

**Reprint
as at 1 January 2017**



Crown Minerals (Minerals Fees) Regulations 2006

(SR 2006/226)

Crown Minerals (Minerals Fees) Regulations 2006: revoked, on 1 January 2017, by regulation 18 of the Crown Minerals (Minerals Fees) Regulations 2016 (LI 2016/275).

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 22nd day of August 2006

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 105(1)(i) and (j) of the Crown Minerals Act 1991, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, 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 of Business, Innovation, and Employment.

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Regulations

1 Title

These regulations are the Crown Minerals (Minerals Fees) Regulations 2006.

2 Commencement

These regulations come into force on 22 September 2006.

3 Application of regulations

These regulations do not apply in respect of any matter for which a fee is payable under the Crown Minerals (Petroleum Fees) Regulations 1993 or the Crown Minerals (Petroleum Fees) Regulations 2006.

4 Interpretation

(1) In these regulations—

Act means the Crown Minerals Act 1991

offshore, in relation to a permit, means that the permit relates to an operation that is (whether wholly or partially) 50 metres or more beyond the seaward side of the mean high-water mark

old regulations means the Crown Minerals (Fees) Regulations 1991

onshore, in relation to a permit, means that the permit is not an offshore permit

year means a period of 12 months beginning on 1 July and ending with 30 June.

(2) Any term that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

Regulation 4(1) **offshore**: inserted, on 12 December 2014, by regulation 4 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Regulation 4(1) **onshore**: inserted, on 12 December 2014, by regulation 4 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

4A Transitional provisions

The transitional provisions set out in Schedule 1 have effect according to their terms.

Regulation 4A: inserted, on 12 December 2014, by regulation 5 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Part 1 Annual fees

Part 1 heading: replaced, on 12 December 2014, by regulation 6 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

5 Application

Subject to clause 1 of Schedule 1, the annual fees in this Part apply to—

- (a) any year beginning on or after 1 July 2007; and
- (b) any permit granted or extended under section 35A or 36 of the Act, on or after 22 September 2006.

Regulation 5: amended, on 12 December 2014, by regulation 7(1) of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Regulation 5(b): amended, on 12 December 2014, by regulation 7(2) of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

6 Annual fee payable under prospecting permit

The annual fee payable under a prospecting permit is \$3.58 per square kilometre or part of a square kilometre or \$511.11, whichever is the greater.

Regulation 6: amended, on 12 December 2014, by regulation 8(1) of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Regulation 6: amended, on 12 December 2014, by regulation 8(2) of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

7 Annual fee payable under exploration permit

- (1) The annual fee payable under an onshore exploration permit is,—
 - (a) for the initial term of the permit, \$3.58 per hectare or part of a hectare or \$511.11, whichever is the greater;
 - (b) under an extension of the duration of the permit under section 36 of the Act, \$8.69 per hectare or part of a hectare or \$511.11, whichever is the greater.
- (2) The annual fee payable under an offshore exploration permit is \$10.73 per square kilometre or part of a square kilometre or \$511.11, whichever is the greater.

Regulation 7: replaced, on 12 December 2014, by regulation 9 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

8 Annual fee payable under extension of duration of exploration permit for appraisal work

- (1) The annual fee payable under an extension of the duration of an onshore exploration permit under section 35A of the Act is \$8.69 per hectare or part of a hectare or \$511.11, whichever is the greater.
- (2) The annual fee payable under an extension of the duration of an offshore exploration permit under section 35A of the Act is \$10.73 per square kilometre or part of a square kilometre or \$511.11, whichever is the greater.

Regulation 8: replaced, on 12 December 2014, by regulation 9 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

9 Annual fee payable under mining permit

- (1) The annual fee payable under an onshore mining permit is \$10.22 per hectare or part of a hectare or \$511.11, whichever is the greater.
- (2) The annual fee payable under an offshore mining permit is \$102.22 per square kilometre or part of a square kilometre or \$511.11, whichever is the greater.

Regulation 9: replaced, on 12 December 2014, by regulation 9 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

10 When annual fee is payable

The annual fees payable under regulations 6 to 9 are payable annually in advance within 30 days after 1 July.

