



Fisheries (Cost Recovery Levies for Fisheries Services) Order 2006

Anand Satyanand, Governor-General

Order in Council

At Wellington this 28th day of August 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 264 of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Contents

	Page
1 Title	2
2 Commencement	2
3 Application	2
4 Interpretation	2
5 Monthly levies on quota owners	2
6 Annual non-ITQ levies	2
7 Annual aquaculture levies	3
8 Levies not to apply to seaweed	3
9 Levies exclusive of GST	4
10 How and when levies payable	4
11 Revocation	4
12 Saving	4
Schedule	4
Levies	

Order

1 Title

This order is the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2006.

2 Commencement

This order comes into force on 1 October 2006.

3 Application

This order applies in respect of any quota held, fish or aquatic life taken, and permits, leases, or licences held at any time for any period during the fishing year commencing on 1 October 2006.

4 Interpretation

Unless the context otherwise requires, fishstock codes and other expressions used in the Schedule have the same meanings as in Parts 1 and 2 of Schedule 3 of the Fisheries (Reporting) Regulations 2001.

5 Monthly levies on quota owners

- (1) A monthly levy in respect of fisheries services is payable in respect of—
 - (a) every guaranteed minimum individual transferable quota; and
 - (b) every individual transferable quota; and
 - (c) every provisional individual transferable quota.
- (2) The monthly levy is payable for each quota share at the appropriate rate (or at the equivalent rate expressed as dollars per tonne) according to the species or class of fish, aquatic life, or seaweed as specified in Part 1 of the Schedule.
- (3) The monthly levy is payable by quota owners irrespective of whether the fish, aquatic life, or seaweed to which the quota relates is taken.

6 Annual non-ITQ levies

- (1) Every holder of a fishing permit issued under section 91 of the Fisheries Act 1996 who takes for the purposes of sale any fish or aquatic life specified in Part 2 of the Schedule that is not subject to the quota management system must pay an annual

levy in respect of fisheries services for each tonne or part of a tonne of fish or aquatic life so taken, at the appropriate rate of levy specified in that Part.

- (2) Every holder of a special permit granted under section 97(1)(c) of that Act who takes for the purposes of sale any fish or aquatic life specified in Part 2 of the Schedule that is not subject to the quota management system must pay an annual levy in respect of fisheries services for each tonne or part of a tonne of fish or aquatic life so taken, at the appropriate rate of levy specified in that Part.
- (3) Nothing in this clause requires payment of an annual levy in respect of fish or aquatic life that is taken pursuant to quota for which a monthly levy is payable under clause 5.

7 Annual aquaculture levies

- (1) This clause applies to—
 - (a) a person who is registered as a fish farmer under Part 9A of the Fisheries Act 1996; and
 - (b) the holder of a fish-farm licence granted under the Freshwater Fish Farming Regulations 1983; and
 - (c) the holder of a marine farm lease or licence granted under the Marine Farming Act 1971 where the controlling authority has taken action to forfeit the lease or licence under section 14 of that Act before 1 January 2005 but that action has not been completed or discontinued before the commencement of this order.
- (2) A person to whom this clause applies must pay an annual levy for fisheries services, at the appropriate rate of levy specified in Part 3 of the Schedule, in respect of each coastal permit, or each lease or licence referred to in subclause (1), held at any time during the fishing year.
- (3) Levies payable under subclause (2) are payable by the person liable for the levy whether or not any fish farming activity is undertaken.

8 Levies not to apply to seaweed

Despite anything in this order, no levy is payable in respect of—

- (a) the taking of any seaweed (as defined in section 2(1) of the Fisheries Act 1996) for sale under a permit issued

under section 91 or section 97(1)(c) of the Fisheries Act 1996; or

- (b) any such permit, to the extent it authorises the taking of seaweed for sale.

9 Levies exclusive of GST

The levies payable under this order are exclusive of goods and services tax.

10 How and when levies payable

- (1) The levies payable under this order are payable to the Crown and are payable only after receipt of a demand from the chief executive.
- (2) The levies are payable in such number of instalments and in such manner as the chief executive may specify.

