



# Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007

Anand Satyanand, Governor-General

## Order in Council

At Wellington this 27th day of August 2007

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.

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## Order

### 1 Title

This order is the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007.

### 2 Commencement

This order comes into force on 1 October 2007.

### 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 2007.

### 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 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 2006 (SR 2006/237) 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 2006.

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## Schedule Levies

cls 5–7

### Part 1

#### Monthly levies on quota owners for fisheries services

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
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	0.000007	17.50
ANG12	0.000008	18.72
ANG13	0.000022	18.04
ANG14	0.000006	17.09
ANG15	0.000021	17.85
ANG16	0.000011	17.54
BAR1	0.000043	0.39
BAR4	0.000012	0.40
BAR5	0.000031	0.41
BAR7	0.000046	0.41
BCO1	0.000003	6.49
BCO2	0.000001	9.70
BCO3	0.000010	6.15
BCO4	0.000043	5.66
BCO5	0.000094	6.07
BCO7	0.000005	7.14
BCO8	0.000004	5.38
BCO10	0.000001	10.00
BIG1	0.000279	39.08
BNS1	0.000072	7.20
BNS2	0.000060	5.73
BNS3	0.000055	5.95
BNS7	0.000006	4.00
BNS8	0.000006	6.00
BNS10	0.000001	10.00
BUT2	0.000004	6.35
BUT4	0.000001	10.00
BUT5	0.000003	6.67
BUT7	0.000002	5.26
BWS1	0.000012	0.65
BYX1	0.000008	2.67
BYX2	0.000133	8.45
BYX3	0.000023	2.28
BYX7	0.000002	2.48
BYX8	0.000001	5.00
CDL1	0.000014	1.17

Part 1—*continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
CDL2	0.000025	1.12
CDL3	0.000002	1.02
CDL4	0.000001	1.52
COC1A	0.000055	15.90
COC3	0.000014	0.95
COC7A	0.000088	6.33
CRA1	0.000107	81.64
CRA2	0.000220	93.19
CRA3	0.000188	98.95
CRA4	0.000412	71.40
CRA5	0.000242	69.14
CRA6	0.000156	43.33
CRA7	0.000064	53.24
CRA8	0.000606	80.24
CRA9	0.000040	85.09
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	0.000028	2.95
ELE5	0.000003	2.50
ELE7	0.000003	2.95
EMA1	0.000094	1.23
EMA2	0.000001	0.56
EMA3	0.000002	0.51
EMA7	0.000041	1.22
FLA1	0.000062	5.22
FLA2	0.000038	5.23
FLA3	0.000154	5.74
FLA7	0.000109	5.28
FRO1	0.000001	0.67
FRO2	0.000001	0.91
FRO3	0.000001	0.57
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	0.000142	15.34
GMU2	0.000001	4.98
GMU3	0.000001	3.33
GMU7	0.000001	5.00
GSC3	0.000001	7.14

## Part 1—continued

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
GSC5	0.000001	5.26
GSC6A	0.000007	4.73
GSC6B	0.000011	4.64
GSH3	0.000021	1.77
GSH4	0.000002	0.54
GSH5	0.000001	0.92
GSH6	0.000001	1.05
GSH7	0.000007	0.62
GSP1	0.000007	0.61
GSP5	0.000003	0.66
GSP7	0.000001	0.57
GUR1	0.000067	2.93
GUR2	0.000021	2.89
GUR3	0.000021	2.63
GUR7	0.000033	4.85
GUR8	0.000016	2.95
HAK1	0.000288	7.78
HAK4	0.000135	7.50
HAK7	0.000161	2.09
HOK1	0.005006	5.01
HPB1	0.000038	7.90
HPB2	0.000018	6.76
HPB3	0.000018	5.37
HPB4	0.000022	6.82
HPB5	0.000030	6.65
HPB7	0.000013	5.52
HPB8	0.000006	7.49
HPB10	0.000001	10.00
JDO1	0.000071	10.09
JDO2	0.000026	9.65
JDO3	0.000002	6.27
JDO7	0.000011	9.65
JDO10	0.000001	10.00
JMA1	0.000040	0.40
JMA3	0.000079	0.44
JMA7	0.000341	1.05
KAH1	0.000036	3.35
KAH2	0.000009	1.28
KAH3	0.000002	0.49
KAH8	0.000005	0.96
KIN1	0.000018	19.78
KIN2	0.000012	19.05
KIN7	0.000001	14.29
KIN8	0.000007	19.44
LDO1	0.000002	1.19
LDO3	0.000007	1.14
LEA1	0.000002	1.06

