



Fisheries (Cost Recovery Levies for Fisheries Services) Order (No 2) 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 30th day of August 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 264 of the Fisheries Act 1996 and section 10(2) of the Fisheries Amendment Act 2004, 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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**Schedule
Levies**

Order

1 Title

This order is the Fisheries (Cost Recovery Levies for Fisheries Services) Order (No 2) 2004.

2 Commencement

This order comes into force on 1 October 2004.

3 Application

The 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 2004.

4 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 *Tiota 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.

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 (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 owners irrespective of whether or not 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) 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.

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 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.

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 2004 (SR 2004/64) 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 2004.

**Schedule
Levies**

cls 5, 6, 7

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	0.000004	2.00
ANC2	0.000002	2.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ANC3	0.000001	2.00
ANC4	0.000000	0.00
ANC7	0.000002	2.00
ANC8	0.000002	2.00
ANG11	0.000005	12.50
ANG12	0.000005	11.70
ANG13	0.000015	12.30
ANG14	0.000004	11.40
ANG15	0.000014	11.90
ANG16	0.000008	12.76
BAR1	0.000000	0.00
BAR4	0.000006	0.20
BAR5	0.000013	0.17
BAR7	0.000004	0.04
BCO1	0.000000	0.00
BCO2	0.000000	0.00
BCO3	0.000006	3.69
BCO4	0.000017	2.24
BCO5	0.000063	4.07
BCO7	0.000001	1.43
BCO8	0.000001	1.34
BIG1	0.000172	24.09
BNS1	0.000038	3.80
BNS2	0.000038	4.35
BNS3	0.000051	5.51
BNS7	0.000002	1.33
BNS8	0.000004	4.00
BUT1	0.000000	0.00
BUT2	0.000004	6.35
BUT3	0.000000	0.00
BUT4	0.000001	10.00
BUT5	0.000002	4.44
BUT6	0.000000	0.00
BUT7	0.000002	5.26
BWS1	0.000021	1.13
BYA1	0.000000	0.00
BYA2	0.000000	0.00
BYA3	0.000000	0.00
BYA4	0.000000	0.00
BYA5	0.000000	0.00
BYA7	0.000000	0.00
BYA8	0.000000	0.00
BYA9	0.000000	0.00
BYX1	0.000011	3.67
BYX2	0.000030	1.91
BYX3	0.000067	6.63
BYX7	0.000002	2.48

Part 1—*continued*

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
BYX8	0.000000	0.00
CDL1	0.000014	1.17
CDL2	0.000018	0.81
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
CHC1	0.000000	0.00
CHC2	0.000000	0.00
CHC3	0.000000	0.00
CHC4	0.000000	0.00
CHC5	0.000000	0.00
CHC6	0.000000	0.00
CHC7	0.000000	0.00
CHC8	0.000000	0.00
CHC9	0.000000	0.00
COC1A	0.000050	14.45
COC3	0.000044	2.99
COC7A	0.000055	3.96
COC7B	0.000000	0.00
CRA1	0.000156	119.03
CRA2	0.000255	108.01
CRA3	0.000424	129.66
CRA4	0.000606	105.03
CRA5	0.000444	126.86
CRA6	0.000179	49.72
CRA7	0.000114	120.14
CRA8	0.000796	131.93
CRA9	0.000030	63.82
DAN1	0.000000	0.00
DAN2	0.000001	5.56
DAN3	0.000000	0.00
DAN4	0.000000	0.00
DAN5	0.000000	0.00
DAN7	0.000001	6.67
DAN8	0.000001	3.03
DAN9	0.000001	3.03
DSU1	0.000000	0.00
DSU2	0.000000	0.00
DSU3	0.000000	0.00
DSU4	0.000000	0.00
DSU5	0.000000	0.00
DSU7	0.000000	0.00
DSU8	0.000000	0.00
DSU9	0.000000	0.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
ELE1	0.000000	0.00
ELE2	0.000000	0.00
ELE3	0.000000	0.00
ELE5	0.000003	3.00
ELE7	0.000001	0.98
EMA1	0.000149	1.95
EMA2	0.000001	0.56
EMA3	0.000003	0.77
EMA7	0.000077	2.30
FLA1	0.000103	8.68
FLA2	0.000031	4.27
FLA3	0.000090	3.36
FLA7	0.000096	4.65
FRO1	0.000000	0.00
FRO2	0.000000	0.00
FRO3	0.000001	0.78
FRO4	0.000000	0.00
FRO5	0.000001	0.74
FRO6	0.000000	0.00
FRO7	0.000003	0.11
FRO8	0.000002	0.31
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
GLM1	0.000000	0.00
GLM2	0.000000	0.00
GLM3	0.000000	0.00
GLM7A	0.000005	0.33
GLM7B	0.000000	0.00
GLM8	0.000000	0.00
GMU1	0.000000	0.00
GMU2	0.000000	0.00
GMU3	0.000001	3.33
GMU7	0.000000	0.00
GSC1	0.000000	0.00
GSC3	0.000001	7.14
GSC5	0.000001	5.26
GSC6A	0.000007	4.73
GSC6B	0.000011	4.64
GSH1	0.000000	0.00
GSH2	0.000000	0.00
GSH3	0.000000	0.00
GSH4	0.000003	0.81

