

Reprint
as at 1 June 2021



Dairy Industry (Fonterra Levy) Regulations 2021

(LI 2021/110)

Dairy Industry (Fonterra Levy) Regulations 2021: revoked, on the close of 31 May 2021, by regulation 5(2).

Patsy Reddy, Governor-General

Order in Council

At Wellington this 17th day of May 2021

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 134 of the Dairy Industry Restructuring Act 2001—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Agriculture made after meeting the requirements in that section.

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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.

Regulations

1 Title

These regulations are the Dairy Industry (Fonterra Levy) Regulations 2021.

2 Commencement

These regulations come into force on 21 May 2021.

3 Levy

The Fonterra Co-operative Group Limited must pay a levy of \$598,112 to the Minister for the financial year beginning on 1 July 2020 and ending on 30 June 2021.

4 Levy exclusive of GST

The amount of the levy in regulation 3 is exclusive of goods and services tax.

5 Revocations

- (1) The Dairy Industry (Fonterra Levy) Regulations 2020 (LI 2020/94) are revoked.
- (2) These regulations are revoked on the close of 31 May 2021.

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 21 May 2021, require the Fonterra Co-operative Group Limited to pay a levy of \$598,112 for the 2020/21 financial year.

The purpose of the levy is to recover some of the Commerce Commission's costs, including the costs of making determinations and enforcing subparts 5 and 5A of Part 2 of the Dairy Industry Restructuring Act 2001 (the **Act**).

The levy is calculated by subtracting an over-recovery of those costs of \$52,888 (excluding GST) in the 2019/20 financial year from the estimated costs of \$651,000 (excluding GST) for the 2020/21 financial year.

These regulations are revoked on the close of 31 May 2021. They are made under section 134 of the Act. On 1 June 2021, the Dairy Industry Restructuring Amendment Act 2020 replaces section 134 of the Act so that the levy-making process or the levy may be set in regulations for financial years that start on or after 1 July 2021.

These regulations also revoke the Dairy Industry (Fonterra Levy) Regulations 2020, which set the levy for the previous year.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 20 May 2021.

Reprints notes

1 *General*

This is a reprint of the Dairy Industry (Fonterra Levy) Regulations 2021 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*

Dairy Industry (Fonterra Levy) Regulations 2021 (LI 2021/110): regulation 5(2)