



Injury Prevention, Rehabilitation, and Compensation (Employer Levy) Regulations 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 23rd day of February 2004

Present:
Her Excellency the Governor-General in Council

Pursuant to sections 329 and 333 of the Injury Prevention, Rehabilitation, and Compensation 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 Injury Prevention, Rehabilitation, and Compensation (Employer Levy) Regulations 2004.

2 Commencement

These regulations come into force on 1 April 2004.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Injury Prevention, Rehabilitation, and Compensation Act 2001

classified means classified for the purpose of section 170 of the Act

Corporation means the Accident Compensation Corporation continued by section 259 of the Act

downward audit, in relation to an employer, means an audit of the employer's safety management practices conducted on the basis described in regulation 10

downward audit tool means an audit tool approved under section 175(2) of the Act as a basis for determining whether to make a downward adjustment to the employer levy

employer levy means the levy payable by an employer under section 168 of the Act

upward audit, in relation to an employer, means an audit of the employer's safety management practices conducted on the basis described in regulation 18

upward audit tool means an audit tool approved under section 175(2) of the Act and specially designed for the purposes of section 180 of the Act.

4 Period to which levy relates

- (1) There is prescribed for the purposes of these regulations the period comprising—
 - (a) the period commencing on 1 April 2004 and ending with the close of 31 March 2005; and
 - (b) all later income years.
- (2) The employer levy relates to the period prescribed by sub-clause (1).

Part 1
Employer levy

5 Employer levy

- (1) The employer levy relating to an income year that is payable by an employer must be paid at the levy rate applying to the classification unit in which the employer is classified under these regulations.
- (2) The employer levy payable by an employer under subclause (1) is subject to any adjustments under Part 2.

6 Levy rates

- (1) The levy rate for each classification unit is stated in the Schedule.
- (2) Levy rates are expressed as dollars per \$100 of earnings.

7 Maximum employee earnings on which levy payable

The maximum amount of earnings on which the employer levy is payable by an employer in respect of any one employee in an income year is \$92,189.

Part 2

Adjustments to employer levy based on employers' safety management practices

8 Auditors

- (1) Audits for the purposes of this Part (except audits for the purposes of regulation 11(2)) must be conducted by an auditor approved by the chief executive of the Corporation for the purpose.
- (2) The chief executive must not approve a person to conduct audits of employers' safety management practices for the purposes of this Part unless satisfied that the person has the qualifications and experience to undertake the audits.

Downward adjustments

9 Downward adjustments

- (1) The Corporation may make a downward adjustment to the employer levy payable by an employer if a downward audit discloses that the employer's safety management practices reach the standard required by the downward audit tool used.
- (2) The downward adjustment must be—
 - (a) an adjustment of 10% if the downward audit discloses that the employer's safety management practices reach to a primary level only the standard required by the downward audit tool used; or
 - (b) an adjustment of 15% if the downward audit discloses that the employer's safety management practices reach to a secondary level but not a tertiary level the standard required by the downward audit tool used; or
 - (c) an adjustment of 20% if the downward audit discloses that the employer's safety management practices reach to a tertiary level the standard required by the downward audit tool used.
- (3) Decisions under this regulation about whether a downward adjustment to the employer levy payable by an employer is to be made, or about the level of any downward adjustment to be made, are decisions of the Corporation.

10 Basis of downward adjustments

- (1) A downward adjustment to the employer levy payable by an employer is based on an audit of an employer's safety management practices conducted in accordance with a downward audit tool.
- (2) An auditor conducting a downward audit may, but is not obliged to, allow the employer concerned up to 30 days to improve those practices or aspects of them before finalising the auditor's report.
- (3) The 30-day period begins when the auditor notifies the employer of the practices or aspects that could be improved.

11 Employer may apply for audit

- (1) An employer may apply to the Corporation for a downward audit to see—
 - (a) whether the employer qualifies for a downward adjustment to the employer levy payable by the employer; and
 - (b) if so, which of the adjustments in regulation 9(2) applies.
- (2) Every application by an employer under subclause (1) must be accompanied by a written notice, given by the employer or (in the case of a body corporate) an officer or employee of the employer, containing—
 - (a) a statement that the employer has conducted the employer's own audit of the employer's safety management practices, based on a downward audit tool; and
 - (b) a declaration that, in the light of the results of the employer's own audit, the employer (or officer or employee) believes that a downward audit by an auditor approved by the chief executive of the Corporation would reach the standard required by a downward audit tool.

12 Determination of applications for audit

- (1) The chief executive of the Corporation must decide which employers who have made applications under regulation 11(1) will be audited.
- (2) In deciding, the chief executive may consider the declarations referred to in regulation 11(2)(b).

- (3) The chief executive must deal with applications in the order in which they are received.
- (4) Within 10 working days after receiving an application, the Corporation must—
 - (a) decide whether to accept it or not; and
 - (b) tell the employer concerned of the Corporation's decision and the reasons for it.
- (5) For the purposes of this regulation, an application is to be treated as not having been received until the date on which the Corporation has received all the information it reasonably requires to enable it to consider the application.

13 Restrictions on further applications for audits for downward adjustment

If a downward audit has previously been conducted, the employer concerned may not apply for another downward audit for at least 12 months after being notified of—

- (a) whether the most recent earlier downward audit discloses that those practices reach the standard required by the downward audit tool used; and
- (b) if that earlier downward audit did reach the standard required by the downward audit tool used, whether it reached that standard to a primary, secondary, or tertiary level.

