



Animal Products (Dairy Industry Fees and Charges) Regulations 2005

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 18th day of April 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 166 of the Animal Products Act 1999, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

- Title**
These regulations are the Animal Products (Dairy Industry Fees and Charges) Regulations 2005.
- Commencement**
These regulations come into force on 1 June 2005.

3 Application

- (1) The fees set out in the Schedule apply only in relation to—
 - (a) dairy processing operations or premises; and
 - (b) the export of dairy material or dairy product.
- (2) These regulations do not apply in respect of—
 - (a) relevant operations, within the meaning of section 79(2) of the Animal Products (Ancillary and Transitional Provisions) Act 1999, carried out before the earlier of 1 June 2006 or the date on which a risk management programme is registered or a food safety programme is approved in respect of those operations:
 - (b) matters for which a separate fee is charged under the Animal Products (Fees, Charges, and Levies) Regulations 2002.

4 Fees

- (1) The fees set out in the Schedule are payable in respect of the dairy-related matters to which they relate.
- (2) The fees are inclusive of goods and services tax.

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**Schedule
Dairy industry fees**

Service area	Type of fee	Fee	When fee payable and by whom
<i>Standards setting</i> Development and maintenance of standards	Quarterly fee	\$103,249	Payable by Fonterra Co-operative Group Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$2,742	Payable by Westland Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$883	Payable by Tatua Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April

Service area	Type of fee	Fee	When fee payable and by whom
	Quarterly fee	\$139	Payable by Dairy Goat Co-operative (N.Z.) Limited on 1 July, 1 October, 1 January, and 1 April
	Annual fee	\$153 for each registered manufacturing premises receiving less than 316 000 kg of raw milk solids	Payable by the registrant on 1 July each year
Development and maintenance of market access standards and programme	Quarterly fee	\$53,921	Payable by Fonterra Co-operative Group Limited on 1 July, 1 October, 1 January, and 1 April
	Annual fee when first registered	\$160 for each exporter first registered in July, August, or September	Payable by the applicant on application for registration for the year commencing 1 July in the year of registration and ending on 30 June the following year
		\$120 for each exporter first registered in October, November, or December	Payable by the applicant on application for registration for the year commencing 1 July in the year of registration and ending on 30 June the following year
		\$80 for each exporter first registered in January, February, or March	Payable by the applicant on application for the year commencing 1 July of the year immediately before registration and ending on 30 June in the year of registration

Service area	Type of fee	Fee	When fee payable and by whom
		\$40 for each exporter first registered in April, May, or June	Payable by the applicant on application for registration for the year commencing 1 July of the year immediately before registration and ending on 30 June in the year of registration
	Annual fee	\$160 for each exporter	Payable by the registrant on 1 July each year
<i>Approvals</i>			
Application for, evaluation of, and approval or variation of codes of practice, risk management programmes, quota compliance programmes, and registration of dairy manufacturing premises, laboratories, stores, and third party providers	Application for approval fee	\$134 per application plus \$134 per hour in excess of 1 hour considering application	\$134 payable by the applicant on application for approval and any remainder payable within 1 month of the granting or refusal to grant approval
Sanitisers and detergents	Disbursements Application for approval fee	Actual cost \$374.62 per approval	Payable by the applicant on application for approval
<i>Market access functions</i>			
Application of market access functions	Application fee	\$134 per application plus \$134 per hour in excess of 1 hour considering application	\$134 payable by the applicant on application and any remainder payable within 1 month of provision of notice
	Disbursements	Actual cost	

Service area	Type of fee	Fee	When fee payable and by whom
<i>Compliance and monitoring</i> Dairy residue monitoring programme	Quarterly fee	\$342,943	Payable by Fonterra Co-operative Dairy Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$462	Payable by Westland Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$149	Payable by Tatua Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$23	Payable by Dairy Goat Co-operative (N.Z.) Limited on 1 July, 1 October, 1 January, and 1 April
	Annual fee	\$18 for each registered manufacturing premises receiving less than 316 000 kg of raw milk solids	Payable by the registrant on 1 July each year
	Annual fee when first registered	\$457 for each exporter first registered in July, August, or September	Payable by the applicant on application for registration for the year commencing 1 July in the year of registration and ending on 30 June the following year
		\$342.75 for each exporter first registered in October, November, or December	Payable by the applicant on application for registration for the year commencing 1 July in the year of registration and ending on 30 June the following year

Service area	Type of fee	Fee	When fee payable and by whom
		\$228.50 for each exporter first registered in January, February, or March	Payable by the applicant on application for the year commencing 1 July of the year immediately before registration and ending on 30 June in the year of registration
		\$114.25 for each exporter first registered in April, May, or June	Payable by the applicant on application for registration for the year commencing 1 July of the year immediately before registration and ending on 30 June in the year of registration
	Annual fee	\$457 for each exporter	Payable by the registrant on 1 July
Performance monitoring	Quarterly fee	\$100,760	Payable by Fonterra Co-operative Group Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$2,676	Payable by Westland Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$862	Payable by Tatua Co-operative Dairy Company Limited on 1 July, 1 October, 1 January, and 1 April
	Quarterly fee	\$136	Payable by Dairy Goat Co-operative (N.Z.) Limited on 1 July, 1 October, 1 January, and 1 April

Service area	Type of fee	Fee	When fee payable and by whom
	Annual fee	\$80 for each registered manufacturing premises receiving less than 316 000 kg of raw milk solids	Payable by the applicant on 1 July each year
Verification inspection and audits	Inspection and audit fee	\$134 per hour	Payable by occupier of the premises subject to verification inspection and audits
	Disbursements	Actual cost	
Application for product disposition	Application fee	\$134 per application plus \$134 per hour in excess of 1 hour considering application	\$134 payable by the applicant on application and any remainder payable within 1 month of granting or refusal to grant approval
	Disbursements	Actual cost	
<i>Certification</i>			
Application for, evaluation of, and issue of IMA certificate	Quarterly fee	\$99,881	Payable by Fonterra Co-operative Group Limited on 1 July, 1 October, 1 January, and 1 April
<i>Official assurances</i>			
Issue of official assurance	Issue fee	\$134 per hour or part hour	Applicant
	Disbursements	Actual cost	
<i>Exporter registration</i>			
Application for registration	Application fee	\$327	Applicant
	Annual fee	\$177	Applicant annually by date specified by Director-General

Diane Morcom,
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 June 2005, prescribe the fees payable under the Animal Products Act 1999 for various matters relating to the dairy industry, following the inclusion of that industry within the ambit of that Act on 1 June 2005. The fees are virtually identical with current fees under the Dairy Industry (Fees) Regulations 2000.

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

Date of notification in *Gazette*: 21 April 2005.

These regulations are administered in the Ministry of Agriculture and Forestry.
