



**THE GAME INDUSTRY BOARD REGULATIONS 1985,  
AMENDMENT NO. 2**

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**RONALD DAVISON**  
Administrator of the Government

**ORDER IN COUNCIL**

At Wellington this 28th day of September 1988

Present:

**HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL**

PURSUANT to the Primary Products Marketing Act 1953, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Game Industry Board Regulations 1985, Amendment No. 2, and shall be read together with and deemed part of the Game Industry Board Regulations 1985\* (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. Interpretation**—(1) Regulation 2 (1) of the principal regulations is hereby amended by repealing the definition of the term “game industry levy” or “levy”, and inserting, after the definition of the term “Board”, the following definition:

“ ‘Board levy’ means the levy imposed by regulation 17 (1) of these regulations; and, in relation to any failure to pay, or late payment

of, any amount of Board levy, includes any amount of additional levy under regulation 17A of these regulations or regulation 7 of the Game Industry Board Regulations 1985, Amendment No. 2 calculated or ascertained in respect of that first-mentioned amount.”.

(2) The principal regulations are hereby consequentially amended in the manner indicated in Part A of the Schedule to these regulations.

**3. Game industry levy**—Regulation 17 (1) (b) of the principal regulations is hereby amended by omitting the words “brought in to”, and substituting the words “received at”.

**4. Additional levy**—The principal regulations are hereby amended by inserting, after regulation 17, the following regulation:

“17A. (1) Before the 1st day of October in any year, the Board may fix, by notice in the *Gazette*,—

“(a) One or more rates (not exceeding 10 percent of the amount concerned) of levy, payable in respect of the failure to pay, or late payment of, amounts of Board levy payable in the year commencing on that day; and

“(b) The methods of calculating it or them.

“(2) If no rate of levy is before the commencement of any financial year fixed under subclause (1) of this regulation in respect of failure to pay, or late payment of payments of Board levy payable in that year, the rates of levy that applied to amounts payable in the previous year (or, in the case of the financial year commencing on the 1st day of October 1989, the rates of levy fixed under regulation 7 of the Game Industry Board Regulations 1985, Amendment No. 2) shall continue in force for that year.”

**5. New regulations substituted**—(1) The principal regulations are hereby amended by revoking regulation 18, and substituting the following regulations:

“17B. **Returns**—The proprietor of every deer slaughtering premises or game packing house shall take all reasonable steps to ensure that within 20 days of the end of every calendar month there is received by the Board—

“(a) A return, completed by the proprietor on a form provided by the Board for the purpose, specifying in relation to the month the information demanded in the form; and

“(b) Notwithstanding regulation 17C (2) of these regulations, the amount of Board levy payable in respect of—

“(i) The deer slaughtered there; and

“(ii) The killed game deer carcasses and antler in velvet received there,—  
during the month.

“17C. **Persons primarily liable for payment of levy**—(1) The person primarily responsible to pay the Board levy is, to the extent that it includes any amount of additional levy, or any charge, under regulation 17A of these regulations or regulation 7 of the Game Industry Board Regulations 1985, Amendment No. 2, the proprietor of the deer slaughtering premises or game packing house concerned.

“(2) Subject to subclause (1) of this regulation, the person primarily liable to pay the Board levy,—

- “(a) In respect of any deer slaughtered in deer slaughtering premises, is the person who owned it when it was slaughtered:
- “(b) In respect of any killed game deer carcass, or piece of antler in velvet, received at a game packing house, is the person who owned it when it was received there.

“18. **Board may demand levy**—The Board may from time to time give written notice to the proprietor of any deer slaughtering premises or game packing house of any amount of Board levy payable in respect of the deer slaughtered there, or killed game deer carcasses or antler velvet received there, that has not been paid in accordance with regulation 17B of these regulations; and in that case (notwithstanding regulation 17C of these regulations), that proprietor shall, within 15 days (or any longer period the Board allows in any particular case) of receiving the notice, pay to the Board the amount specified in it.”

(2) The principal regulations are hereby consequentially amended in the manner indicated in Part B of the Schedule to these regulations.

**6. Records relating to levy to be kept**—Regulation 20 (3) of the principal regulations is hereby amended by omitting the word “section”, and substituting the word “regulation”.

**7. Transitional**—Notwithstanding regulation 17A of the principal regulations, the Board may, within 28 days of the commencement of these regulations, fix, by notice in the *Gazette*,—

- (a) One or more rates (not exceeding 10 percent of the amount concerned) of levy, payable in respect of the failure to pay, or late payment of, amounts of Board levy payable on or after that commencement and before the 1st day of October 1989; and
- (b) The methods of calculating it or them.
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Regs 2 (2) and 5 (2)

## SCHEDULE

## CONSEQUENTIAL AMENDMENTS TO PRINCIPAL REGULATIONS

Provision	Amendment
<i>Part A</i>	
<i>Amendments consequential on regulation 2 (1)</i>	
Regulation 17 (1)	By inserting before the word "levy" where it secondly appears the word "Board".
Regulation 17 (2)	By omitting the words "The levy", and substituting the words "All amounts of Board levy paid to the Board".
Regulations 17 (3) and 17 (4)	By inserting before the word "levy" the word "Board".
Regulation 17	By revoking subclause (5), and substituting the following subclause: "(5) Except where the Minister of Agriculture has given express consent in writing, the Board shall not fix in respect of any particular category of deer or deer product a rate of Board levy higher by more than 20 percent than the rate last fixed in respect of the category."
Regulation 19	By revoking subclause (2), and substituting the following subclause: "(2) Where the Board is satisfied that any amount paid to the Board as Board levy was not payable, or was more than was payable, it shall out of its funds refund the amount or excess."
Regulation 20 (3)	By omitting the word "levies", and substituting the words "amounts of Board levy".
Regulation 21 (1)	By omitting the word "levy", and substituting the words "amount of Board levy payable under these regulations".
Regulation 21 (2)	By omitting the words "levy payable", and substituting the words "amount of Board levy".
<i>Part B</i>	
<i>Amendments consequential on regulation 5 (1)</i>	
Regulation 19 (1)	By omitting the words "levy for or on behalf of any other person", and substituting the words "amount of Board levy for the payment of which some other person is primarily liable".
Regulation 20 (1)	By omitting the words "and pays a", and substituting the words "or pays or is liable to pay any amount of Board".
Regulation 20 (3)	By inserting, after the word "paid", the words "or payable".
Regulation 22	By revoking the regulation.

C. J. HILL,  
Acting for 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 notification in the *Gazette*, provide for the Game Industry Board to collect the levy payable under the Game Industry Board Regulations 1985; for the proprietors of deer slaughtering premises and game packing houses to make monthly returns of deer slaughtered and carcasses and antler received, and pay to the Board the amount of levy payable on the basis of the returns; and for the fixing and payment of additional levies (not exceeding 10 percent) for late payment. At present the levy is collected by the Ministry of Agriculture and Fisheries on behalf of the Board.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 September 1988.

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