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
GSH5	0.000000	0.00
GSH6	0.000000	0.00
GSH7	0.000007	0.62
GSH8	0.000000	0.00
GSH9	0.000000	0.00
GSP1	0.000004	0.79
GSP5	0.000001	0.85
GSP7	0.000001	0.57
GUR1	0.000093	4.07
GUR2	0.000060	8.27
GUR3	0.000000	0.00
GUR7	0.000057	8.37
GUR8	0.000007	1.29
HAK1	0.000067	1.81
HAK4	0.000155	4.43
HAK7	0.000141	2.06
HOK1	0.004468	2.48
HOR1	0.000000	0.00
HOR2	0.000000	0.00
HOR3	0.000000	0.00
HOR4	0.000000	0.00
HOR5	0.000000	0.00
HOR6	0.000000	0.00
HOR7	0.000000	0.00
HOR8	0.000000	0.00
HOR9	0.000000	0.00
HPB1	0.000042	8.74
HPB2	0.000009	3.38
HPB3	0.000015	4.48
HPB4	0.000019	5.89
HPB5	0.000017	3.77
HPB7	0.000007	2.97
HPB8	0.000005	6.24
JDO1	0.000101	14.35
JDO2	0.000010	3.71
JDO3	0.000001	3.13
JDO7	0.000004	4.38
JMA1	0.000128	1.28
JMA3	0.000000	0.00
JMA7	0.000211	0.65
KAH1	0.000067	5.61
KAH2	0.000041	5.22
KAH3	0.000024	5.27
KAH4	0.000001	10.00
KAH8	0.000030	5.17
KIC1	0.000000	0.00
KIC2	0.000000	0.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
KIC3	0.000000	0.00
KIC4	0.000000	0.00
KIC5	0.000000	0.00
KIC6	0.000000	0.00
KIC7	0.000000	0.00
KIC8	0.000000	0.00
KIC9	0.000000	0.00
KIN1	0.000015	16.48
KIN2	0.000006	9.52
KIN3	0.000000	0.00
KIN4	0.000000	0.00
KIN7	0.000001	14.29
KIN8	0.000005	13.89
LDO1	0.000002	1.19
LDO3	0.000007	1.14
LEA1	0.000001	0.53
LEA2	0.000003	0.26
LEA3	0.000000	0.00
LEA4	0.000000	0.00
LFE17	0.000000	0.00
LFE20	0.000009	19.15
LFE21	0.000013	20.31
LFE22	0.000010	24.39
LFE23	0.000005	12.20
LIN1	0.000014	3.50
LIN2	0.000041	4.18
LIN3	0.000101	4.90
LIN4	0.000188	4.48
LIN5	0.000021	0.70
LIN6	0.000249	3.51
LIN7	0.000158	7.10
MAK1	0.000005	1.23
MDI1	0.000000	0.00
MDI2	0.000000	0.00
MDI3	0.000000	0.00
MDI4	0.000000	0.00
MDI5	0.000000	0.00
MDI7	0.000001	3.85
MDI8	0.000001	3.70
MDI9	0.000001	3.70
MMI1	0.000000	0.00
MMI2	0.000000	0.00
MMI3	0.000000	0.00
MMI4	0.000000	0.00
MMI5	0.000000	0.00
MMI7	0.000001	1.64
MMI8	0.000000	0.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
MMI9	0.000000	0.00
MOK1	0.000001	0.25
MOK3	0.000001	0.79
MOK4	0.000000	0.00
MOK5	0.000001	2.29
MOO1	0.000017	3.23
OEO1	0.000000	0.00
OEO3A	0.000000	0.00
OEO4	0.000043	0.61
OEO6	0.000000	0.00
ORH1	0.000088	6.29
ORH2A	0.000000	0.00
ORH2B	0.000000	0.00
ORH3A	0.000000	0.00
ORH3B	0.001754	13.81
ORH7A	0.000000	0.00
ORH7B	0.000000	0.00
OYS7	0.000035	6.93
OYU5	0.000199	13.04
PAD1	0.000017	7.73
PAD2	0.000008	7.27
PAD3	0.000003	3.00
PAD4	0.000002	8.00
PAD5	0.000004	8.00
PAD6	0.000000	0.00
PAD7	0.000006	6.00
PAD8	0.000005	8.00
PAD9	0.000008	8.00
PAR1	0.000001	1.64
PAR2	0.000000	0.00
PAR9	0.000000	0.00
PAU1	0.000000	0.00
PAU2	0.000087	71.79
PAU3	0.000066	72.04
PAU4	0.000236	72.27
PAU5A	0.000107	71.82
PAU5B	0.000050	55.56
PAU5D	0.000052	58.43
PAU6	0.000001	100.00
PAU7	0.000282	150.61
PDO1	0.000000	0.00
PDO2	0.000000	0.00
PDO3	0.000001	0.93
PDO4	0.000000	0.00
PDO5	0.000000	0.00
PDO7	0.000001	2.00
PDO8	0.000000	0.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
PDO9	0.000000	0.00
PHC1	0.000016	39.70
PIL1	0.000060	3.00
PIL2	0.000006	3.00
PIL3	0.000002	3.33
PIL4	0.000000	0.00
PIL7	0.000004	2.67
PIL8	0.000002	3.08
POR1	0.000002	3.23
POR2	0.000000	0.00
POR3	0.000000	0.00
POS1	0.000002	0.93
PPI1A	0.000004	2.00
QSC3	0.000010	2.63
RBM1	0.000011	1.12
RBY1	0.000004	1.33
RBY2	0.000027	6.24
RBY3	0.000000	0.00
RBY4	0.000000	0.00
RBY7	0.000000	0.00
RBY8	0.000000	0.00
RBY9	0.000000	0.00
RCO1	0.000000	0.00
RCO2	0.000000	0.00
RCO3	0.000000	0.00
RCO7	0.000119	3.81
RIB1	0.000000	0.00
RIB2	0.000000	0.00
RIB3	0.000007	1.78
RIB4	0.000000	0.00
RIB5	0.000000	0.00
RIB6	0.000000	0.00
RIB7	0.000000	0.00
RIB8	0.000000	0.00
RIB9	0.000000	0.00
RSK1	0.000001	0.90
RSK3	0.000016	0.97
RSK7	0.000003	1.49
RSK8	0.000000	0.00
RSN1	0.000012	9.68
RSN2	0.000002	9.52
SAE1	0.000000	0.00
SAE2	0.000000	0.00
SAE3	0.000003	1.14
SAE4	0.000000	0.00
SAE5	0.000000	0.00
SAE7	0.000001	0.89

