annual fees for petroleum prospecting permits for the 2014/15 year, annual fees are deemed to be paid if the amount that would have been payable under the new annual fees is paid:
- provide, in relation to petroleum prospecting permits for the 2014/15 year, for a refund of as much of the annual fees paid as exceeds the amount that would have been payable under the new annual fees.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 11 December 2014.

Reprints notes

1 *General*

This is a reprint of the Crown Minerals (Petroleum Fees) Amendment Regulations 2014 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*

Crown Minerals (Petroleum Fees) Regulations 2016 (LI 2016/274): regulation 16