14 Application of downward adjustments

- (1) If the Corporation decides to make a downward adjustment to the employer levy payable by an employer, the appropriate adjustment (or that adjustment as modified by any reductions under regulation 16(2)) must be applied to the employer levy payable by the employer during the period—
 - (a) commencing on the first day of the month after the month in which the employer was notified of the decision; and
 - (b) ending on the earlier of—
 - (i) the day 24 months later;
 - (ii) the discontinuation of the adjustment under regulation 16(2).
- (2) If a downward adjustment will cease to apply to an employer's employer levy on the expiration of a 24-month

period, the Corporation must notify the employer of when the period will end.

- (3) The Corporation must comply with subclause (2)—
- (a) not earlier than 3 months before the end of the period; and
 - (b) not later than 2 months before the end of the period.

15 Administration of downward adjustments

If the Corporation decides to make a downward adjustment to the employer levy payable by an employer after the employer has paid the employer levy for a period, the Corporation—

- (a) must pay the amount of the downward adjustment to the employer if—
 - (i) the employer so requests; and
 - (ii) after the downward adjustment, the employer's account is more than \$100 in credit; or
- (b) otherwise, must credit the amount of the adjustment to the employer's account to be offset against payment of the employer levy for the next period.

16 Corporation may require further audit in certain circumstances

- (1) The Corporation may require an employer to undergo a further downward audit, at a time specified by the Corporation, if, since a downward adjustment to the employer's employer levy took effect,—
- (a) there has been a fatal or serious injury at the employer's workplace; or
 - (b) there has been a cluster of injuries at the employer's workplace; or
 - (c) the Corporation has received complaints from an employee or employees of the employer about safety standards at the employer's workplace; or
 - (d) the ownership or control of the employer's business has changed.
- (2) After the further downward audit, the Corporation may discontinue or reduce the adjustment.
- (3) Promptly after deciding to discontinue or reduce the adjustment, the Corporation must notify the employer of the decision.

- (4) A discontinuation or reduction of the adjustment takes effect on the first day of the month after the month in which the Corporation notifies the employer of its decision to discontinue or reduce the adjustment.
- (5) The Corporation may adjust the amount of monthly instalments of employer levy payable by the employer on and after the day on which the discontinuation or reduction of the adjustment takes effect.

Upward adjustments

17 Upward adjustments

- (1) The Corporation must make an upward adjustment of 50% to the employer levy payable by an employer if an upward audit discloses that the employer's safety management practices fail to reach the standard required by an upward audit tool.
- (2) An upward adjustment to the employer levy payable by an employer made by the Corporation under section 180(2) of the Act must be an upward adjustment of 50%.
- (3) The following decisions are decisions of the Corporation:
 - (a) a decision under subclause (1) that an upward audit discloses that the employer's safety management practices fail to reach the standard required by an upward audit tool;
 - (b) a decision under section 180(2) of the Act to adjust an employer's levy upwards without the completion of an audit.

18 Basis of upward adjustments

An upward adjustment to the employer levy payable by an employer is based on an audit of an employer's safety management practices conducted—

- (a) at worksites selected by the Corporation; and
- (b) on a reasonable day or days determined by the Corporation; and
- (c) by an auditor chosen by the Corporation; and
- (d) in accordance with an upward audit tool.

19 Further audits after upward adjustment

- (1) If an upward adjustment to the employer levy payable by an employer has taken effect in an income year, the Corporation must arrange the conduct of a further upward audit of the employer in every later income year until an upward audit discloses that the employer's safety management practices reach the standard required by the upward audit tool used.
- (2) Each further upward audit must be completed on a reasonable day or days determined by the Corporation after considering—
 - (a) the seriousness of the risks faced by the employer's employees; and
 - (b) how much time the employer reasonably needs to address problems with its safety management practices identified in the most recent upward audit.
- (3) The Corporation must not under subclause (1) arrange the conduct of more than one upward audit of an employer's safety management practices in any income year.

20 Application of upward adjustment to levy

- (1) If an upward adjustment to the employer levy payable by an employer has taken effect in an income year, the adjustment must be applied to the employer levy payable by the employer—
 - (a) for that income year; and
 - (b) for each following income year in which—
 - (i) an upward audit discloses that the employer's safety management practices fail to reach the standard required by the upward audit tool used; or
 - (ii) no upward audit of the employer is conducted.
- (2) If in any income year an employer's safety management practices satisfy a further upward audit under regulation 19, the upward adjustment to the employer levy payable by the employer ceases to apply for that income year.

21 Administration of upward adjustments

- (1) If in any income year, after an employer has paid the employer levy for that income year (including the applicable upward

adjustment to that levy), a further upward audit under regulation 19 discloses that the employer's safety management practices reach the standard required by the upward audit tool, the Corporation—

- (a) must pay the amount of the adjustment to the employer if—
 - (i) the employer so requests; and
 - (ii) after the adjustment, the employer's account is more than \$100 in credit; or
 - (b) otherwise, must credit the amount of the adjustment to the employer's account to be offset against payment of the employer levy for the next period.
- (2) The Corporation may adjust the amount of monthly instalments of employer levy payable by an employer if the Corporation applies or ceases to apply an upward adjustment under regulation 20.

Part 3 **Collection of levy and other matters**

22 Collection of employer levy

The employer levy for an income year is payable in advance and may be collected by the Corporation at any time on or after the commencement of that year.

23 Interest rate on employer levy overpaid

The interest rate payable on amounts that are refundable under section 173(2)(a) of the Act is 5.25% per year.

