



**THE HEALTH AND SAFETY IN EMPLOYMENT (RATES OF
FUNDING LEVY) REGULATIONS 1994**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of March 1994

Present:

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

PURSUANT to sections 21 (1) (b) and 59 of the Health and Safety in Employment Act 1992, 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 Health and Safety in Employment (Rates of Funding Levy) Regulations 1994.

(2) These regulations shall come into force on the 1st day of April 1994.

2. Rate of funding levy payable by employers—For the purposes of section 59 (2) (a) of the Health and Safety in Employment Act 1992, there is hereby prescribed as the rate of the levy payable by every employer (on the amount of earnings paid or deemed to have been paid by the employer to the employer's employees) the rate of 6 cents per \$100.

3. Rate of funding levy payable by certain earners—For the purposes of section 59 (2) (b) of the Health and Safety in Employment Act

1992, there is hereby prescribed as the rate of the levy payable by every earner who has earnings other than as an employee (on the amount of earnings other than as an employee derived or deemed to have been derived by the earner) the rate of 6 cents per \$100.

4. Revocation—The Health and Safety in Employment (1994/1995 Rates of Levy) Regulations 1993 are hereby revoked.

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 on 1 April 1994, prescribe the rates of the funding levy payable by employers and the self-employed to meet the costs of the administration of the Health and Safety in Employment Act 1992. They replace the Health and Safety in Employment (1994/95 Rates of Levy) Regulations 1993 (which are not yet in force, being also expressed to come into force on 1 April 1994).

The funding levy is paid, collected, and remitted, together with the basic premium paid under the Accident Rehabilitation and Compensation Insurance Act 1992; and the rates prescribed by these regulations are the same as the rates at which it is at present paid under transitional arrangements provided for by that Act (and the same as the rates prescribed by the earlier regulations).

These regulations have been substituted for the earlier regulations for 2 reasons. First, the title of the earlier regulations gives the impression that rates will be prescribed annually. In fact the rates prescribed will continue to apply until new rates are prescribed. Secondly, the earlier regulations apply the funding levy only to earnings derived on or after 1 April 1994. While the rates apply to future payment of the levy, the amount of the levy will always be calculated by reference to earnings already derived.

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

Date of notification in *Gazette*: 31 March 1994.

These regulations are administered in the Department of Labour.