Part 1—*continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
LEA2	0.000009	0.79
LEA3	0.000001	1.00
LFE20	0.000011	23.40
LFE21	0.000015	23.44
LFE22	0.000010	24.39
LFE23	0.000010	24.39
LIN1	0.000015	3.75
LIN2	0.000069	7.03
LIN3	0.000153	7.43
LIN4	0.000269	6.40
LIN5	0.000314	8.73
LIN6	0.000576	6.77
LIN7	0.000207	9.30
MAK1	0.000003	0.74
MDI7	0.000001	3.85
MDI8	0.000001	3.70
MDI9	0.000001	3.70
MMI7	0.000001	1.64
MOK1	0.000006	1.49
MOK3	0.000002	1.57
MOK5	0.000001	2.29
MOO1	0.000016	3.04
OEO1	0.000097	1.93
OEO3A	0.000236	7.61
OEO4	0.000216	3.09
OEO6	0.000175	2.92
ORH1	0.000082	5.86
ORH2A	0.000049	4.45
ORH2B	0.000010	5.41
ORH3A	0.000017	4.10
ORH3B	0.002695	23.43
ORH7B	0.000014	12.73
OYS4	0.000001	6.67
OYS7	0.000029	5.74
OYU5	0.000259	16.98
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	0.000006	6.00
PAR1	0.000002	3.28
PAR9	0.000001	4.76
PAU1	0.000001	51.81
PAU2	0.000110	90.77



Part 1—*continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
PAU3	0.000083	90.60
PAU4	0.000238	72.88
PAU5A	0.000250	167.80
PAU5B	0.000068	75.56
PAU5D	0.000067	75.28
PAU6	0.000001	100.00
PAU7	0.000182	97.20
PAU10	0.000001	100.00
PDO3	0.000001	0.93
PDO7	0.000001	2.00
PHC1	0.000013	32.26
PIL1	0.000021	1.05
PIL2	0.000002	1.00
PIL3	0.000001	1.67
PIL7	0.000002	1.33
PIL8	0.000021	32.31
POR1	0.000002	3.23
POS1	0.000001	0.47
PZL7	0.000007	30.30
QSC3	0.000010	2.63
RBM1	0.000012	1.22
RBV1	0.000004	1.33
RBV2	0.000011	2.54
RCO2	0.000004	0.80
RCO3	0.000343	2.77
RCO7	0.000045	1.44
RIB1	0.000004	3.31
RIB2	0.000006	3.41
RIB3	0.000013	3.30
RIB4	0.000012	3.36
RIB5	0.000002	3.85
RIB6	0.000007	3.03
RIB7	0.000011	3.33
RSK1	0.000001	0.90
RSK3	0.000009	0.54
RSK7	0.000001	0.50
RSN1	0.000015	12.10
RSN2	0.000002	9.52
SAE3	0.000003	1.14
SAE7	0.000001	0.89
SBW6A	0.000010	0.61
SBW6B	0.000049	1.40
SBW6I	0.000260	1.30
SBW6R	0.000053	0.96
SCA4	0.000005	21.74
SCA7	0.000183	24.50
SCH1	0.000025	3.74

