

Reprint
as at 19 December 2018



Biosecurity (System Entry Levy) Amendment Order 2018
(LI 2018/91)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 28th day of May 2018

Present:

Her Excellency the Governor-General in Council

This order is made under section 137 of the Biosecurity Act 1993—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Biosecurity.

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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.

This order is administered by the Ministry for Primary Industries.

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Order

1 Title

This order is the Biosecurity (System Entry Levy) Amendment Order 2018.

2 Commencement

This order comes into force on 1 July 2018.

Order: confirmed, on 19 December 2018, by section 9 of the Subordinate Legislation Confirmation Act (No 2) 2018 (2018 No 56).

3 Principal order

This order amends the Biosecurity (System Entry Levy) Order 2010 (the **principal order**).

4 Clauses 6A and 6B and cross-headings revoked

Revoke clauses 6A and 6B and the cross-headings above clauses 6A and 6B.

5 Cross-heading above clause 7 replaced

Replace the cross-heading above clause 7 with:

Calculating and setting levy rate

6 Clause 8 amended (Maximum rate of levy)

In clause 8, replace “\$18.00” with “\$23”.

7 New clause 8A inserted (Levy rate for year beginning 1 July 2018)

After clause 8, insert:

8A Levy rate for year beginning 1 July 2018

- (1) The levy rate for the levy year beginning on 1 July 2018 is—
- \$15.24 per leviable importation for which an inward cargo transaction fee is payable under regulation 13A(2)(a) of the Customs and Excise Regulations 1996 in respect of cargo or goods carried on a ship or boat:
 - \$15.24 per leviable importation for which an inward cargo transaction fee is payable under regulation 13A(2)(b) of those regulations in respect of goods or cargo carried on an aircraft:
 - \$20.36 per leviable importation for which an import entry transaction fee is payable under regulation 24A of those regulations.

(2) The levy rates in subclause (1) are exclusive of goods and services tax.

8 Clause 9 amended (Director-General must fix actual rate)

- (1) Replace the heading to clause 9 with “**Director-General must fix levy rate for subsequent years**”.
- (2) In clause 9(1), replace “1 July 2016” with “1 July 2019”.

9 Clause 11 amended (Notification of rate of levy)

In clause 11(1), replace “ending on 30 June 2016” with “beginning on 1 July 2018”.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 July 2018,—

- sets the rate of the system entry levy for the year beginning 1 July 2018; and
- increases the maximum rate of the levy from \$18 to \$23 (excluding goods and services tax).

This order is a confirmable instrument under section 47B of the Legislation Act 2012. It is revoked at the close of 30 June 2019, unless earlier confirmed by an Act of Parliament. The stated time is the applicable deadline under section 47C(1)(a) of that Act.

Regulatory impact assessment

The Ministry for Primary Industries (**MPI**) prepared a Stage 2 Cost Recovery Impact Statement (**CRIS2**) for this order on 3 April 2018 to help inform the decisions taken by the Government relating to the contents of this instrument. The MPI Regulatory Impact Analysis Panel reviewed the CRIS2 and considered that the information and analysis summarised in it met the panel’s current understanding of the quality assurance criteria.

A copy of this CRIS2 can be found at—

- <https://www.mpi.govt.nz/dmsdocument/28878>
- <http://www.treasury.govt.nz/publications/informationreleases/ria>

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 31 May 2018.

Reprints notes

1 *General*

This is a reprint of the Biosecurity (System Entry Levy) Amendment Order 2018 that incorporates all the amendments to that order as at the date of the last amendment to it.

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 (No 2) 2018 (2018 No 56): section 9