Version
as at 1 July 2023

Exclusive Economic Zone and Continental Shelf (Fees and Charges) Regulations 2013

(SR 2013/284)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 24th day of June 2013

Present:
His Excellency the Governor-General in Council

Pursuant to sections 30(1) and 146 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, His Excellency the Governor-General makes the following regulations, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Environment given after the requirements of section 32 of that Act have been met.

Contents

		Page
1	Title	2
2	Commencement	2
3	Interpretation	2
4	Recovery of costs by Environmental Protection Authority	2
5	Exceptions	2

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry for the Environment.

6 Persons liable to pay charges 3
7 Due date for payment 3
Schedule 4
Hourly charge-out rates for EPA staff

Regulations

1 Title

These regulations are the Exclusive Economic Zone and Continental Shelf (Fees and Charges) Regulations 2013.

2 Commencement

These regulations come into force on 28 June 2013.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

EPA means the Environmental Protection Authority.

4 Recovery of costs by Environmental Protection Authority

(1) For the purpose of recovering the costs incurred in performing its functions and providing services under the Act, the EPA must charge—

(a) the hourly charge-out rates for EPA staff set out in the Schedule; and

(b) actual and reasonable costs for any other expenses that the EPA reasonably incurs.

(2) The rates prescribed in subclause (1)(a) are exclusive of any good and services tax payable.

Regulation 4(1): replaced, on 1 July 2023, by regulation 4 of the Exclusive Economic Zone and Continental Shelf (Fees and Charges) Amendment Regulations 2023 (SL 2023/103).

5 Exceptions

(1) The EPA must charge at only 80% of the rates set out in the Schedule for its monitoring functions and services.

(2) The EPA must not charge for any function or service to the extent that the function or service has been specifically provided for by money appropriated by Parliament for the purpose.

(3) This regulation overrides regulation 4.

Regulation 5(1): amended, on 1 July 2023, by regulation 5 of the Exclusive Economic Zone and Continental Shelf (Fees and Charges) Amendment Regulations 2023 (SL 2023/103).

6 Persons liable to pay charges

The person who must pay a charge is,—

(a) for assistance with the preparation of an application for a marine consent, the person who requests the assistance:

(b) for an application for a marine consent, the person who applies for the consent:

(c) for an existing marine consent, the consent holder:

(d) for a permitted activity, the person who undertakes or proposes to undertake the activity:

(e) for an impact assessment provided under section 22, 161, or 166 of the Act, the person who undertakes the activity to which the assessment relates:

(ea) for a decommissioning plan that is submitted for acceptance under section 100A of the Act, the owner or operator who submits the plan:

(f) for a ruling under section 162(2) of the Act,—

(i) the person who requests the ruling; or

(ii) if the EPA makes the ruling of its own motion, the person who undertakes the activity to which the ruling relates.

Regulation 6(ea): inserted, on 28 October 2021, by regulation 29(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects—Decommissioning Plans) Regulations 2021 (LI 2021/272).

7 Due date for payment

Every demand for a charge under these regulations must specify a due date for payment.

Schedule
Hourly charge-out rates for EPA staff

r 4(1)(a)

Schedule: inserted, on 1 July 2023, by regulation 6 of the Exclusive Economic Zone and Continental Shelf (Fees and Charges) Amendment Regulations 2023 (SL 2023/103).

Staff category	For period of 1 July 2023 to 30 June 2024	For period of 1 July 2024 to 30 June 2025	For period of 1 July 2025 to 30 June 2026 and each subsequent year
Principal Advisor, Principal Compliance Officer, Principal Investigator, Team Leader	$301	$310	$319
Project Leader, Senior Advisor, Senior Compliance Officer, Senior Investigator	$251	$259	$266
Senior Advisor Technical Support	$211	$218	$224
Advisor, Compliance Officer, Investigator	$181	$186	$192
Administrator	$143	$148	$152

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 27 June 2013.

Notes

1 General

This is a consolidation of the Exclusive Economic Zone and Continental Shelf (Fees and Charges) Regulations 2013 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Exclusive Economic Zone and Continental Shelf (Fees and Charges) Amendment Regulations 2023 (SL 2023/103)

Exclusive Economic Zone and Continental Shelf (Environmental Effects—Decommissioning Plans) Regulations 2021 (LI 2021/272): regulation 29

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2023