

**Reprint
as at 1 October 2008**



**Fisheries (Cost Recovery Levies for
Fisheries Services) Order 2007**

(SR 2007/244)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 27th day of August 2007

Present:

His Excellency the Governor-General in Council

Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007: revoked,
on 1 October 2008, by clause 11 of the Fisheries (Cost Recovery Levies for
Fisheries Services) Order 2008 (SR 2008/286).

Pursuant to section 264 of the Fisheries Act 1996, His Excellency the
Governor-General, acting on the advice and with the consent of the
Executive Council, makes the following order.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989
have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together
with other explanatory material about this reprint.

**The Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007 is
administered by the Ministry of Fisheries.**

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Order

- 1 Title**

This order is the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007.
- 2 Commencement**

This order comes into force on 1 October 2007.
- 3 Application**

This order applies in respect of any quota held, fish or aquatic life taken, and permits, leases, or licences held at any time for any period during the fishing year commencing on 1 October 2007.
- 4 Interpretation**

Unless the context otherwise requires, fishstock codes and other expressions used in the Schedule have the same meanings as in Parts 1 and 2 of Schedule 3 of the Fisheries (Reporting) Regulations 2001.

5 Monthly levies on quota owners

- (1) A monthly levy in respect of fisheries services is payable in respect of—
 - (a) every guaranteed minimum individual transferable quota; and
 - (b) every individual transferable quota; and
 - (c) every provisional individual transferable quota.
- (2) The monthly levy is payable for each quota share at the appropriate rate (or at the equivalent rate expressed as dollars per tonne) according to the species or class of fish, aquatic life, or seaweed as specified in Part 1 of the Schedule.
- (3) The monthly levy is payable by quota owners irrespective of whether the fish, aquatic life, or seaweed to which the quota relates is taken.

6 Annual non-ITQ levies

- (1) Every holder of a fishing permit issued under section 91 of the Fisheries Act 1996 who takes for the purposes of sale any fish or aquatic life specified in Part 2 of the Schedule that is not subject to the quota management system must pay an annual levy in respect of fisheries services for each tonne or part of a tonne of fish or aquatic life so taken, at the appropriate rate of levy specified in that Part.
- (2) Every holder of a special permit granted under section 97(1)(c) of that Act who takes for the purposes of sale any fish or aquatic life specified in Part 2 of the Schedule that is not subject to the quota management system must pay an annual levy in respect of fisheries services for each tonne or part of a tonne of fish or aquatic life so taken, at the appropriate rate of levy specified in that Part.
- (3) Nothing in this clause requires payment of an annual levy in respect of fish or aquatic life that is taken pursuant to quota for which a monthly levy is payable under clause 5.

7 Annual aquaculture levies

- (1) This clause applies to—
 - (a) a person who is registered as a fish farmer under Part 9A of the Fisheries Act 1996; and

- (b) the holder of a fish-farm licence granted under the Freshwater Fish Farming Regulations 1983; and
 - (c) the holder of a marine farm lease or licence granted under the Marine Farming Act 1971 where the controlling authority has taken action to forfeit the lease or licence under section 14 of that Act before 1 January 2005 but that action has not been completed or discontinued before the commencement of this order.
- (2) A person to whom this clause applies must pay an annual levy for fisheries services, at the appropriate rate of levy specified in Part 3 of the Schedule, in respect of each coastal permit, or each lease or licence referred to in subclause (1), held at any time during the fishing year.
- (3) Levies payable under subclause (2) are payable by the person liable for the levy whether or not any fish farming activity is undertaken.

8 Levies not to apply to seaweed

Despite anything in this order, no levy is payable in respect of—

- (a) the taking of any seaweed (as defined in section 2(1) of the Fisheries Act 1996) for sale under a permit issued under section 91 or 97(1)(c) of the Fisheries Act 1996; or
- (b) any such permit, to the extent it authorises the taking of seaweed for sale.

9 Levies exclusive of GST

The levies payable under this order are exclusive of goods and services tax.

10 How and when levies payable

- (1) The levies payable under this order are payable to the Crown and are payable only after receipt of a demand from the chief executive.
- (2) The levies are payable in such number of instalments and in such manner as the chief executive may specify.

