

1973/143

THE DAIRY PRODUCE LEVY REGULATIONS 1973

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 28th day of May 1973

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Dairy Board Act 1961, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Dairy Produce Levy Regulations 1973.

(2) These regulations shall come into force on the 1st day of June 1973.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Dairy Board Act 1961:

“Board” means the New Zealand Dairy Board established under the Act:

“Manufacturer” means the owner or occupier of a manufacturing dairy that is registered under the Dairy Produce Regulations 1938* as a cheese factory, creamery, or whey butter factory.

(2) Unless the context otherwise requires, terms and expressions used in these regulations that are defined in the Act but are not otherwise defined in these regulations shall have the same meaning as in the Act.

3. Maximum amount of general levy—The maximum amount by way of a general levy that may be fixed by the Board under section 41 of the Act on dairy produce manufactured or intended to be manufactured for sale shall be \$0.003 per kilogram of the milkfat received per month by a manufacturer for manufacture of the produce.

*S.R. 1938/91 (Reprinted with Amendments Nos 1 to 27: S.R. 1970/118)
Amendment No. 28: S.R. 1971/163

4. Levy payable to the Board—Any levy fixed by the Board in accordance with regulation 3 of these regulations shall be paid to the Board by each manufacturer not later than the 20th day of the month immediately following the month in which the milkfat to which the levy relates was received by the manufacturer, or, at the discretion of the Board, may be deducted from any money held by the Board for the credit of the manufacturer.

5. Manufacturers to furnish monthly returns—Every manufacturer shall furnish or cause to be furnished to the Board as soon as practicable after the last day of each month a return in accordance with a form to be provided by the Board giving information of the total milkfat received during that month and to which these regulations relate. The return shall be certified correct by the person making the return.

6. Revocations—The following regulations are hereby consequentially revoked—

(a) The Dairy-produce Levy Regulations 1948*;

(b) The Dairy-produce Levy Regulations 1948, Amendment No. 1†.

P. G. MILLEN,

Clerk of the Executive Council.

*S.R. 1948/15

†S.R. 1960/28

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations are made in substitution for the Dairy-produce Levy Regulations 1948. The main effect of the new regulations is to authorise as the maximum amount of any general levy that may be fixed by the New Zealand Dairy Board under section 41 of the Dairy Board Act 1961 an amount calculated on the milkfat used in the manufacture or intended manufacture of all dairy produce instead of a separate levy on butter and cheese as at present. The maximum levy that may be imposed is \$0.003 per kilogram of milkfat instead of \$0.00104 per lb for butter and \$0.00052 per lb for cheese. The levy may be fixed for the purposes of providing funds to enable the Board to carry out certain of its functions and powers.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 May 1973.

These regulations are administered in the Ministry of Agriculture and Fisheries.