

1984/74



## THE FISH LEVY REGULATIONS 1976, AMENDMENT NO. 2

DAVID BEATTIE, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 26th day  
of March 1984

Present:

THE RIGHT HON. SIR ROBERT MULDOON PRESIDING IN COUNCIL

PURSUANT to the Fishing Industry Board Act 1963, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

#### ANALYSIS

1. Title and commencement
2. Levies

3. Fisherman's contribution
4. Retailer's contribution
5. Transitional

#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Fish Levy Regulations 1976, Amendment No. 2, and shall be read together with and deemed part of the Fish Levy Regulations 1976\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of April 1984.

**2. Levies**—Regulation 5 (1) of the principal regulations (as substituted by regulation 3 of the Fish Levy Regulations 1976, Amendment No. 1) is hereby amended by revoking paragraph (a), and substituting the following paragraph:

\*S.R. 1976/316  
Amendment No. 1: S.R. 1980/5

“(a) A levy on all fish purchased by the wholesaler (otherwise than from another wholesaler) of an amount equal to the sum of—

“(i) An amount fixed by the Board in respect of fishermen by notice in the *Gazette*, which amount shall not exceed 0.4 percent of the primary price of those fish; and

“(ii) An amount fixed by the Board in respect of wholesalers by notice in the *Gazette*, which amount shall not exceed 0.4 percent of the primary price of those fish; and

“(iii) An amount fixed by the Board in respect of retailers by notice in the *Gazette*, which amount shall not exceed 0.4 percent of the primary price of those fish.”

**3. Fisherman's contribution**—Regulation 7 (1) of the principal regulations is hereby amended by omitting the words “an amount equal to one-third of the fish levy so paid”, and substituting the words “the amount for the time being fixed under regulation 5 (1) (a) (i) of these regulations”.

**4. Retailer's contribution**—Regulation 8 (1) of the principal regulations is hereby amended by omitting the words “an amount equal to one-third of the fish levy so paid”, and substituting the words “the amount for the time being fixed under regulation 5 (1) (a) (iii) of these regulations”.

**5. Transitional**—Until the Board fixes an amount under any of subparagraphs (i) to (iii) of regulation 5 (1) (a) of the principal regulations, that subparagraph shall have effect as if, on the commencement of these regulations, the Board had under each of those subparagraphs, by notice in the *Gazette*, fixed an amount of 0.3 percent of the primary price of the fish concerned.

P. G. MILLEN,  
Clerk of the Executive Council.

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EXPLANATORY NOTE

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

These regulations relate to the maximum amount of the fish levy, which is payable in equal shares by fishermen, wholesalers, and retailers. The present maximum is 1.2 percent of the primary price of all fish sold by wholesalers. These regulations amend the principal regulations to provide that in future different proportions of the levy may be paid by the 3 sectors of the industry, with a maximum of 0.4 percent of the primary price of the fish concerned in respect of each sector.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 March 1984.

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