*Part 1—continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
SCH2	0.000008	4.03
SCH3	0.000011	2.84
SCH4	0.000008	3.35
SCH5	0.000026	3.50
SCH7	0.000018	2.81
SCH8	0.000014	2.65
SCI1	0.000432	360.00
SCI2	0.000161	80.50
SCI3	0.000148	43.53
SCI4A	0.000069	57.50
SCI5	0.000015	37.50
SCI6A	0.000761	248.69
SCI6B	0.000019	38.00
SCI7	0.000027	36.00
SCI8	0.000002	40.00
SCI9	0.000013	37.14
SFE17	0.000002	20.00
SFE20	0.000030	20.13
SFE21	0.000032	19.63
SFE22	0.000021	19.44
SFE23	0.000007	18.92
SKI1	0.000034	16.19
SKI2	0.000048	20.00
SKI3	0.000011	3.66
SKI7	0.000009	3.00
SNA1	0.000642	14.27
SNA2	0.000062	19.68
SNA3	0.000003	9.29
SNA7	0.000036	18.00
SNA8	0.000141	10.85
SNA10	0.000001	10.00
SPD1	0.000002	0.60
SPD3	0.000119	2.48
SPD4	0.000011	0.68
SPD5	0.000026	0.70
SPD7	0.000027	1.42
SPD8	0.000002	0.65
SPE3	0.000030	3.00
SPE4	0.000009	0.99
SPO1	0.000074	10.69
SPO2	0.000004	4.65
SPO3	0.000030	5.00
SPO7	0.000010	4.52
SPO8	0.000038	12.26
SPR1	0.000001	1.43
SPR3	0.000004	1.40
SPR7	0.000001	1.18

Part 1—*continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
SQU1J	0.000650	1.29
SQU1T	0.000809	1.81
SQU6T	0.000596	1.84
SSK3	0.000003	0.52
SSK7	0.000001	0.47
STA2	0.000001	2.63
STA3	0.000050	5.55
STA4	0.000040	1.85
STA5	0.000044	3.48
STA7	0.000088	8.83
STN1	0.000222	53.75
SUR1A	0.000001	2.50
SUR1B	0.000003	2.14
SUR2A	0.000001	1.25
SUR2B	0.000001	3.33
SUR4	0.000004	1.78
SUR5	0.000008	1.76
SUR7A	0.000004	2.96
SWA1	0.000039	1.30
SWA3	0.000061	1.86
SWA4	0.000079	1.93
SWO1	0.000245	27.68
TAR1	0.000152	10.86
TAR2	0.000051	2.84
TAR3	0.000106	7.56
TAR4	0.000009	2.85
TAR5	0.000003	1.97
TAR7	0.000114	10.47
TAR8	0.000007	3.11
TOR1	0.000065	56.03
TRE1	0.000213	14.14
TRE2	0.000006	2.49
TRE7	0.000168	7.80
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	0.000013	2.23
WWA4	0.000007	2.12
WWA5B	0.000058	2.22

Part 1—*continued*

<b>Fishstock</b>	<b>Monthly levy (\$ per share, GST excl)</b>	<b>Equivalent expressed as \$ per tonne (GST excl)</b>
WWA7	0.000003	2.36
YEM1	0.000001	5.00
YEM9	0.000001	3.33
YFN1	0.000060	22.81

## Part 2

## Proposed levies on non-ITQ species for fisheries services

<b>Fishstock</b>	<b>Annual levy (\$ per tonne) (GST excl)</b>
ALB	105.56
BSH	41.34
OCT	56.69
PTO	75.07
SKJ	20.02

## Part 3

## Aquaculture levies for fisheries services

<b>Permit or interest held</b>	<b>Annual levy (\$) (GST excl)</b>
Coastal permit	12.43
Fish farm licence	12.43
Marine farm lease or licence	12.43

Martin Bell,  
for Clerk of the Executive Council.

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**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 2007, sets levies in respect of the fishing year commencing on 1 October 2007 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.

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

Date of notification in *Gazette*: 30 August 2007.

This order is administered by the Ministry of Fisheries.

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