Levy exclusive of GST

24 Levy exclusive of GST

The amount of any levy derived by applying the appropriate levy rate set out in the Schedule, and making any adjustments under Part 2, is exclusive of any goods and services tax payable on that levy.

Revocation and saving

25 Revocation and saving

- (1) The Injury Prevention, Rehabilitation, and Compensation (Employer Levy) Regulations 2003 (SR 2003/64) are revoked.
- (2) Despite subclause (1), the Injury Prevention, Rehabilitation, and Compensation (Employer Levy) Regulations 2003 continue to apply with respect to the period commencing on 1 April 2003 and ending with 31 March 2004 as if they had not been revoked.

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**Schedule
Classifications and levies**

Classification unit number	Classification unit	Levy rate per \$100 of earnings
57100	Accommodation	\$0.84
78420	Accounting services	\$0.09
78510	Advertising services	\$0.20
02130	Aerial agricultural, horticultural, silvicultural, farming and pest control services	\$4.43
86130	Aged care	\$1.96
28610	Agricultural machinery manufacturing	\$1.69
42330	Air conditioning and heating services	\$1.76
28240	Aircraft manufacturing and repair	\$0.43
27210	Alumina production	\$1.41
27310	Aluminium rolling, drawing, and extruding	\$1.19
27220	Aluminium smelting	\$1.41
86330	Ambulance services	\$0.67
27691	Ammunition manufacturing	\$0.95
02191	Animal or pet boarding	\$0.33
52520	Antique and used goods retailing	\$0.85
01150	Apple and pear growing	\$1.37
04200	Aquaculture	\$2.45
27420	Architectural aluminium product manufacturing	\$1.19
78210	Architectural services	\$0.09
26291	Art pottery manufacturing	\$0.99
28321	Artificial joints, eyes, and limbs manufacturing	\$0.28
28190	Automotive component manufacturing (not elsewhere classified)	\$0.94
28130	Automotive electrical and instrument manufacturing	\$0.94
53220	Automotive electrical services	\$0.49

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
53210	Automotive fuel retailing (including associated vehicle servicing)	\$0.49
53290	Automotive repair and services (not elsewhere classified)	\$1.29
21130	Bacon, ham, and smallgoods manufacturing	\$1.44
73210	Bank operation	\$0.10
27110	Basic iron and steel manufacturing	\$1.52
27290	Basic non-ferrous metal manufacturing (not elsewhere classified)	\$1.41
28530	Battery manufacturing	\$0.43
01250	Beef cattle farming	\$2.50
01593	Beekeeping	\$2.50
21820	Beer and malt manufacturing	\$0.79
01192	Berryfruit growing	\$1.37
21630	Biscuit manufacturing	\$1.00
42591	Blinds installation or repair service	\$0.85
86391	Blood bank operation	\$0.23
28220	Boatbuilding (all vessels 50 tonnes displacement and under)	\$2.47
47940	Book and magazine wholesaling	\$0.31
24231	Book and other publishing (excluding printing)	\$0.13
24230	Book and other publishing (including printing)	\$0.60
51240	Bread and cake retailing	\$1.15
21610	Bread manufacturing	\$1.00
42220	Bricklaying services	\$2.74
42592	Building completion services (all trades subcontracted)	\$0.33
73220	Building societies	\$0.10
45390	Building supplies wholesaling (not elsewhere classified)	\$0.67
78540	Business administrative services	\$0.20
96210	Business and professional associations	\$0.24
46140	Business machine wholesaling (not elsewhere classified)	\$0.28
78550	Business management services	\$0.20
78690	Business services (not elsewhere classified)	\$0.33
57300	Cafes and restaurants	\$0.84
21620	Cake and pastry manufacturing—non-retail	\$1.16
53110	Car retailing (including associated vehicle servicing)	\$0.49
46210	Car wholesaling	\$0.28
22320	Cardigan and pullover manufacturing	\$0.56
42420	Carpentry services	\$2.74
21114	Casings manufacturing	\$0.92
93220	Casinos operation	\$0.36
26310	Cement and lime manufacturing	\$1.50
73100	Central bank operation	\$0.10
81110	Central government, including crown entities and commissions—operation (not elsewhere classified)	\$0.12

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
26220	Ceramic industrial product manufacturing	\$0.99
26290	Ceramic product manufacturing (not elsewhere classified)	\$0.99
26230	Ceramic tile and pipe manufacturing	\$0.99
21520	Cereal food and baking mix manufacturing	\$1.16
45120	Cereal grain wholesaling	\$0.82
25490	Chemical product manufacturing (not elsewhere classified)	\$0.81
45230	Chemical wholesaling	\$0.28
87100	Child care services	\$0.60
86360	Chiropractic services	\$0.23
01191	Citrus growing	\$1.37
26210	Clay brick manufacturing	\$0.99
78660	Cleaning services	\$1.67
22490	Clothing manufacturing (not elsewhere classified)	\$0.96
52210	Clothing retailing	\$0.38
47220	Clothing wholesaling	\$0.28
57400	Clubs—hospitality	\$0.84
11010	Coal mining—opencast	\$2.58
11011	Coal mining—underground	\$2.58
84230	Combined primary and secondary education	\$0.17
78520	Commercial art and display services	\$0.20
77121	Commercial property body corporates	\$0.33
77120	Commercial property operators and developers (excluding construction)	\$0.33
28670	Commercial space heating and cooling equipment manufacturing	\$0.89
46220	Commercial vehicle wholesaling	\$1.22
87290	Community and non-residential care services (not elsewhere classified)	\$1.50
96291	Community based multi-functional activities, (not elsewhere classified)	\$0.56
86340	Community health centre operation	\$0.23
28410	Computer and business machine manufacturing	\$0.28
78340	Computer consultancy services	\$0.09
78330	Computer maintenance services	\$0.09
46130	Computer wholesaling	\$0.28
26340	Concrete pipe and box culvert manufacturing	\$1.50
26350	Concrete product manufacturing (not elsewhere classified)	\$1.50
26330	Concrete slurry manufacturing	\$1.50
42210	Concreting services	\$2.74
47160	Confectionery and soft drink wholesaling	\$0.82
21720	Confectionery manufacturing	\$1.16
14190	Construction material mining (not elsewhere classified)	\$2.58
42590	Construction services (not elsewhere classified)	\$2.74