11 Special rules for annual fees payable in respect of permits granted or extended during year

Despite regulations 6 to 10,—

- (a) if the permit in respect of which the fee is payable is granted during the year,—
 - (i) the first payment of the annual fee must be made within 30 days after the date of the grant of the permit; and
 - (ii) the amount of the payment is the proportion of the annual fee that corresponds to the proportion of the year left to run on the date of the grant of the permit; and
- (b) if the extension of the duration of the permit under section 35A or 36 of the Act in respect of which the fee is payable is granted during the year,—
 - (i) the first payment of the annual fee must be made within 30 days after the date of the grant of the extension; and
 - (ii) the amount of the payment is the proportion of the annual fee that corresponds to the proportion of the year left to run on the date of the grant of the extension.

Regulation 11(b): amended, on 12 December 2014, by regulation 10 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Part 2

Fees other than annual fees

12 Application and other fees

The fees specified in Schedule 2 are prescribed as the fees payable in respect of any matter specified in that schedule that occurs on or after the date of commencement of these regulations.

Regulation 11: amended, on 12 December 2014, by regulation 11 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Part 3
Transitional provisions for additional annual fees and for refunds
for certain permits for year beginning on 1 July 2006

[Revoked]

Part 3: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Additional fees

Heading: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

13 Application

[Revoked]

Regulation 13: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

14 2006/07 additional fee payable under prospecting permit

[Revoked]

Regulation 14: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

15 2006/07 additional fee payable under exploration permit

[Revoked]

Regulation 15: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

16 When 2006/07 additional fee is payable

[Revoked]

Regulation 16: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Refunds

[Revoked]

Heading: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

17 Partial refund of annual fee paid under mining permit

[Revoked]

Regulation 17: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

18 When refunds of fees are payable

[Revoked]

Regulation 18: revoked, on 12 December 2014, by regulation 12 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Part 4

Miscellaneous

19 Refund of fees

- (1) Application fees paid under the Act are not refundable on the withdrawal, rejection, or refusal of the application, except with the approval of the Minister.
- (2) The Minister may approve the refund of the total fee or part of the fee if the Minister considers that exceptional circumstances warrant the payment of a refund.

20 GST included

The fees prescribed by these regulations are inclusive of goods and services tax.

21 Revocation and saving

[Revoked]

Regulation 21: revoked, on 12 December 2014, by regulation 13 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Schedule 1

Transitional provisions

r 4A

Schedule 1: replaced, on 12 December 2014, by regulation 14 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Transitional provisions relating to amendments taking effect after 11 December 2014

1 New annual fees for certain offshore permits take effect after 11 December 2014

Despite regulation 5, the annual fees payable under regulations 7(2), 8(2), and 9(2) take effect after 11 December 2014.

2 Amount payable if outstanding debt for annual fee for 2014/15 year

(1) This clause applies to an offshore exploration permit or offshore mining permit for which there is, on 12 December 2014, an outstanding debt for an annual fee amount.

(2) The annual fee for the year beginning 1 July 2014 is deemed to be paid if the new annual fee is paid.

(3) In this clause and clause 3,—

annual fee amount means an amount that is all or part of the annual fee for the year beginning 1 July 2014

new annual fee means the amount payable had the annual fee for the year beginning 1 July 2014 been calculated in accordance with regulations 7 to 9 (as in force after 11 December 2014).

3 Partial refund of annual fees for certain offshore permits for 2014/15 year

(1) This clause applies to an offshore exploration permit or offshore mining permit for which an annual fee amount has been paid before 12 December 2014.

(2) The chief executive must refund the difference between—

(a) the annual fee amount paid; and

(b) the new annual fee.

(3) The chief executive must pay the refund on or before 31 March 2015.

(4) To avoid doubt, no refund is payable if the annual fee amount paid is less than the new annual fee.

Schedule 2

Application fees

r 12

Schedule 2: inserted, on 12 December 2014, by regulation 14 of the Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381).

Application fees	\$
Application for prospecting permit	1,635.55
Application for exploration permit	2,351.11
Application for mining permit	3,271.11
Any application under section 36 of the Act (other than an application to extend the duration of a permit)	2,555.55
Application for certificate of extension of duration of permit under section 36 of the Act	2,555.55
Application for certificate of extension of duration of permit for appraisal work under section 35A of the Act	3,271.11
Application for Minister's consent under section 41, 41B, or 41C of the Act	613.33

Diane Morcom,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 24 August 2006.

Reprints notes

1 *General*

This is a reprint of the Crown Minerals (Minerals Fees) Regulations 2006 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*

Crown Minerals (Minerals Fees) Regulations 2016 (LI 2016/275): regulation 18

Crown Minerals (Minerals Fees) Amendment Regulations 2014 (LI 2014/381)