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SAE8	0.000000	0.00
SAE9	0.000000	0.00
SBW1	0.000000	0.00
SBW6A	0.000014	0.85
SBW6B	0.000000	0.00
SBW6I	0.001227	4.91
SBW6R	0.000055	1.00
SCA1	0.000000	0.00
SCA4	0.000005	21.74
SCA7	0.000170	22.76
SCACS	0.000000	0.00
SCC1A	0.000000	0.00
SCC1B	0.000000	0.00
SCC2A	0.000000	0.00
SCC2B	0.000000	0.00
SCC3	0.000000	0.00
SCC4	0.000000	0.00
SCC5A	0.000000	0.00
SCC5B	0.000000	0.00
SCC6	0.000000	0.00
SCC7A	0.000000	0.00
SCC7B	0.000000	0.00
SCC7D	0.000000	0.00
SCC8	0.000000	0.00
SCC9	0.000000	0.00
SCH1	0.000018	2.69
SCH2	0.000000	0.00
SCH3	0.000000	0.00
SCH4	0.000012	5.03
SCH5	0.000020	2.82
SCH7	0.000010	1.87
SCH8	0.000011	2.50
SFE17	0.000001	10.00
SFE20	0.000022	14.77
SFE21	0.000026	15.95
SFE22	0.000019	17.59
SFE23	0.000005	13.51
SKI1	0.000000	0.00
SKI2	0.000047	19.58
SKI3	0.000000	0.00
SKI7	0.000000	0.00
SNA1	0.000000	0.00
SNA2	0.000065	20.63
SNA3	0.000002	6.19
SNA7	0.000027	13.50
SNA8	0.000202	13.47
SPD1	0.000002	0.60