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
78230	Consulting engineering services	\$0.20
78670	Contract packing services (not elsewhere classified)	\$0.78
27230	Copper, silver, lead and zinc—smelting and refining	\$1.41
96320	Corrective centres	\$1.47
23330	Corrugated paperboard container manufacturing	\$0.66
25460	Cosmetic and toiletry preparation manufacturing	\$0.63
22130	Cotton textile manufacturing	\$2.01
87291	Counselling services (not elsewhere classified)	\$0.23
71120	Courier services	\$2.70
52591	Craft and gift retailing (not elsewhere classified)	\$0.38
42101	Crane hiring or leasing (with operators)	\$1.66
92420	Creative arts	\$0.24
73230	Credit union operation	\$0.10
01690	Crop and plant growing (not elsewhere classified)	\$1.37
01692	Cultivated mushroom growing	\$1.37
66440	Customs agency and freight brokerage services	\$0.18
01120	Cut flower and flower seed growing	\$1.37
01300	Dairy cattle farming	\$2.50
47130	Dairy produce wholesaling	\$0.82
21290	Dairy product manufacturing (not elsewhere classified)	\$1.44
78310	Data processing services	\$0.09
01530	Deer farming	\$2.50
82000	Defence	\$0.95
75210	Dental insurance provision	\$0.10
86230	Dental services	\$0.23
28322	Dentures fabrication	\$0.28
52100	Department stores	\$0.68
73290	Deposit taking financiers (not elsewhere classified)	\$0.10
93112	Dog racing	\$2.00
52340	Domestic appliance retailing	\$0.68
52330	Domestic hardware and houseware retailing	\$0.85
28520	Electric cable and wire manufacturing	\$0.89
28540	Electric light manufacturing	\$0.43
28541	Electric sign manufacturing	\$0.43
46150	Electrical and electronic equipment wholesaling (not elsewhere classified)	\$0.28
28590	Electrical equipment manufacturing (not elsewhere classified)	\$0.43
42320	Electrical services	\$1.07
36102	Electricity energy supply	\$0.28
36100	Electricity generation	\$0.28
36101	Electricity line system operation	\$1.20

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
36103	Electricity line system operation (excluding maintenance and construction)	\$0.28
28490	Electronic equipment manufacturing (not elsewhere classified)	\$0.43
78610	Employment services (candidate or contractor placement—no on-hired employees)	\$0.20
78622	Employment services (on-hired employees—mixed classification assignments, minimum 30% office work)	\$1.79
78621	Employment services (on-hired employees—non-office work assignments, including up to 30% office work)	\$2.74
78620	Employment services (on-hired employees—only office work assignments)	\$0.20
25410	Explosive manufacturing	\$0.81
52230	Fabric and other soft goods retailing	\$0.38
27690	Fabricated metal product manufacturing (not elsewhere classified)	\$1.92
23220	Fabricated wood manufacturing	\$1.30
78661	Facilities management and cleaning services—contract (not elsewhere classified)	\$1.67
46110	Farm and construction machinery wholesaling	\$1.22
45190	Farm produce and supplies wholesaling (not elsewhere classified)	\$0.75
22612	Fellmongery	\$2.71
25310	Fertiliser manufacturing	\$0.82
91120	Film and video distribution	\$0.17
91110	Film and video production	\$0.17
75110	Financial asset broking services	\$0.10
73400	Financial asset investors	\$0.10
96330	Fire brigade services	\$0.87
42340	Fire sprinklers—installation	\$1.76
52592	Firewood, coal and coke retailing	\$0.85
47140	Fish wholesaling	\$1.84
04130	Fishing—finfish trawling (including processing on board)	\$3.98
52320	Floor covering retailing	\$0.85
47330	Floor covering wholesaling	\$0.67
21510	Flour mill product manufacturing	\$1.16
52540	Flower retailing	\$0.38
21790	Food manufacturing (not elsewhere classified)	\$0.92
28630	Food processing machinery manufacturing	\$0.89
22500	Footwear manufacturing	\$0.94
52220	Footwear retailing	\$0.38
47230	Footwear wholesaling	\$0.31
81300	Foreign government representation	\$0.12
03031	Forest nursery—operation or service	\$1.37
03021	Forest products—gathering	\$2.45
03010	Forestry	\$6.17
66430	Freight forwarding—air transport	\$0.71