11 Revocation

The Fisheries (Cost Recovery Levies for Fisheries Services) Order 2006 (SR 2006/237) is revoked.

12 Saving

Clause 11 does not extinguish any liability arising before the commencement of this order under the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2006.

Schedule

cls 5-7

Levies

Part 1

Monthly levies on quota owners for
fisheries services

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANC1	0.000002	1.00
ANC2	0.000001	1.00
ANC3	0.000001	2.00
ANC7	0.000001	1.00
ANC8	0.000001	1.00
ANG11	0.000007	17.50
ANG12	0.000008	18.72
ANG13	0.000022	18.04
ANG14	0.000006	17.09
ANG15	0.000021	17.85
ANG16	0.000011	17.54
BAR1	0.000043	0.39
BAR4	0.000012	0.40
BAR5	0.000031	0.41
BAR7	0.000046	0.41
BCO1	0.000003	6.49
BCO2	0.000001	9.70

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
BCO3	0.000010	6.15
BCO4	0.000043	5.66
BCO5	0.000094	6.07
BCO7	0.000005	7.14
BCO8	0.000004	5.38
BCO10	0.000001	10.00
BIG1	0.000279	39.08
BNS1	0.000072	7.20
BNS2	0.000060	5.73
BNS3	0.000055	5.95
BNS7	0.000006	4.00
BNS8	0.000006	6.00
BNS10	0.000001	10.00
BUT2	0.000004	6.35
BUT4	0.000001	10.00
BUT5	0.000003	6.67
BUT7	0.000002	5.26
BWS1	0.000012	0.65
BYX1	0.000008	2.67
BYX2	0.000133	8.45
BYX3	0.000023	2.28
BYX7	0.000002	2.48
BYX8	0.000001	5.00
CDL1	0.000014	1.17
CDL2	0.000025	1.12
CDL3	0.000002	1.02
CDL4	0.000001	1.52
COC1A	0.000055	15.90
COC3	0.000014	0.95
COC7A	0.000088	6.33
CRA1	0.000107	81.64

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
CRA2	0.000220	93.19
CRA3	0.000188	98.95
CRA4	0.000412	71.40
CRA5	0.000242	69.14
CRA6	0.000156	43.33
CRA7	0.000064	53.24
CRA8	0.000606	80.24
CRA9	0.000040	85.09
DAN2	0.000001	5.56
DAN7	0.000001	6.67
DAN8	0.000001	3.03
DAN9	0.000001	3.03
ELE2	0.000001	4.63
ELE3	0.000028	2.95
ELE5	0.000003	2.50
ELE7	0.000003	2.95
EMA1	0.000094	1.23
EMA2	0.000001	0.56
EMA3	0.000002	0.51
EMA7	0.000041	1.22
FLA1	0.000062	5.22
FLA2	0.000038	5.23
FLA3	0.000154	5.74
FLA7	0.000109	5.28
FRO1	0.000001	0.67
FRO2	0.000001	0.91
FRO3	0.000001	0.57
FRO5	0.000001	0.74
FRO7	0.000013	0.50
FRO8	0.000003	0.46
FRO9	0.000001	0.72

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
GAR1	0.000002	8.00
GAR7	0.000001	12.50
GLM7A	0.000005	0.33
GLM9	0.000012	6.67
GMU1	0.000142	15.34
GMU2	0.000001	4.98
GMU3	0.000001	3.33
GMU7	0.000001	5.00
GSC3	0.000001	7.14
GSC5	0.000001	5.26
GSC6A	0.000007	4.73
GSC6B	0.000011	4.64
GSH3	0.000021	1.77
GSH4	0.000002	0.54
GSH5	0.000001	0.92
GSH6	0.000001	1.05
GSH7	0.000007	0.62
GSP1	0.000007	0.61
GSP5	0.000003	0.66
GSP7	0.000001	0.57
GUR1	0.000067	2.93
GUR2	0.000021	2.89
GUR3	0.000021	2.63
GUR7	0.000033	4.85
GUR8	0.000016	2.95
HAK1	0.000288	7.78
HAK4	0.000135	7.50
HAK7	0.000161	2.09
HOK1	0.005006	5.01
HPB1	0.000038	7.90
HPB2	0.000018	6.76

