

Reprint  
as at 17 December 2016



**Animal Products (Dairy Industry Fees, Charges, and  
Levies) Amendment Regulations 2016**  
(LI 2016/100)

Rt Hon Dame Sian Elias, Administrator of the Government

**Order in Council**

At Wellington this 16th day of May 2016

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under sections 117, 118, and 166 of the Animal Products Act 1999—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Food Safety made after being satisfied that the requirements of sections 113 and 115 have been met.

**Contents**

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 Regulation 3 amended (Interpretation)	2

---

**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**These regulations are administered by the Ministry for Primary Industries.**

5	Regulation 8 amended (Effect of change in collection volume, entering market, or change of business owner)	2
6	New regulation 10A inserted (Share of levy payable by new registered farm dairy operators)	3
<i>Provision relating to new farm dairy operators</i>		
	10A Share of levy payable by new registered farm dairy operators	3
7	Schedule amended	3

## Regulations

### 1 Title

These regulations are the Animal Products (Dairy Industry Fees, Charges, and Levies) Amendment Regulations 2016.

### 2 Commencement

These regulations come into force on 1 July 2016.

Regulations: confirmed, on 17 December 2016, by section 7(b) of the Subordinate Legislation Confirmation Act 2016 (2016 No 103).

### 3 Principal regulations

These regulations amend the Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015 (the **principal regulations**).

### 4 Regulation 3 amended (Interpretation)

In regulation 3, insert in their appropriate alphabetical order:

**RCS raw milk** has the meaning given in regulation 4(1) of the Raw Milk for Sale to Consumers Regulations 2015

**registered depot operator** has the meaning given in regulation 4(1) of the Raw Milk for Sale to Consumers Regulations 2015

**registered farm dairy operator** has the meaning given in regulation 4(1) of the Raw Milk for Sale to Consumers Regulations 2015

### 5 Regulation 8 amended (Effect of change in collection volume, entering market, or change of business owner)

(1) Replace regulation 8(1)(d) with:

(d) a person becomes a dairy processor of dairy material that is not RCS raw milk.

(2) In regulation 8(3)(d), replace “a new entrant” with “a person to whom sub-clause (1)(d) applies”.

**6 New regulation 10A inserted (Share of levy payable by new registered farm dairy operators)**

After regulation 10, insert:

*Provision relating to new farm dairy operators*

**10A Share of levy payable by new registered farm dairy operators**

If a person becomes a registered farm dairy operator during a financial year, the person is liable to pay a proportionate share of the annual levy for registered farm dairy operators that includes payment for the quarter of the financial year in which the registration is approved.

**7 Schedule amended**

- (1) In the Schedule, Part 1, after the item relating to development and maintenance of New Zealand standards, performance monitoring, and dairy residue monitoring, insert:

Development and maintenance of New Zealand standards relating to RCS raw milk, and performance monitoring and dairy residue monitoring in relation to RCS raw milk	\$581.25	Payable by registered farm dairy operators on 30 September each year
--	----------	--

- (2) In the Schedule, Part 1, item relating to development and maintenance of market access standards and programme and export standards, third column, paragraph (h), replace “35.02.20.00” with “3502.20.00”.
- (3) In the Schedule, Part 1, item relating to development and maintenance of market access standards and programme and export standards, third column, paragraph (j), replace “19.01.10.09.00C and 1901.90.09.28B” with “1901.10.09 00C and 1901.90.09 28B”.
- (4) In the Schedule, Part 1, item relating to development and maintenance of market access standards and programme and export standards, third column, paragraph (m), replace “21.06.10.09.00J” with “2106.10.09 00J”.
- (5) In the Schedule, Part 1, after “Approvals”, insert:

Application for, assessment of, and approval or renewal of registration of person as a registered farm dairy operator or registered depot operator under the regulated control scheme imposed by the Raw Milk for Sale to Consumers Regulations 2015	\$155 per application plus assessment charge on hourly basis after the first hour as specified in Part 2	Applicant
--	--	-----------

- (6) In the Schedule, Part 1, item relating to issue of exporter declaration for infant formula export, replace “infant formula export” with “infant formula product or formulated supplementary food for young children (within the meaning of

those terms in clause 1.2(1) of the Animal Products Notice: Export Requirements for Infant Formula Products and Formulated Supplementary Foods for Young Children (1 February 2016))”.

- (7) In the Schedule, Part 7, item 2, item A, replace “*primary processors who slaughter or dress animals other than fish*” with “*dairy processors*”.
- (8) In the Schedule, Part 7, item 2, item A, delete “for animals other than fish”.
- (9) In the Schedule, Part 7, item 2, revoke item B.

Michael Webster,  
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 July 2016, amend the Animal Products (Dairy Industry Fees, Charges, and Levies) Regulations 2015. The amendments—

- provide for the payment of fees, charges, and levies in relation to activities to which the regulated control scheme imposed by the Raw Milk for Sale to Consumers Regulations 2015 applies; and
- extend the fee for the issue of an exporter declaration for infant formula to cover exporter declarations for all infant formula products and formulated supplementary food for young children; and
- correct minor errors in the Schedule.

These regulations are a confirmable instrument under section 47B of the Legislation Act 2012. They are revoked at the close of 30 June 2017, unless earlier confirmed by an Act of Parliament. That stated time is the applicable deadline under section 47C(1)(a) of that Act.

### **Regulatory impact statement**

The Ministry for Primary Industries produced a regulatory impact statement on 22 March 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mpi.govt.nz/law-and-policy/legal-overviews/regulatory-impact-statements>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 19 May 2016.

## **Reprints notes**

### **1    *General***

This is a reprint of the Animal Products (Dairy Industry Fees, Charges, and Levies) Amendment Regulations 2016 that incorporates all the amendments to those regulations as at the date of the last amendment to it.

### **2    *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3    *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4    *Amendments incorporated in this reprint***

Subordinate Legislation Confirmation Act 2016 (2016 No 103): section 7(b)