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
66420	Freight forwarding—road, rail, and sea transport	\$1.61
51210	Fresh meat, fish, and poultry retailing	\$1.15
21300	Fruit and vegetable processing	\$1.66
51220	Fruit and vegetable retailing	\$1.15
47150	Fruit and vegetable wholesaling	\$0.82
01190	Fruit growing (not elsewhere classified)	\$1.37
95240	Funeral directors, crematoria, and cemeteries	\$0.27
29290	Furniture manufacturing (not elsewhere classified)	\$1.35
52310	Furniture retailing	\$0.85
47320	Furniture wholesaling	\$0.67
93290	Gambling services (not elsewhere classified)	\$0.36
52530	Garden equipment retailing	\$0.85
95250	Gardening and turf management services	\$2.47
36200	Gas supply	\$1.00
74220	General insurance	\$0.10
86210	General practice medical services	\$0.14
26100	Glass and glass product manufacturing	\$0.99
42450	Glazing services	\$2.84
13140	Gold mining—opencast	\$2.58
13141	Gold mining—underground	\$2.58
01210	Grain growing	\$1.37
01220	Grain-sheep and grain-beef cattle farming	\$2.50
67010	Grain storage	\$1.31
01140	Grape growing	\$1.37
14110	Gravel and sand quarrying	\$2.58
47190	Grocery wholesaling (not elsewhere classified)	\$0.82
92391	Guiding service operation—outdoor pursuits	\$1.98
95260	Hairdressing and beauty salons	\$0.78
27610	Hand tool and general hardware manufacturing	\$1.92
74210	Health insurance	\$0.10
86390	Health services (not elsewhere classified)	\$0.67
28491	Hearing aid manufacturing	\$0.28
77301	Holder investor farms and farm animals	\$0.33
01520	Horse farming	\$8.01
93111	Horse or dog racing club operations, including national controlling bodies	\$0.65
93113	Horse racing—harness racing	\$6.00
93110	Horse racing (not elsewhere classified)	\$8.01
22310	Hosiery manufacturing	\$0.56
86110	Hospitals (excluding psychiatric and continuing geriatric care)	\$0.62
41110	House construction	\$2.74
28510	Household appliance manufacturing	\$0.43
47310	Household appliance wholesaling	\$0.31
52610	Household equipment repair services—electrical and electronic	\$0.85

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
52690	Household equipment repair services (not elsewhere classified)	\$0.85
47390	Household goods wholesaling (not elsewhere classified)	\$0.67
02200	Hunting and trapping	\$4.43
21220	Ice cream manufacturing	\$1.44
25320	Industrial gas manufacturing	\$0.28
28690	Industrial machinery and equipment manufacturing (not elsewhere classified)	\$1.69
78320	Information storage and retrieval services	\$0.09
25470	Ink manufacturing	\$0.81
63030	Inland water transport (except passenger only)	\$1.18
63031	Inland water transport (passenger only)	\$1.18
25350	Inorganic industrial chemical manufacturing (not elsewhere classified)	\$0.28
96290	Interest groups (not elsewhere classified)	\$0.24
63010	International and coastal water transport (vessels over 45 metres length and 500 tonnes displacement)	\$2.18
63020	International and coastal water transport (vessels 45 metres length and under or 500 tonnes displacement and under)	\$1.18
27120	Iron and steel casting and forging	\$3.22
13110	Iron sands mining	\$2.58
29410	Jewellery and silverware manufacturing	\$0.28
47920	Jewellery and watch wholesaling	\$0.31
81200	Justice	\$0.21
87221	Juvenile detention centre operation	\$1.47
01170	Kiwi fruit growing	\$1.37
22390	Knitting mill product manufacturing (not elsewhere classified)	\$0.56
96220	Labour associations operation	\$0.24
42510	Landscaping services	\$2.47
95210	Laundries and dry-cleaners	\$1.65
22620	Leather and leather substitute product manufacturing	\$0.56
22611	Leather tanning and fur dressing (excluding fellmongery)	\$2.71
78410	Legal services	\$0.09
92100	Libraries	\$0.24
74110	Life insurance	\$0.10
28650	Lifting and material handling equipment manufacturing	\$0.89
04150	Line fishing (including processing on board)	\$3.98
51230	Liquor retailing	\$1.15
47170	Liquor wholesaling	\$0.28
01590	Livestock farming (not elsewhere classified)	\$2.50
81130	Local government operation (not elsewhere classified)	\$0.55
23110	Log sawmilling	\$3.17
03020	Logging	\$6.17

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61210	Long distance bus transport	\$1.30
93210	Lotteries operation	\$0.36
28640	Machine tool and part manufacturing	\$0.89
46190	Machinery and equipment wholesaling (not elsewhere classified)	\$0.28
22210	Made-up textile product manufacturing	\$0.94
29490	Manufacturing (not elsewhere classified)	\$1.35
52450	Marine equipment retailing	\$0.49
04190	Marine fishing (not elsewhere classified)	\$2.45
78530	Market research services	\$0.09
86351	Massage therapy services	\$0.23
29230	Mattress manufacturing (excluding rubber)	\$1.35
21111	Meat inspection services	\$0.60
21110	Meat processing	\$5.13
47110	Meat wholesaling	\$1.84
28320	Medical and surgical equipment manufacturing	\$0.28
25430	Medicinal and pharmaceutical product manufacturing	\$0.63
22410	Men's and boys' wear manufacturing	\$0.96
45220	Metal and mineral wholesaling	\$0.95
27510	Metal container manufacturing	\$1.19
13190	Metal ore mining (not elsewhere classified)	\$2.58
86132	Midwifery services	\$1.12
21210	Milk and cream processing	\$1.44
51260	Milk vending—home delivery service	\$2.70
15130	Mineral exploration—own account	\$2.58
15140	Mineral exploration services	\$2.58
13150	Mineral sand mining	\$2.58
14200	Mining (not elsewhere classified)	\$2.58
28620	Mining and construction machinery manufacturing	\$1.69
73240	Money market dealers	\$0.10
91130	Motion picture exhibition	\$0.17
53120	Motor cycle dealing	\$0.49
28120	Motor vehicle body manufacturing	\$1.69
46240	Motor vehicle dismantling and used part dealing	\$0.85
77410	Motor vehicle hiring	\$0.24
28110	Motor vehicle manufacturing	\$0.94
46230	Motor vehicle new part dealing	\$0.49
92200	Museums	\$0.24
92410	Music and theatre productions	\$0.24
52430	Newspaper, book, and stationery retailing	\$0.38
24211	Newspaper publishing (excluding printing)	\$0.13
24210	Newspaper publishing (including printing)	\$0.60
41220	Non-building construction and heavy machinery installation (not elsewhere classified)	\$2.16
27330	Non-ferrous metal casting	\$3.43

