

Version  
as at 1 July 2024



# **Animal Products (Fees, Charges, and Levies) Regulations 2007**

(SR 2007/130)

Anand Satyanand, Governor-General

## **Order in Council**

At Wellington this 28th day of May 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 166 of the Animal Products Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### **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 Primary Industries.**

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## Regulations

- 1 Title**  
These regulations are the Animal Products (Fees, Charges, and Levies) Regulations 2007.
- 2 Commencement**  
These regulations come into force on 1 July 2007.
- 3 Dairy processing excluded**  
Nothing in these regulations requires the payment of any fee, charge, or levy by any dairy processor in respect of dairy processing operations or premises.
- 3A Transitional, savings, and related provisions**  
The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.  
Regulation 3A: inserted, on 1 July 2018, by regulation 4 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92).
- 4 Fees and charges**
  - (1) The fees and charges set out in Schedule 1 are payable in respect of the matters specified in that schedule.
  - (2) The fees and charges set out in Schedule 1 apply on and after 1 July 2007.
- 5 Levies**
  - (1) The levies set out in Schedule 2 are payable in respect of the matters specified in that schedule.
  - (2) The annual levies set out in Schedule 2 apply on and after 1 July 2007.

## **6 When fees, charges, and levies payable**

- (1) Subject to subclauses (2) and (3) and regulation 7, the fees, charges, and levies specified in Schedules 1 and 2 are payable—
  - (a) on the making of the relevant application or on performance of the relevant service, as the case may require; or
  - (b) within 10 days, or within such longer period as the Director-General may allow, after receipt of a demand for the appropriate amount from the Director-General.
- (2) In the case of the verification charges set out in Part 7 of Schedule 1, those charges are payable monthly in advance on the basis of an estimated charge notified by the Director-General, followed by reconciliation and an appropriate further payment or refund after provision of the actual services.
- (3) The amount of any such estimated charge notified by the Director-General is payable on the later of—
  - (a) the tenth day after notification of the estimated amount by the Director-General; and
  - (b) either,—
    - (i) in the case of export meat processors, the 27th day of the month preceding the month in which the services are to be provided; or
    - (ii) in all other cases, the 24th day of the month preceding the month in which the services are to be provided.

## **7 Alternative payment of annual charge**

- (1) Despite anything in these regulations, the Director-General may, at the request of the person concerned, calculate an annual charge based on an estimate of the fees and charges set out in Schedule 1 that would be payable by the person for the year.
- (2) The Director-General must notify the person in writing of the annual charge calculated.
- (3) An annual charge calculated under this regulation—
  - (a) is payable in equal monthly instalments by the 27th day of each month of the year to which it relates (or by the 27th day of the month following that in which the Director-General gives the person written notice of the calculation, if later); and
  - (b) is to be subject at the end of the year concerned to reconciliation and an appropriate further payment or refund once the level of the actual services provided is known.

## **8 Exemption for assistance dogs**

- (1) No fee, charge, or levy is payable under these regulations in respect of the export of a dog if the dog—

- (a) is an assistance dog under either or both of subclauses (2) and (3); and
  - (b) is exported by travelling in the cabin of an aircraft or a vessel with its handler.
- (2) A dog is an **assistance dog** under this subclause if—
- (a) the dog—
    - (i) is a disability assist dog as defined in section 2 of the Dog Control Act 1996; or
    - (ii) is certified as having received specialist training by an organisation that is a member of the International Guide Dog Federation or Assistance Dogs International, Inc; and
  - (b) the dog has assisted its handler for a continuous period of at least 6 months immediately before its export; and
  - (c) a medical practitioner has determined that the dog's handler has an ongoing dependency on the dog's assistance.
- (3) A dog is an **assistance dog** under this subclause if—
- (a) the dog was imported into New Zealand within the 6 months immediately before its export; and
  - (b) the import permit required for the dog under the Biosecurity Act 1993 (if any) identified the dog as an assistance dog.

- (4) In this regulation,—

**handler**, in relation to a dog, means the person whom the dog assists

**medical practitioner** means a health practitioner, as defined in section 5(1) of the Health Practitioners Competence Assurance Act 2003, who—

- (a) is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of that Act as a practitioner of the profession of medicine; and
- (b) holds a current practising certificate.

