



**THE PESTICIDES (FEES) REGULATIONS 1993,
AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of May 1995

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to section 76 of the Pesticides Act 1979, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Pesticides (Fees) Regulations 1993, Amendment No. 1, and shall be read together with and deemed part of the Pesticides (Fees) Regulations 1993* (hereinafter referred to as the principal regulations).

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

(3) Regulation 3 of this regulation shall come into force on 1 July 1995.

2. New regulations substituted—The principal regulations are hereby amended by revoking regulation 4 and substituting the following regulations:

“4. Application fee—(1) Except as provided in subclause (2) of this regulation, there is hereby prescribed for the purposes of section 22 (2) (a) of the Act (which relates to the fee payable in respect of an application for the registration of a pesticide) a fee of \$3,150.

“(2) Where an application for registration is made under section 22 of the Act in respect of a pesticide for which—

“(a) An experimental use permit is in force; and

“(b) The fee prescribed by regulation 4A (1) of these regulations was paid for that experimental use permit,—
the applicant shall pay a fee of \$843.75.

“4A. Experimental use permit fee—(1) Except as provided in subclauses (2) and (3) of this regulation, the applicant for any experimental use permit for a pesticide under section 25 of the Act shall pay a fee of \$2,812.50.

“(2) Where an experimental use permit is in force for any pesticide under section 25 of the Act or the pesticide is registered under section 23 of the Act, the applicant for an experimental use permit in respect of such a pesticide shall pay a fee of \$843.75.

“(3) The applicant for an experimental use permit that is issued subject to a condition prohibiting the sale of the pesticide shall pay a fee of \$112.50.”

3. Annual fee—Regulation 5 of the principal regulations is hereby amended by omitting the expression “\$499.50” and substituting the expression “\$562.50”.

(2) Regulation 5 of the principal regulations is hereby amended by adding the following subclause:

“(2) The fee payable under subclause (1) of this regulation may be paid in such instalments as the Registrar of the Board may specify in a written notice.”

4. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 5, the following regulations:

“5A. Fee for amendment to register—Any person who applies to have the register amended in accordance with section 32 of the Act shall pay a fee of \$56.25.

“5B. Fees for labels—(1) Any person who applies to the Board to alter a label under section 38 (6) of the Act—

“(a) Shall pay a fee of \$168.75 for an alteration to a label resulting from a change in the particulars of the chemical composition of the pesticide:

“(b) Shall—

“(i) Pay a fee of \$56.25 for an alteration to a label resulting from a change in the preventive or remedial properties claimed in respect of the pesticide, where an experimental use permit has been issued in respect of those changes to the properties of the pesticide; or

“(ii) Pay a fee of \$843.75 in every other case for an alteration to a label resulting from a change in the preventive or remedial properties claimed in respect of the pesticide:

“(c) Shall pay a fee of \$56.25 for an alteration to a label resulting from a change in the name and address of the proprietor or the name or proprietary brand of the pesticide.

“(2) Where the Board requires an alteration to be made to the label of a pesticide, the proprietor of the pesticide shall pay the appropriate fee specified in paragraphs (a) to (c) of subclause (1) of this regulation.”

MARIE SHROFF,
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 the 28th day after the date of their notification in the *Gazette*, amend the Pesticides (Fees) Regulations 1993 by increasing the fees payable in respect of an application for registration where no experimental use permit exists from \$2,250 to \$3,150. The annual registration fee is increased from \$499.50 to \$562.50.

New fees are created for applications for experimental use permits, applications for changes to the register, and applications for alterations to labels. All fees are inclusive of goods and services tax.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 18 May 1995.
These regulations are administered in the Ministry of Agriculture and Fisheries.