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
HPB3	0.000018	5.37
HPB4	0.000022	6.82
HPB5	0.000030	6.65
HPB7	0.000013	5.52
HPB8	0.000006	7.49
HPB10	0.000001	10.00
JDO1	0.000071	10.09
JDO2	0.000026	9.65
JDO3	0.000002	6.27
JDO7	0.000011	9.65
JDO10	0.000001	10.00
JMA1	0.000040	0.40
JMA3	0.000079	0.44
JMA7	0.000341	1.05
KAH1	0.000036	3.35
KAH2	0.000009	1.28
KAH3	0.000002	0.49
KAH8	0.000005	0.96
KIN1	0.000018	19.78
KIN2	0.000012	19.05
KIN7	0.000001	14.29
KIN8	0.000007	19.44
LDO1	0.000002	1.19
LDO3	0.000007	1.14
LEA1	0.000002	1.06
LEA2	0.000009	0.79
LEA3	0.000001	1.00
LFE20	0.000011	23.40
LFE21	0.000015	23.44
LFE22	0.000010	24.39
LFE23	0.000010	24.39

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
LIN1	0.000015	3.75
LIN2	0.000069	7.03
LIN3	0.000153	7.43
LIN4	0.000269	6.40
LIN5	0.000314	8.73
LIN6	0.000576	6.77
LIN7	0.000207	9.30
MAK1	0.000003	0.74
MDI7	0.000001	3.85
MDI8	0.000001	3.70
MDI9	0.000001	3.70
MMI7	0.000001	1.64
MOK1	0.000006	1.49
MOK3	0.000002	1.57
MOK5	0.000001	2.29
MOO1	0.000016	3.04
OEO1	0.000097	1.93
OEO3A	0.000236	7.61
OEO4	0.000216	3.09
OEO6	0.000175	2.92
ORH1	0.000082	5.86
ORH2A	0.000049	4.45
ORH2B	0.000010	5.41
ORH3A	0.000017	4.10
ORH3B	0.002695	23.43
ORH7B	0.000014	12.73
OYS4	0.000001	6.67
OYS7	0.000029	5.74
OYU5	0.000259	16.98
PAD1	0.000016	7.27
PAD2	0.000007	6.36

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
PAD3	0.000005	5.00
PAD4	0.000002	8.00
PAD5	0.000004	8.00
PAD7	0.000006	6.00
PAD8	0.000004	6.67
PAD9	0.000006	6.00
PAR1	0.000002	3.28
PAR9	0.000001	4.76
PAU1	0.000001	51.81
PAU2	0.000110	90.77
PAU3	0.000083	90.60
PAU4	0.000238	72.88
PAU5A	0.000250	167.80
PAU5B	0.000068	75.56
PAU5D	0.000067	75.28
PAU6	0.000001	100.00
PAU7	0.000182	97.20
PAU10	0.000001	100.00
PDO3	0.000001	0.93
PDO7	0.000001	2.00
PHC1	0.000013	32.26
PIL1	0.000021	1.05
PIL2	0.000002	1.00
PIL3	0.000001	1.67
PIL7	0.000002	1.33
PIL8	0.000021	32.31
POR1	0.000002	3.23
POS1	0.000001	0.47
PZL7	0.000007	30.30
QSC3	0.000010	2.63
RBM1	0.000012	1.22

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
RBV1	0.000004	1.33
RBV2	0.000011	2.54
RCO2	0.000004	0.80
RCO3	0.000343	2.77
RCO7	0.000045	1.44
RIB1	0.000004	3.31
RIB2	0.000006	3.41
RIB3	0.000013	3.30
RIB4	0.000012	3.36
RIB5	0.000002	3.85
RIB6	0.000007	3.03
RIB7	0.000011	3.33
RSK1	0.000001	0.90
RSK3	0.000009	0.54
RSK7	0.000001	0.50
RSN1	0.000015	12.10
RSN2	0.000002	9.52
SAE3	0.000003	1.14
SAE7	0.000001	0.89
SBW6A	0.000010	0.61
SBW6B	0.000049	1.40
SBW6I	0.000260	1.30
SBW6R	0.000053	0.96
SCA4	0.000005	21.74
SCA7	0.000183	24.50
SCH1	0.000025	3.74
SCH2	0.000008	4.03
SCH3	0.000011	2.84
SCH4	0.000008	3.35
SCH5	0.000026	3.50
SCH7	0.000018	2.81

