



Fisheries (Cost Recovery Levies for Fisheries Services) Order 2003

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 25th day of August 2003

Present:

Her Excellency the Governor-General in Council

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

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Order

1 Title

This order is the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2003.

2 Commencement

This order comes into force on 1 October 2003.

3 Interpretation

- (1) 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.
- (2) **Foveaux Strait oysters** means molluscs of the species *Tiostraea chilensis* that are taken from the Foveaux Strait Dredge Oyster Fishery as defined in regulation 2 of the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986.

4 Monthly levies on quota holders

- (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 (or for each oyster, in the case of Foveaux Strait oysters) 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 holders irrespective of whether or not the fish, aquatic life, or seaweed to which the quota relates is taken.

5 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) This clause does not require 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 4.

6 Annual aquaculture levies

- (1) Every holder of, or lessee or licensee of, a permit, lease, or licence described in subclause (2) must pay the levy or levies in respect of fisheries services specified in Part 3 of the Schedule in respect of every such permit, lease, or licence held at any time during the fishing year.
- (2) Subclause (1) applies to the following, which are granted or issued in accordance with the Fisheries Act 1983, the Marine Farming Act 1971, or the Freshwater Fish Farming Regulations 1983:
 - (a) a marine farming permit:
 - (b) a spat catching permit:
 - (c) a marine farm lease:
 - (d) a marine farm licence:
 - (e) a freshwater farming licence.
- (3) Levies payable under subclause (1) are payable in respect of every permit, lease, or licence held irrespective of whether the activity authorised by the permit, lease, or licence is undertaken in fact.
- (4) For the purposes of this clause, **lessee** and **licensee** do not include sublessees or sublicensees of leases or licences, but do include assignees of leases or licences.

7 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 section 97(1)(c) of the Fisheries Act 1996; or

- (b) any such permit, to the extent it authorises the taking of seaweed for sale.

8 Levies exclusive of GST

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

9 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.

10 Revocation

The Fisheries (Cost Recovery Levies for Fisheries Services) Order 2002 (SR 2002/222) is revoked.

11 Saving

Clause 10 does not extinguish any liability arising before the commencement of this order under the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2002.

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Schedule Levies

Part 1

Monthly levies on quota holders for fisheries services

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANC1	0.000019	9.50
ANC2	0.000010	10.00
ANC3	0.000005	10.00
ANC4	0.000001	10.00
ANC7	0.000010	10.00
ANC8	0.000010	10.00
ANG11	0.000009	22.50
ANG12	0.000009	21.06
ANG13	0.000027	22.14
ANG14	0.000008	22.79

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANG15	0.000028	23.80
ANG16	0.000015	23.92
BAR1	0.000044	0.40
BAR4	0.000022	0.73
BAR5	0.000063	0.84
BAR7	0.000071	0.64
BCO1	0.000003	6.49
BCO2	0.000000	0.00
BCO3	0.000008	4.92
BCO4	0.000022	2.90
BCO5	0.000068	4.39
BCO7	0.000002	2.86
BCO8	0.000003	4.03
BNS1	0.000124	12.40
BNS2	0.000102	11.68
BNS3	0.000090	9.73
BNS7	0.000013	8.67
BNS8	0.000008	8.00
BUT1	0.000000	0.00
BUT2	0.000003	4.76
BUT3	0.000000	0.00
BUT4	0.000000	0.00
BUT5	0.000002	4.44
BUT6	0.000000	0.00
BUT7	0.000002	5.26
BYX1	0.000014	4.67
BYX2	0.000052	3.30
BYX3	0.000076	7.52
BYX7	0.000003	3.73
BYX8	0.000001	5.00
CDL1	0.000015	1.25
CDL2	0.000026	1.17
CDL3	0.000002	1.02
CDL4	0.000000	0.00
CDL5	0.000000	0.00
CDL6	0.000000	0.00
CDL7	0.000000	0.00
CDL9	0.000000	0.00
COC1A	0.000050	14.45
COC3	0.000011	0.75
COC7A	0.000011	0.79
COC7B	0.000000	0.00
CRA1	0.000121	92.32
CRA2	0.000209	88.53
CRA3	0.000300	91.74
CRA4	0.000501	86.83
CRA5	0.000294	84.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
CRA6	0.000219	60.83
CRA7	0.000072	80.90
CRA8	0.000580	102.11
CRA9	0.000035	74.46
ELE1	0.000000	0.00
ELE2	0.000001	4.63
ELE3	0.000043	4.53
ELE5	0.000004	4.00
ELE7	0.000004	3.93
EMA1	0.000119	1.56
EMA2	0.000001	0.56
EMA3	0.000002	0.51
EMA7	0.000062	1.85
FLA1	0.000095	8.00
FLA2	0.000034	4.68
FLA3	0.000148	5.52
FLA7	0.000104	5.03
FRO1	0.000000	0.00
FRO2	0.000000	0.00
FRO3	0.000000	0.00
FRO4	0.000000	0.00
FRO5	0.000000	0.00
FRO6	0.000000	0.00
FRO7	0.000006	0.23
FRO8	0.000001	0.15
FRO9	0.000000	0.00
GAR1	0.000001	4.00
GAR2	0.000000	0.00
GAR3	0.000000	0.00
GAR4	0.000000	0.00
GAR7	0.000000	0.00
GAR8	0.000000	0.00
GMU1	0.000067	7.24
GMU2	0.000000	0.00
GMU3	0.000001	3.33
GMU7	0.000000	0.00
GSH1	0.000000	0.00
GSH2	0.000000	0.00
GSH3	0.000009	0.76
GSH4	0.000005	1.35
GSH5	0.000001	0.92
GSH6	0.000001	1.05
GSH7	0.000009	0.80
GSH8	0.000000	0.00
GSH9	0.000000	0.00
GSP1	0.000004	0.79
GSP5	0.000001	0.85