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27320	Non-ferrous metal rolling, drawing, and extruding (not elsewhere classified)	\$3.43
27650	Non-ferrous pipe fitting manufacturing	\$1.22
77300	Non-financial asset investors	\$0.33
26400	Non-metallic mineral product manufacturing (not elsewhere classified)	\$1.50
41130	Non-residential building construction	\$2.74
64030	Non-scheduled air transport	\$1.93
86131	Nursing bureau	\$1.12
27630	Nut, bolt, screw, and rivet manufacturing	\$0.95
77431	Office equipment and fittings hiring	\$0.18
21400	Oil and fat manufacturing	\$1.66
12000	Oil and gas extraction	\$0.28
86320	Optometry and optical dispensing	\$0.14
25340	Organic industrial chemical manufacturing (not elsewhere classified)	\$0.82
84400	Other education	\$0.17
73300	Other financiers	\$0.10
15200	Other mining services	\$2.58
24221	Other periodical publishing (excluding printing)	\$0.13
24220	Other periodical publishing (including printing)	\$0.60
93300	Other recreation services	\$0.65
77420	Other transport equipment leasing	\$1.57
25420	Paint manufacturing	\$0.81
42440	Painting and decorating services	\$2.84
23340	Paper bag and sack manufacturing	\$0.66
23390	Paper product manufacturing (not elsewhere classified)	\$0.66
47950	Paper product wholesaling	\$0.31
24110	Paper stationery manufacturing	\$0.66
66110	Parking services	\$0.78
87292	Parole or probationary services	\$0.21
86310	Pathology services	\$0.23
92520	Performing arts venues	\$0.24
95190	Personal and household goods hiring (not elsewhere classified)	\$0.24
95290	Personal services (not elsewhere classified)	\$0.78
03032	Pest control services—forestry (excluding aerial or wild animal control)	\$2.45
78650	Pest control services	\$2.45
25440	Pesticide manufacturing	\$0.63
25200	Petroleum and coal product manufacturing (not elsewhere classified)	\$0.82
15121	Petroleum and natural gas drilling services	\$2.16
15110	Petroleum and natural gas exploration	\$0.82
15120	Petroleum and natural gas exploration services	\$0.82
45210	Petroleum product wholesaling (including product ownership to retail point-of-sale)	\$0.28

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Classification unit number	Classification unit	Levy rate per \$100 of earnings
25100	Petroleum refining	\$0.28
47960	Pharmaceutical and toiletry wholesaling	\$0.28
52510	Pharmaceutical, cosmetic, and toiletry retailing	\$0.38
28310	Photographic and optical goods manufacturing	\$0.28
52440	Photographic equipment retailing	\$0.38
47910	Photographic equipment wholesaling	\$0.31
95220	Photographic film processing	\$0.38
95230	Photographic studios	\$0.09
86350	Physiotherapy services	\$0.23
01510	Pig farming	\$2.50
65010	Pipeline transport	\$0.28
77430	Plant and equipment hiring or leasing without operators (excluding office machinery or equipment)	\$1.79
01110	Plant nurseries	\$1.37
26320	Plaster product manufacturing	\$1.50
42410	Plastering and ceiling services	\$2.84
25630	Plastic bag and film manufacturing	\$1.16
25610	Plastic blow-moulded product manufacturing	\$1.16
25620	Plastic extruded product manufacturing	\$1.16
25650	Plastic foam product manufacturing	\$1.16
25660	Plastic injection-moulded product manufacturing	\$1.16
25661	Plastic product manufacturing (not elsewhere classified)	\$1.16
25640	Plastic product rigid fibre reinforced manufacturing	\$1.16
42310	Plumbing services	\$2.25
23210	Plywood and veneer manufacturing	\$2.00
96310	Police services	\$0.42
84320	Polytechnic and other tertiary institutional education	\$0.17
66230	Port operators	\$1.18
71110	Postal services	\$2.18
47120	Poultry and smallgoods wholesaling	\$1.84
01420	Poultry farming—eggs	\$1.66
01410	Poultry farming—meat	\$1.66
21120	Poultry processing	\$2.72
04120	Prawn fishing	\$3.98
29190	Prefabricated building manufacturing (not elsewhere classified)	\$2.00
29110	Prefabricated metal building manufacturing	\$0.95
21740	Prepared animal and bird feed manufacturing	\$1.00
84100	Preschool education	\$0.60
84210	Primary education	\$0.17
24120	Printing	\$0.60
97000	Private households employing staff	\$0.78
28390	Professional and scientific equipment manufacturing (not elsewhere classified)	\$0.28
46120	Professional equipment wholesaling	\$0.28

