

Reprint
as at 1 July 2015



Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2014

(LI 2014/206)

Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2014: revoked, on 1 July 2015, pursuant to regulation 17 of the Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015 (LI 2015/95).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 23rd day of June 2014

Present:

The Right Hon John Key presiding in Council

Pursuant to sections 117 and 166 of the Animal Products Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Food Safety (being satisfied as to the matters specified in section 117(5) of that Act), makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

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Regulations

1 Title

These regulations are the Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2014.

2 Commencement

These regulations come into force on 1 September 2014.

3 Principal regulations

These regulations amend the Animal Products (Dairy Industry Fees and Charges) Regulations 2007 (the **principal regulations**).

4 Schedule amended

- (1) In the Schedule, Part 1, under the heading “*Official assurances*”, replace the item relating to official assurances with the items set out in Schedule 1 of these regulations.
- (2) In the Schedule, after Part 1, insert the Part 1A set out in Schedule 2 of these regulations.

Schedule 1 New items inserted in Schedule

r 4(1)

Issue of official assurance under section 61	Issue fee	\$36	Applicant
Reissue of official assurance under section 64(2) if replacement assurance demanded by importing country	Issue fee	\$412 per replacement certificate plus \$137.25 per hour in excess of 3 hours considering application, to a maximum of \$1,000	Applicant
	Disbursements	Actual cost	

Schedule 2 New Part 1A inserted in Schedule

r 4(2)

Part 1A Charges for use of electronic certification system

- 1 For industry users that access the Ministry's electronic certification system, charges based on the following formula are payable in respect of each database request and each second of time spent on the server:

$$(\text{cost per request} + \text{cost per second}) \times \text{appropriate percentage}$$

where—

cost per request is the amount fixed from time to time by the Director-General by notice under section 167(1)(ma) of the Animal Products Act 1999 for each database request, having regard to clause 2

cost per second is the amount fixed from time to time by the Director-General by notice under section 167(1)(ma) of that Act for each second of time on the server, having regard to clause 2

appropriate percentage is—

- (a) for industry users of a class for which recognised agency use of the electronic certification system is not required, 55%:
 - (b) for all other industry users, 100%.
- 2 In setting any cost per request or cost per second, the aim is for these costs to reflect usage of the electronic certification system for the relevant year or other period, with regular updating if appropriate.
- 3 This Part applies to all users of the electronic certification system.

Michael Webster,
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 September 2014, amend the Animal Products (Dairy Industry Fees and Charges) Regulations 2007 (the **principal regulations**). The principal regulations are made under the Animal Products Act 1999 (the **Act**) and prescribe fees and charges payable in relation to dairy processing operations and the export of dairy products.

The amendments align the fees for the issue of official export assurances for dairy products with the fees that apply to official assurances for other animal products under the Animal Products (Fees, Charges, and Levies) Regulations 2007. In doing so, the amendments replace the previous issue fee of \$137.25 per hour or part hour with a flat fee of \$36 and introduce a formula-based charge for the use of the Ministry for Primary Industries' electronic certification system.

The amendments also introduce a fee for the reissue of official assurances under section 64(2) of the Act.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 26 June 2014.

Reprints notes

1 *General*

This is a reprint of the Animal Products (Dairy Industry Fees and Charges) Amendment Regulations 2014 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015 (LI 2015/95): regulation 17