



# Dairy Industry (Fonterra Levy) Regulations 2005

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 27th day of June 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 134 of the Dairy Industry Restructuring Act 2001, 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

- 1 Title**  
These regulations are the Dairy Industry (Fonterra Levy) Regulations 2005.
- 2 Commencement**  
These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

### 3 Levy

- (1) The Fonterra Co-operative Group Limited must pay the following levies:
  - (a) \$213,750 for the financial year commencing on 1 July 2004 and ending on 30 June 2005; and
  - (b) \$213,750 for the financial year commencing on 1 July 2005 and ending on 30 June 2006.
- (2) However, \$288,000 was over-recovered by the levy paid for the financial year commencing on 1 July 2003 and ending on 30 June 2004.
- (3) The balance of the levies payable is therefore \$139,500.
- (4) The balance of the levies must be paid to the Minister by 31 January 2006.

### 4 GST included

The levy under regulation 3 is inclusive of goods and services tax.

Diane Morcom,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

The regulations require the Fonterra Co-operative Group Limited (**Fonterra**) to pay a levy of \$139,500 to the Minister by 31 January 2006.

The sum of \$288,000 was over-recovered in respect of the levy paid for the 2003/2004 financial year under the Dairy Industry (Application Fees and Fonterra Levy) Regulations 2004.

The Minister of Agriculture has deducted this over-recovery from the levy of \$213,750 that would otherwise be payable by Fonterra for each of the 2004/2005 and 2005/2006 financial years.

The purpose of the levies is to pay the Commerce Commission's costs of making and enforcing determinations under the Dairy Industry Restructuring Act 2001, and the costs of enforcing parts of that Act.

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

Date of notification in *Gazette*: 30 June 2005.

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

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