11 Revocation

The Fisheries (Cost Recovery Levies for Fisheries Services) Order 2005 (SR 2005/233) is revoked.

12 Saving

Clause 11 does not extinguish any liability arising before the commencement of this order under the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2005.

cls 5–7

Schedule Levies

Part 1

Monthly levies on quota owners for fisheries services

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANC1	0.000002	1.00
ANC2	0.000001	1.00
ANC3	0.000001	2.00
ANC7	0.000001	1.00
ANC8	0.000001	1.00
ANG11	0.000010	25.00
ANG12	0.000011	25.74

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANG13	0.000030	24.60
ANG14	0.000009	25.64
ANG15	0.000029	24.65
ANG16	0.000016	25.51
BAR1	0.000033	0.30
BAR4	0.000009	0.30
BAR5	0.000023	0.31
BAR7	0.000035	0.31
BCO1	0.000002	4.32
BCO2	0.000001	9.70
BCO3	0.000008	4.92
BCO4	0.000055	7.24
BCO5	0.000102	6.59
BCO7	0.000004	5.71
BCO8	0.000005	6.72
BIG1	0.000278	38.94
BNS1	0.000083	8.30
BNS2	0.000075	7.16
BNS3	0.000070	7.57
BNS7	0.000008	5.33
BNS8	0.000008	8.00
BUT2	0.000004	6.35
BUT4	0.000001	10.00
BUT5	0.000003	6.67
BUT7	0.000002	5.26
BWS1	0.000006	0.32
BYX1	0.000008	2.67
BYX2	0.000121	7.68
BYX3	0.000024	2.38
BYX7	0.000002	2.48
CDL1	0.000033	2.75
CDL2	0.000031	1.39
CDL3	0.000004	2.04
COC1A	0.000055	15.90
COC3	0.000053	3.61
COC7A	0.000041	2.95
CRA1	0.000103	78.59
CRA2	0.000218	92.34
CRA3	0.000188	98.95
CRA4	0.000420	72.79
CRA5	0.000243	69.43
CRA6	0.000150	41.67
CRA7	0.000068	56.57
CRA8	0.000555	73.49

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
CRA9	0.000041	87.22
DAN2	0.000001	5.56
DAN7	0.000001	6.67
DAN8	0.000001	3.03
DAN9	0.000001	3.03
ELE2	0.000001	4.63
ELE3	0.000016	1.68
ELE5	0.000003	2.50
ELE7	0.000003	2.95
EMA1	0.000119	1.56
EMA2	0.000002	1.11
EMA3	0.000004	1.03
EMA7	0.000052	1.55
FLA1	0.000066	5.56
FLA2	0.000038	5.23
FLA3	0.000131	4.89
FLA7	0.000114	5.52
FRO1	0.000001	0.67
FRO3	0.000001	0.78
FRO5	0.000001	0.74
FRO7	0.000013	0.50
FRO8	0.000003	0.46
FRO9	0.000001	0.72
GAR1	0.000002	8.00
GAR7	0.000001	12.50
GLM7A	0.000005	0.33
GLM9	0.000012	6.67
GMU1	0.000050	5.40
GMU2	0.000001	4.98
GMU3	0.000001	3.33
GMU7	0.000001	5.00
GSC3	0.000001	7.14
GSC5	0.000001	5.26
GSC6A	0.000007	4.73
GSC6B	0.000011	4.64
GSH3	0.000007	0.59
GSH4	0.000003	0.81
GSH5	0.000001	0.92
GSH7	0.000010	0.89
GSP1	0.000008	0.70
GSP5	0.000003	0.66
GSP7	0.000001	0.57
GUR1	0.000083	3.63
GUR2	0.000018	2.48