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
GSP7	0.000001	0.57
GUR1	0.000116	5.07
GUR2	0.000043	5.93
GUR3	0.000019	2.38
GUR7	0.000021	3.08
GUR8	0.000012	2.21
HAK1	0.000249	6.73
HAK4	0.000492	14.06
HAK7	0.000205	2.99
HOK1	0.006528	3.26
HPB1	0.000052	10.82
HPB2	0.000017	6.39
HPB3	0.000022	6.57
HPB4	0.000020	6.20
HPB5	0.000038	8.42
HPB7	0.000012	5.10
HPB8	0.000005	6.24
JDO1	0.000110	15.63
JDO2	0.000015	5.57
JDO3	0.000002	6.27
JDO7	0.000005	5.48
JMA1	0.000039	0.39
JMA3	0.000139	0.77
JMA7	0.000249	0.77
LIN1	0.000012	3.00
LIN2	0.000029	2.95
LIN3	0.000103	5.00
LIN4	0.000119	2.83
LIN5	0.000162	5.40
LIN6	0.000294	4.14
LIN7	0.000094	4.22
MOK1	0.000064	15.90
MOK3	0.000002	1.57
MOK4	0.000000	0.00
MOK5	0.000001	2.29
OEO1	0.000229	4.55
OEO3A	0.000113	3.65
OEO4	0.000195	3.75
OEO6	0.000172	2.87
ORH1	0.000118	8.43
ORH2A	0.000500	73.53
ORH2B	0.000068	68.69
ORH3A	0.000133	60.18
ORH3B	0.001515	11.93
ORH7A	0.000000	0.00
ORH7B	0.000008	7.27
OYS7	0.000031	6.14

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Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
OYU5	0.000231	15.14
PAD1	0.000017	7.73
PAD2	0.000004	3.64
PAD3	0.000003	3.00
PAD4	0.000001	4.00
PAD5	0.000002	4.00
PAD6	0.000000	0.00
PAD7	0.000005	5.00
PAD8	0.000003	5.00
PAD9	0.000005	5.00
PAU1	0.000001	51.81
PAU2	0.000077	63.54
PAU3	0.000058	63.31
PAU4	0.000248	75.95
PAU5A	0.000121	81.22
PAU5B	0.000066	73.33
PAU5D	0.000079	69.30
PAU6	0.000001	100.00
PAU7	0.000122	65.16
PHC1	0.000021	52.11
PIL1	0.000116	5.80
PIL2	0.000004	2.00
PIL3	0.000001	1.67
PIL4	0.000000	0.00
PIL7	0.000000	0.00
PIL8	0.000000	0.00
QSC3	0.000054	14.21
RBV1	0.000002	0.67
RBV2	0.000025	5.77
RBV3	0.000000	0.00
RBV4	0.000000	0.00
RBV7	0.000000	0.00
RBV8	0.000000	0.00
RBV9	0.000000	0.00
RCO1	0.000000	0.00
RCO2	0.000005	1.00
RCO3	0.000123	0.99
RCO7	0.000036	1.15
RIB1	0.000002	1.65
RIB2	0.000003	1.70
RIB3	0.000006	1.52
RIB4	0.000005	1.40
RIB5	0.000001	1.92
RIB6	0.000002	1.61
RIB7	0.000001	1.82
RIB8	0.000000	0.00
RIB9	0.000000	0.00