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SPD3	0.000034	0.71
SPD4	0.000012	0.74
SPD5	0.000026	0.70
SPD7	0.000014	0.74
SPD8	0.000002	0.65
SPE1	0.000000	0.00
SPE2	0.000000	0.00
SPE3	0.000000	0.00
SPE4	0.000000	0.00
SPE5	0.000000	0.00
SPE6	0.000000	0.00
SPE7	0.000000	0.00
SPE8	0.000000	0.00
SPE9	0.000000	0.00
SPO1	0.000050	7.22
SPO2	0.000001	1.39
SPO3	0.000002	0.33
SPO7	0.000008	2.29
SPO8	0.000014	4.52
SPR1	0.000001	1.43
SPR3	0.000005	1.75
SPR4	0.000000	0.00
SPR7	0.000001	1.18
SQU1J	0.000823	1.64
SQU1T	0.000735	1.64
SQU6T	0.000535	1.65
SSK1	0.000001	2.70
SSK3	0.000009	1.55
SSK7	0.000003	1.41
SSK8	0.000000	0.00
STA1	0.000000	0.00
STA2	0.000000	0.00
STA3	0.000000	0.00
STA4	0.000000	0.00
STA5	0.000000	0.00
STA7	0.000119	11.94
STA8	0.000000	0.00
STN1	0.000442	107.02
SUR1A	0.000001	2.50
SUR1B	0.000004	2.86
SUR2A	0.000002	2.50
SUR2B	0.000001	3.33
SUR3	0.000000	0.00
SUR4	0.000000	0.00
SUR5	0.000000	0.00
SUR7A	0.000000	0.00
SUR7B	0.000000	0.00

Part 1—continued

Fishstock	Monthly levy (\$ per share, GST excl)	Equivalent expressed as \$ per tonne (GST excl)
SUR8	0.000000	0.00
SUR9	0.000000	0.00
SWA1	0.000039	1.30
SWA3	0.000016	0.49
SWA4	0.000054	1.32
SWO1	0.000000	0.00
TAR1	0.000044	3.14
TAR2	0.000046	2.82
TAR3	0.000000	0.00
TAR4	0.000008	2.53
TAR5	0.000001	0.66
TAR7	0.000134	12.31
TAR8	0.000003	1.33
TOR1	0.000117	100.86
TRE1	0.000060	3.98
TRE2	0.000002	0.83
TRE3	0.000001	4.63
TRE7	0.000059	2.74
TRU1	0.000000	0.00
TRU2	0.000001	5.00
TRU3	0.000001	3.03
TRU4	0.000002	3.39
TRU5	0.000000	0.00
TRU7	0.000000	0.00
TRU8	0.000000	0.00
WAR1	0.000000	0.00
WAR2	0.000011	1.90
WAR3	0.000028	1.11
WAR7	0.000016	1.43
WAR8	0.000002	0.86
WWA1	0.000000	0.00
WWA2	0.000002	2.74
WWA3	0.000008	2.01
WWA4	0.000006	2.73
WWA5	0.000054	2.54
WWA6	0.000012	2.45
WWA7	0.000002	3.33
WWA8	0.000000	0.00
YEM1	0.000001	5.00
YEM2	0.000000	0.00
YEM3	0.000000	0.00
YEM7	0.000000	0.00
YEM8	0.000000	0.00
YEM9	0.000001	3.33
YFN1	0.000062	23.57

Monthly levy on Foveaux Strait oysters (OYU5) is \$0.01331 per oyster

Part 2
Levies on non-ITQ species for fisheries services

Fishstock	Annual levy (\$ per tonne) (GST excl)
BSH	25.14
GLM9	84.41
OCT	26.28
PTO	58.21
SCI1	1,577.72
SCI2	1,556.56
SCI3	315.97
SCI4	702.77
SCI5	1,060.37
SCI6A	901.18
SCI6B	441.20
SCI7	760.24
SCI8	669.13
SCI9	755.12
TUA	49.95

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	143.30
Marine farming permit, marine farm lease, or marine farm licence	
(a) per permit, lease or licence	143.30
(b) per hectare or part hectare of area covered by permit, lease or licence	0.00

Diane Morcom,
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 2004, sets levies in respect of the fishing year commencing on 1 October 2004 to 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.

The levies take into account, and are reduced or increased by, the relevant settlement sums provided for under the new section 265A and Schedule 9A of the Fisheries Act 1996 that were enacted by the Fisheries Amendment Act 2004.

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

Date of notification in *Gazette*: 2 September 2004.

This order is administered in the Ministry of Fisheries.