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SCH8	0.000014	2.65
SCI1	0.000432	360.00
SCI2	0.000161	80.50
SCI3	0.000148	43.53
SCI4A	0.000069	57.50
SCI5	0.000015	37.50
SCI6A	0.000761	248.69
SCI6B	0.000019	38.00
SCI7	0.000027	36.00
SCI8	0.000002	40.00
SCI9	0.000013	37.14
SFE17	0.000002	20.00
SFE20	0.000030	20.13
SFE21	0.000032	19.63
SFE22	0.000021	19.44
SFE23	0.000007	18.92
SKI1	0.000034	16.19
SKI2	0.000048	20.00
SKI3	0.000011	3.66
SKI7	0.000009	3.00
SNA1	0.000642	14.27
SNA2	0.000062	19.68
SNA3	0.000003	9.29
SNA7	0.000036	18.00
SNA8	0.000141	10.85
SNA10	0.000001	10.00
SPD1	0.000002	0.60
SPD3	0.000119	2.48
SPD4	0.000011	0.68
SPD5	0.000026	0.70
SPD7	0.000027	1.42

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SPD8	0.000002	0.65
SPE3	0.000030	3.00
SPE4	0.000009	0.99
SPO1	0.000074	10.69
SPO2	0.000004	4.65
SPO3	0.000030	5.00
SPO7	0.000010	4.52
SPO8	0.000038	12.26
SPR1	0.000001	1.43
SPR3	0.000004	1.40
SPR7	0.000001	1.18
SQU1J	0.000650	1.29
SQU1T	0.000809	1.81
SQU6T	0.000596	1.84
SSK3	0.000003	0.52
SSK7	0.000001	0.47
STA2	0.000001	2.63
STA3	0.000050	5.55
STA4	0.000040	1.85
STA5	0.000044	3.48
STA7	0.000088	8.83
STN1	0.000222	53.75
SUR1A	0.000001	2.50
SUR1B	0.000003	2.14
SUR2A	0.000001	1.25
SUR2B	0.000001	3.33
SUR4	0.000004	1.78
SUR5	0.000008	1.76
SUR7A	0.000004	2.96
SWA1	0.000039	1.30
SWA3	0.000061	1.86

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SWA4	0.000079	1.93
SWO1	0.000245	27.68
TAR1	0.000152	10.86
TAR2	0.000051	2.84
TAR3	0.000106	7.56
TAR4	0.000009	2.85
TAR5	0.000003	1.97
TAR7	0.000114	10.47
TAR8	0.000007	3.11
TOR1	0.000065	56.03
TRE1	0.000213	14.14
TRE2	0.000006	2.49
TRE7	0.000168	7.80
TRU2	0.000001	5.00
TRU3	0.000001	3.03
TRU4	0.000002	3.39
TRU5	0.000001	4.55
TUA9	0.000001	2.33
WAR1	0.000001	2.43
WAR2	0.000009	1.56
WAR3	0.000038	1.50
WAR7	0.000018	1.61
WAR8	0.000003	1.29
WWA2	0.000002	2.74
WWA3	0.000013	2.23
WWA4	0.000007	2.12
WWA5B	0.000058	2.22
WWA7	0.000003	2.36
YEM1	0.000001	5.00
YEM9	0.000001	3.33
YFN1	0.000060	22.81

Part 2
Proposed levies on non-ITQ species for
fisheries services

Fishstock	Annual levy (\$ per tonne) (GST excl)
ALB	105.56
BSH	41.34
OCT	56.69
PTO	75.07
SKJ	20.02

Part 3
Aquaculture levies for fisheries services

Permit or interest held	Annual levy (\$ (GST excl)
Coastal permit	12.43
Fish farm licence	12.43
Marine farm lease or licence	12.43

Martin Bell,
for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 30 August 2007.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
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Notes

1 *General*

This is a reprint of the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007. The reprint incorporates all the amendments to the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2007 as at 1 October 2008, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Fisheries (Cost Recovery Levies for Fisheries Services) Order 2008 (SR 2008/286): clause 11