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
GUR7	0.000065	9.55
GUR8	0.000014	2.58
HAK1	0.000236	6.38
HAK4	0.000133	7.39
HAK7	0.000151	1.96
HOK1	0.004926	4.93
HPB1	0.000039	8.11
HPB2	0.000019	7.14
HPB3	0.000024	7.16
HPB4	0.000023	7.13
HPB5	0.000032	7.09
HPB7	0.000017	7.22
HPB8	0.000006	7.49
JDO1	0.000082	11.65
JDO2	0.000023	8.53
JDO3	0.000001	3.13
JDO7	0.000008	7.02
JMA1	0.000102	1.02
JMA3	0.000201	1.12
JMA7	0.000347	1.07
KAH1	0.000098	9.12
KAH2	0.000027	3.83
KAH3	0.000014	3.41
KAH8	0.000038	7.31
KIN1	0.000015	16.48
KIN2	0.000010	15.87
KIN7	0.000001	14.29
KIN8	0.000006	16.67
LDO1	0.000002	1.19
LDO3	0.000007	1.14
LEA1	0.000002	1.06
LEA2	0.000009	0.79
LEA3	0.000001	1.00
LFE20	0.000007	14.89
LFE21	0.000009	14.06
LFE22	0.000006	14.63
LFE23	0.000006	14.63
LIN1	0.000012	3.00
LIN2	0.000038	3.87
LIN3	0.000083	4.03
LIN4	0.000143	3.40
LIN5	0.000194	5.40
LIN6	0.000333	3.92
LIN7	0.000148	6.65

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
MAK1	0.000004	0.99
MDI7	0.000001	3.85
MDI8	0.000001	3.70
MDI9	0.000001	3.70
MMI7	0.000001	1.64
MOK1	0.000040	9.94
MOK3	0.000001	0.79
MOO1	0.000016	3.04
OEO1	0.000113	2.25
OEO3A	0.000508	16.39
OEO4	0.000254	3.63
OEO6	0.000193	3.22
ORH1	0.000105	7.50
ORH2A	0.000108	9.82
ORH2B	0.000016	8.65
ORH3A	0.000040	9.64
ORH3B	0.001007	7.93
ORH7B	0.000032	29.09
OYS4	0.000001	6.67
OYS7	0.000029	5.74
OYU5	0.000211	13.83
PAD1	0.000016	7.27
PAD2	0.000007	6.36
PAD3	0.000005	5.00
PAD4	0.000002	8.00
PAD5	0.000004	8.00
PAD7	0.000006	6.00
PAD8	0.000004	6.67
PAD9	0.000007	7.00
PAR1	0.000001	1.64
PAU2	0.000073	60.24
PAU3	0.000055	60.03
PAU4	0.000204	62.47
PAU5A	0.000097	65.11
PAU5B	0.000219	243.33
PAU5D	0.000062	69.66
PAU6	0.000001	100.00
PAU7	0.000133	71.03
PDO3	0.000001	0.93
PDO7	0.000001	2.00
PHC1	0.000015	37.22
PIL1	0.000022	1.10
PIL2	0.000002	1.00
PIL3	0.000001	1.67

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
PIL7	0.000002	1.33
PIL8	0.000001	1.54
POR1	0.000002	3.23
POS1	0.000011	5.12
PPI1A	0.000003	1.50
PZL7	0.000002	29.85
QSC3	0.000010	2.63
RBM1	0.000014	1.43
RBY1	0.000004	1.33
RBY2	0.000010	2.31
RCO2	0.000004	0.80
RCO3	0.000107	0.86
RCO7	0.000096	3.07
RIB1	0.000003	2.48
RIB2	0.000004	2.27
RIB3	0.000006	1.52
RIB4	0.000006	1.68
RSK1	0.000001	0.90
RSK3	0.000010	0.60
RSK7	0.000001	0.50
RSN1	0.000017	13.71
RSN2	0.000003	14.29
SAE3	0.000003	1.14
SAE7	0.000001	0.89
SBW6A	0.000015	0.91
SBW6B	0.000064	1.83
SBW6I	0.001917	9.59
SBW6R	0.000062	1.13
SCA4	0.000005	21.74
SCA7	0.000072	9.64
SCH1	0.000028	4.19
SCH2	0.000008	4.03
SCH3	0.000011	2.84
SCH4	0.000007	2.94
SCH5	0.000021	2.83
SCH7	0.000018	2.81
SCH8	0.000015	2.84
SCI1	0.000113	94.17
SCI2	0.000183	91.50
SCI3	0.000153	45.00
SCI4A	0.000074	61.67
SCI5	0.000014	35.00
SCI6A	0.000449	146.73
SCI6B	0.000018	36.00