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SBW1	0.000000	0.00
SBW6A	0.000005	0.30
SBW6B	0.000059	1.69
SBW6I	0.000139	0.56
SBW6R	0.000020	0.36
SCA1	0.000034	85.00
SCA4	0.000006	26.09
SCA7	0.000184	24.63
SCACS	0.000025	113.64
SCH1	0.000031	4.64
SCH2	0.000004	2.01
SCH3	0.000013	4.04
SCH4	0.000007	2.94
SCH5	0.000023	3.25
SCH7	0.000015	2.81
SCH8	0.000012	2.72
SK11	0.000012	5.71
SK12	0.000069	28.75
SK13	0.000007	2.33
SK17	0.000005	1.67
SNA1	0.000605	13.44
SNA2	0.000051	16.19
SNA3	0.000002	6.19
SNA7	0.000059	29.50
SNA8	0.000702	46.80
SPE1	0.000001	5.56
SPE2	0.000003	3.80
SPE3	0.000028	2.80
SPE4	0.000019	3.56
SPE5	0.000001	2.78
SPE6	0.000000	0.00
SPE7	0.000003	3.66
SPE8	0.000001	6.67
SPE9	0.000000	0.00
SPO1	0.000080	11.56
SPO2	0.000003	4.17
SPO3	0.000029	4.83
SPO7	0.000016	4.57
SPO8	0.000026	8.39
SPR1	0.000000	0.00
SPR3	0.000000	0.00
SPR4	0.000000	0.00
SPR7	0.000000	0.00
SQU1J	0.000742	1.48
SQU1T	0.000784	1.75
SQU6T	0.000623	1.92
STA1	0.000000	0.00

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
STA2	0.000000	0.00
STA3	0.000019	2.11
STA4	0.000038	1.76
STA5	0.000029	2.29
STA7	0.000027	2.71
STA8	0.000000	0.00
SUR3	0.000000	0.00
SUR4	0.000004	1.78
SUR5	0.000004	1.63
SUR7A	0.000002	1.48
SUR7B	0.000000	0.00
SWA1	0.000047	1.57
SWA3	0.000025	0.76
SWA4	0.000065	1.59
TAR1	0.000057	4.07
TAR2	0.000067	4.10
TAR3	0.000032	2.74
TAR4	0.000010	3.16
TAR5	0.000003	1.97
TAR7	0.000035	3.22
TAR8	0.000008	3.55
TRE1	0.000042	2.79
TRE2	0.000005	2.07
TRE3	0.000000	0.00
TRE7	0.000025	1.16
TRU1	0.000000	0.00
TRU2	0.000001	5.00
TRU3	0.000001	3.03
TRU4	0.000001	1.69
TRU5	0.000001	4.55
TRU7	0.000000	0.00
TRU8	0.000000	0.00
WAR1	0.000001	2.43
WAR2	0.000018	3.12
WAR3	0.000039	1.54
WAR7	0.000020	1.79
WAR8	0.000004	1.72
WWA1	0.000000	0.00
WWA2	0.000004	5.48
WWA3	0.000012	3.01
WWA4	0.000012	5.45
WWA5	0.000122	5.74
WWA6	0.000036	7.35
WWA7	0.000004	6.67
WWA8	0.000000	0.00
YEM1	0.000001	5.00
YEM2	0.000000	0.00

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
YEM3	0.000000	0.00
YEM7	0.000000	0.00
YEM8	0.000000	0.00
YEM9	0.000001	3.33

Monthly levy on Foveaux Strait oysters (OYU5) is \$0.001545 per oyster

Part 2
Levies on non-ITQ species for fisheries services

Fishstock	Annual levy (\$ per tonne) (GST excl)
ALB	95.34
BIG	501.60
BSH Seal Shark (BSH)	13.18
COC	9.11
EEL NI Eels - LFE	248.18
EEL NI Eels - SFE	248.18
KAH	78.68
KIN	266.69
LDO Look Down Dory (LDO)	21.66
LEA Leatherjacket (LEA)	8.34
OCT Octopus (OCT)	24.50
PPI Pipi (PPI)	20.06
PTO Patagonian Toothfish (PTO)	54.26
RBM	26.54
RSN Red Snapper (RSN)	98.67
SCI Scampi (SCI1)	1,973.69
SCI Scampi (SCI2)	1,973.69
SCI Scampi (SCI3)	527.10
SCI Scampi (SCI4)	523.91
SCI Scampi (SCI5)	515.85
SCI Scampi (SCI6A)	527.10
SCI Scampi (SCI6B)	527.10
SCI Scampi (SCI7)	512.65
SCI Scampi (SCI8)	512.65
SCI Scampi (SCI9)	512.65
SKA Skate (SKA)	60.43
SKJ	14.80
SPD Spiney Dogfish (SPD)	9.01
STN	1,728.75
SUR Kina (SUR)	21.86
SWO	289.71
TUA Tuatua (TUA)	18.23
YFN	315.09

Part 3
Aquaculture levies for fisheries services

Permit or interest held	Annual levy (\$) (GST excl)
Spat catching permit or freshwater fish farm licence, per permit, or licence	189.11
Marine farming permit, marine farm lease, or marine farm licence	
(a) per permit, lease, or licence	189.11
(b) per hectare or part hectare of area covered by permit, lease, or licence	36.30

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 October 2003, revokes and replaces the Fisheries (Cost Recovery Levies for Fisheries Services) Order 2002.

The new levies recover the costs of fisheries services (but not conservation services) that are to be recovered by way of levies in accordance with the Fisheries (Cost Recovery) Rules 2001.

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

Date of notification in *Gazette*: 28 August 2003.

This order is administered in the Ministry of Fisheries.