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86120	Psychiatric hospitals and psychiatric services (not elsewhere classified)	\$0.62
57200	Pubs, taverns, and bars	\$0.84
23310	Pulp, paper, and paperboard manufacturing	\$1.30
28660	Pump and compressor manufacturing	\$0.89
91210	Radio services	\$0.17
62000	Rail transport	\$2.14
28230	Railway equipment manufacturing	\$1.69
77200	Real estate agents	\$0.18
24300	Recorded media manufacturing and publishing	\$0.28
52350	Recorded music retailing	\$0.38
92390	Recreational parks and gardens	\$1.06
96100	Religious organisations	\$0.27
41120	Residential building construction (not elsewhere classified)	\$2.74
87220	Residential care services (not elsewhere classified)	\$1.96
77111	Residential property body corporates	\$0.33
77110	Residential property operators and developers (excluding construction)	\$0.33
87222	Residential refuge operation	\$0.23
71111	Retail postal services	\$0.38
52590	Retailing (not elsewhere classified)	\$0.85
87211	Retirement village operation (with rest home or hospital facilities)	\$1.50
87210	Retirement village operation (without rest home or hospital facilities)	\$1.50
41210	Road and bridge construction	\$2.16
61100	Road freight transport	\$2.70
04110	Rock lobster fishing	\$3.98
42230	Roofing services	\$2.74
22230	Rope, cordage, and twine manufacturing	\$3.56
25590	Rubber product manufacturing (not elsewhere classified)	\$1.40
29491	Rubber stamp manufacturing	\$0.28
25510	Rubber tyre manufacturing	\$1.54
14201	Salt harvesting	\$0.82
21791	Salt manufacturing—cooking or table	\$0.92
64020	Scheduled domestic air transport	\$0.71
64010	Scheduled international air transport	\$0.71
78100	Scientific research	\$0.20
24121	Screen printing	\$0.60
21730	Seafood processing (other than on board vessels)	\$2.72
04192	Seaweed, shellfish, and other seafood hand-gathering (not from a boat)	\$2.45
84220	Secondary education	\$0.17
78630	Secretarial services	\$0.20
42341	Security and alarm system installation	\$1.07

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78640	Security and investigative services (excluding police)	\$0.87
02190	Services to agriculture (not elsewhere classified)	\$2.45
66300	Services to air transport	\$0.71
75190	Services to finance and investment (not elsewhere classified)	\$0.10
03030	Services to forestry (excluding tree cutting and felling)	\$4.43
75200	Services to insurance	\$0.10
24130	Services to printing	\$0.60
66190	Services to road transport (not elsewhere classified)	\$1.61
92590	Services to the arts (not elsewhere classified)	\$0.24
66490	Services to transport (not elsewhere classified)	\$1.61
66290	Services to water transport (not elsewhere classified)	\$1.18
37020	Sewage and drainage services	\$1.26
02120	Shearing services	\$3.57
01230	Sheep and beef cattle farming	\$2.50
01240	Sheep farming	\$2.50
29220	Sheet metal furniture manufacturing	\$1.69
27590	Sheet metal product manufacturing (not elsewhere classified)	\$1.63
04191	Shelffish and paua fishing (not from cultivated beds)	\$3.98
28210	Shipbuilding (all vessels over 50 tonnes displacement)	\$3.43
66291	Shipping agency services (excluding handling of goods)	\$0.18
61220	Short distance bus transport (including tramway)	\$1.30
13170	Silver ore mining	\$2.58
42100	Site preparation and heavy plant hiring (with operators)	\$2.16
22430	Sleepwear, underwear, and infant clothing manufacturing	\$0.96
53230	Smash repairing	\$1.29
25450	Soap and other detergent manufacturing	\$0.63
21810	Soft drink, cordial, and syrup manufacturing	\$0.79
23320	Solid paperboard container manufacturing	\$0.66
92510	Sound recording studios	\$0.24
84240	Special school education	\$0.17
51290	Specialised food retailing (not elsewhere classified)	\$1.15
86220	Specialist medical services	\$0.14
02192	Sphagnum moss processing	\$2.45
21840	Spirit manufacturing	\$0.79
52410	Sport and camping equipment retailing	\$0.38
93192	Sports and services to sports—boating or yachting	\$0.65