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SCI7	0.000027	36.00
SCI8	0.000002	40.00
SCI9	0.000013	37.14
SFE17	0.000001	10.00
SFE20	0.000022	14.77
SFE21	0.000024	14.72
SFE22	0.000016	14.81
SFE23	0.000005	13.51
SKI1	0.000063	30.00
SKI2	0.000113	47.08
SKI3	0.000011	3.66
SKI7	0.000011	3.67
SNA1	0.000573	12.73
SNA2	0.000024	7.62
SNA3	0.000003	9.29
SNA7	0.000065	32.50
SNA8	0.000157	12.08
SPD1	0.000002	0.60
SPD3	0.000101	2.11
SPD4	0.000012	0.74
SPD5	0.000031	0.84
SPD7	0.000053	2.79
SPD8	0.000002	0.65
SPE4	0.000029	3.19
SPO1	0.000035	5.06
SPO2	0.000004	4.65
SPO3	0.000025	4.17
SPO7	0.000018	5.14
SPO8	0.000016	5.16
SPR1	0.000001	1.43
SPR3	0.000004	1.40
SPR7	0.000001	1.18
SQU1J	0.000816	1.63
SQU1T	0.000727	1.62
SQU6T	0.000539	1.67
SSK3	0.000003	0.52
SSK7	0.000001	0.47
STA3	0.000017	1.89
STA4	0.000034	1.58
STA5	0.000020	1.58
STA7	0.000057	5.72
STN1	0.000533	129.06
SUR1A	0.000001	2.50
SUR1B	0.000002	1.43

Part 1—*continued*

Fish stock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SUR2A	0.000001	1.25
SUR2B	0.000001	3.33
SUR4	0.000004	1.78
SUR5	0.000008	1.76
SUR7A	0.000003	2.22
SWA1	0.000039	1.30
SWA3	0.000042	1.28
SWA4	0.000054	1.32
TAR1	0.000055	3.93
TAR2	0.000064	3.56
TAR3	0.000075	5.35
TAR4	0.000012	3.80
TAR5	0.000003	1.97
TAR7	0.000134	12.31
TAR8	0.000009	3.99
TOR1	0.000033	28.45
TRE1	0.000090	5.97
TRE2	0.000006	2.49
TRE7	0.000076	3.53
TRU2	0.000001	5.00
TRU3	0.000001	3.03
TRU4	0.000002	3.39
TRU5	0.000001	4.55
TUA9	0.000001	2.33
WAR1	0.000001	2.43
WAR2	0.000009	1.56
WAR3	0.000038	1.50
WAR7	0.000018	1.61
WAR8	0.000003	1.29
WWA2	0.000002	2.74
WWA3	0.000009	2.26
WWA4	0.000005	2.27
WWA5	0.000048	2.26
WWA6	0.000011	2.24
WWA7	0.000001	1.67
YEM1	0.000001	5.00
YEM9	0.000001	3.33
YFN1	0.000048	18.25

Part 2
Proposed levies on non-ITQ species for fisheries services

Fishstock	Annual levy (\$ per tonne) (GST excl)
ALB	63.05
BSH	38.18
OCT	28.30
PTO	55.87
SKJ	25.53

Part 3
Aquaculture levies for fisheries services

Permit or interest held	Annual levy (\$) (GST excl)
Coastal permit	29.84
Fish farm licence	29.84
Marine farm lease or licence	29.84

Diane Morcom,
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 October 2006, sets levies in respect of the fishing year commencing on 1 October 2006 to recover the costs of fisheries services (but not conservation services) in accordance with the Fisheries (Cost Recovery) Rules 2001.

The levies take into account, and are reduced or increased by, the relevant settlement sums provided for under the new section 265A and Schedule 9A of the Fisheries Act 1996 that were enacted by the Fisheries Amendment Act 2004.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 31 August 2006.

This order is administered by the Ministry of Fisheries.