



**THE FISH LEVY REGULATIONS 1976,
AMENDMENT NO. 4**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 1st day of May 1995

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 35 of the Fishing Industry Board Act 1963, Her 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 Fish Levy Regulations 1976, Amendment No. 4, 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 28th day after the date of their notification in the *Gazette*.

2. Levy for monitoring programmes and other activities related to marine biotoxins—The principal regulations are hereby amended by inserting, after regulation 5A (as inserted by regulation 4 of the Fish Levy Regulations 1976, Amendment No. 1), the following regulation:

“5B. (1) This regulation applies in relation to the levies fixed by the Board under section 14B of the Act in respect of—

*S.R. 1976/316
Amendment No. 1: S.R. 1980/5
Amendment No. 2: S.R. 1984/74
Amendment No. 3: S.R. 1992/113

- “(a) The period of 12 months ending with the close of the 30th day of June 1995:
- “(b) Any subsequent period of 12 months ending with the close of the 30th day of June in any year.
- “(2) For the purposes of section 14B of the Act,—
- “(a) Every levy fixed under that section shall be payable by—
- “(i) Every holder of a marine farming lease granted under section 8 of the Marine Farming Act 1971; and
- “(ii) Every holder of a marine farming licence granted under the said section 8; and
- “(iii) Every holder of a marine farming permit issued under section 67J of the Fisheries Act 1983; and
- “(iv) Every holder of a spat catching permit issued under section 67Q of the Fisheries Act 1983; and
- “(v) Every holder of a fishing permit issued under section 63 of the Fisheries Act 1983; and
- “(vi) Every holder of a special permit issued under section 64 of the Fisheries Act 1983;—
- being persons authorised to farm or take species of specified fish:
- “(b) Every levy payable by any person referred to in paragraph (a) of this subclause shall be payable before the close of the period in respect of which it is payable:
- “(c) The rate of any levy fixed under that section in respect of any lease, licence, or permit shall not exceed \$2,500:
- “(d) The Board shall separately identify in its financial accounts the funds collected by it in respect of every levy fixed under that section.”

MARIE SHROFF,
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 28 days after the date of their notification in the *Gazette*, amend the Fish Levy Regulations 1976.

The regulations make provisions with respect to the levies that may be imposed under section 14B of the Fishing Industry Board Act 1963. Section 14B of the Act empowers the Fishing Industry Board to fix from time to time by notice in the *Gazette* levies for monitoring programmes and other activities related to marine biotoxins. The regulations specify the persons by whom the levy is payable, specify the date by which the levy is payable, and fix \$2,500 as the maximum rate of the levy.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 May 1995.
These regulations are administered in the Ministry of Agriculture and Fisheries.