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93174	Sports and services to sports—community cricket	\$0.65
93170	Sports and services to sports—community rugby	\$0.65
93171	Sports and services to sports—community rugby league	\$0.65
93193	Sports and services to sports—cycling	\$0.65
93195	Sports and services to sports—golf	\$0.65
93196	Sports and services to sports—horse riding	\$8.01
93197	Sports and services to sports—motor cycling	\$2.00
93198	Sports and services to sports—motor racing	\$2.00
93199	Sports and services to sports—netball	\$0.65
93194	Sports and services to sports—professional cricket	\$4.11
93180	Sports and services to sports—professional rugby	\$4.11
93181	Sports and services to sports—professional rugby league	\$4.11
93182	Sports and services to sports—snow skiing	\$2.00
93184	Sports and services to sports—softball or baseball	\$0.65
93185	Sports and services to sports—squash or badminton	\$0.65
93186	Sports and services to sports—swimming	\$0.65
93187	Sports and services to sports—tennis	\$0.65
93188	Sports and services to sports—water skiing	\$0.65
93190	Sports and services to sports (not elsewhere classified)—community	\$0.65
93175	Sports and services to sports (not elsewhere classified)—professional	\$2.00
93120	Sports grounds and facilities (not elsewhere classified)	\$0.65
27620	Spring and wire product manufacturing	\$0.95
04140	Squid jigging (including processing on board)	\$3.98
27130	Steel pipe and tube manufacturing	\$1.52
66210	Stevedoring	\$4.18
26401	Stone cutting, dressing, polishing, or shaping	\$1.50
01160	Stone fruit growing	\$1.37
67090	Storage (not elsewhere classified)	\$1.31
96341	Street cleaning services	\$3.29
27490	Structural metal product manufacturing (not elsewhere classified)	\$3.45
42240	Structural steel erection services	\$2.74
27410	Structural steel fabricating	\$3.45
21710	Sugar manufacturing	\$0.92
74120	Superannuation funds	\$0.10
51100	Supermarket and grocery stores	\$1.15
27640	Surface coating and finishing	\$1.92
86111	Surgical hospital—day surgery	\$0.62
78220	Surveying services	\$0.33

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22120	Synthetic fibre textile manufacturing	\$2.01
25330	Synthetic resin manufacturing	\$0.82
51250	Takeaway food retailing	\$0.84
61230	Taxi and other road passenger transport	\$1.30
61231	Taxi organisations (excluding those that provide taxi services)	\$0.33
78290	Technical services (not elsewhere classified)	\$0.33
28420	Telecommunication, broadcasting, and transceiving equipment manufacturing	\$0.28
42321	Telecommunication line construction and maintenance (within buildings)	\$1.07
71200	Telecommunication services	\$0.49
91220	Television services	\$0.17
26351	Terrazzo products	\$1.50
22150	Textile finishing	\$2.01
22220	Textile floor covering manufacturing	\$2.37
22290	Textile product manufacturing (not elsewhere classified)	\$2.01
47210	Textile product wholesaling	\$0.31
42430	Tiling and carpeting services	\$2.84
23130	Timber resawing and dressing	\$2.33
45310	Timber wholesaling	\$2.33
01691	Tobacco and hops growing	\$1.37
21900	Tobacco product manufacturing	\$0.79
47180	Tobacco product wholesaling	\$0.82
52420	Toy and game retailing	\$0.68
29420	Toy and sporting goods manufacturing	\$1.35
47930	Toy and sporting goods wholesaling	\$0.31
53130	Trailer and caravan dealing	\$0.85
65090	Transport (not elsewhere classified)	\$1.61
28290	Transport equipment manufacturing (not elsewhere classified)	\$0.94
66410	Travel agency services	\$0.18
53240	Tyre retailing	\$1.29
84310	University education	\$0.17
41221	Utility network construction and maintenance services	\$1.00
01130	Vegetable growing	\$1.37
86400	Veterinary services	\$0.33
95110	Video hire outlets	\$0.24
96340	Waste collection and disposal services	\$3.29
52550	Watch and jewellery retailing	\$0.38
37010	Water supply	\$1.00
66220	Water transport terminals	\$1.18
47991	Wholesaling, all products (excluding storage and handling of goods)	\$0.18
47990	Wholesaling (not elsewhere classified)	\$0.50
21830	Wine manufacturing	\$0.79
22420	Women's and girls' wear manufacturing	\$0.96

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23120	Wood chipping	\$3.17
23290	Wood product manufacturing (not elsewhere classified)	\$2.00
29210	Wooden furniture and upholstered seat manufacturing	\$1.35
23230	Wooden structural component manufacturing	\$2.00
22110	Wool scouring	\$3.56
45110	Wool storage and classing	\$0.75
22140	Wool textile manufacturing	\$2.01
45111	Wool wholesaling	\$0.28
22141	Woollen yarns manufacture	\$2.01
92310	Zoological and botanic gardens	\$1.06

Rebecca Kitteridge,
Acting for 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 April 2004, specify the employer levy rates for the Employers' account.

The regulations apply in respect of levies payable for—

- the period 1 April 2004 to 31 March 2005; and
- all later income years.

The levy rates are set according to the classification of an employer's activities.

The maximum amount of annual earnings on which an employer levy is payable by an employer in respect of any one employer is increased from \$88,728 to \$92,189 per year.

The regulations state—

- the basis of, and the procedure for making, a downward or upward adjustment to an employer levy based on an audit of the employer's safety management practices; and
- the interest rate that applies to an amount of levy overpaid by an employer and refunded by the Corporation.

Depending on the extent to which an audit of an employer's safety management practices (conducted using an approved downward audit tool) is satisfactory, the employer's levy may be reduced by 10%, 15%, or 20%.

Employers who wish to be considered for a downward adjustment must apply to the Corporation to have their safety management practices audited by an auditor approved by the Corporation. Before applying, the employers must conduct a self-audit and provide a declaration that it would satisfy an audit by the Corporation's approved auditor to at least a primary level.

If an audit of an employer's safety management practices conducted using an approved upward audit tool finds that the practices do not meet the standard required by the tool, there must be an upward adjustment of 50% in the employer's levy.

The level of 50% is also prescribed for the upward adjustment that may (under section 180(2) of the Injury Prevention, Rehabilitation, and Compensation Act 2001) be made to the levy of an employer who—

- refuses to allow an audit to take place; or
- does not participate, or does not participate fully, in an audit.

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These regulations are administered in the Department of Labour.