Regulation 8: replaced, on 1 July 2022, by regulation 4 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2022 (SL 2022/158).

## 9 Director-General may grant exemption or waiver

- (1) The Director-General may grant an exemption from, or waive or refund, any fee, charge, or levy specified in these regulations, in whole or in part, in any appropriate case or class of cases.
- (2) The power conferred by subclause (1) includes power to grant an exemption, waiver, or refund in any of the circumstances described in section 112Z(1) of the Animal Products Act 1999.
- (3) An instrument granting an exemption, a waiver, or a refund under this regulation is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to a particular case.

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**Legislation Act 2019 requirements for secondary legislation made under this regulation**

|                     |                                                                                                                                                          |                               |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>Publication</b>  | It is not required to be published                                                                                                                       | LA19 s 73(2)                  |
| <b>Presentation</b> | It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019 | LA19 s 114, Sch 1 cl 32(1)(a) |
| <b>Disallowance</b> | It may be disallowed by the House of Representatives                                                                                                     | LA19 ss 115, 116              |

*This note is not part of the secondary legislation.*

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Regulation 9(2): inserted, on 1 July 2015, by regulation 4 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94).

Regulation 9(3): inserted, on 28 October 2021, by regulation 15 of the Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248).

## 10 GST

The fees, charges, and levies in Schedules 1 and 2 are exclusive of goods and services tax, unless the schedules specifically provide otherwise.

Regulation 10: substituted, on 1 October 2011, by regulation 4 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2011 (SR 2011/270).

Regulation 10: amended, on 1 July 2015, by regulation 5 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94).

## 10A Director-General may require information for purpose of calculating levies

- (1) The Director-General may, in relation to the commodities described in subclause (3), require any person who is required to pay levies prescribed in Schedule 2 to provide the information described in that subclause for the purpose of calculating the amount of levy payable by the person.
- (2) A person required to provide information under this regulation must provide the information to the Director-General by the date specified by the Director-General.
- (3) The information that may be required under this regulation is the information described in the following table:

| <b>Commodity</b>                                                                        | <b>Information that may be required to be provided to Director-General</b>                                   |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Fish and bivalve molluscan shellfish                                                    | Actual tonnage processed in the previous month or year, in individual commodity categories listed            |
| Lambs, bobby calves, goats, sheep, pigs, cattle, horses, deer, and other animal species | Actual numbers of animals processed in the previous month or year, in individual commodity categories listed |
| Ostriches, emus, poultry, and other bird species                                        | Actual numbers of birds processed in the previous month or year, in individual commodity categories listed   |

- (4) If the Director-General requires a person to provide information under this regulation, but the information is not provided or is not provided within the time required, the Director-General may give the person an estimate of the levy payable based on an estimate of the numbers of animals to be slaughtered or

tonnes of fish or shellfish to be processed, as the case may be, for the next 1 July to 30 June year.

- (5) If a person provides the information later than the date specified under subclause (2), the Director-General—
- (a) must reconcile the estimated numbers or tonnes with the information provided; and
  - (b) must repay any over-recovered levy; and
  - (c) may demand payment of any under-recovered levy.
- (6) Subclause (5) applies only if the information is provided not later than 90 days after the date specified under subclause (2).

Regulation 10A: inserted, on 1 July 2015, by regulation 6 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94).

Regulation 10A(3): replaced, on 1 July 2019, by regulation 4 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123).

## **11 Revocation**

The Animal Products (Fees, Charges, and Levies) Regulations 2002 (SR 2002/138) are revoked.

**Schedule 1AA**  
**Transitional, savings, and related provisions**

r 3A

Schedule 1AA: inserted, on 1 July 2018, by regulation 5 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92).

**Part 1**  
**Provision relating to Animal Products (Fees, Charges, and Levies)**  
**Amendment Regulations 2018**

*[Revoked]*

Schedule 1AA Part 1 heading: revoked, on the close of 30 June 2020, pursuant to Schedule 1AA clause 1(4).

**1 Additional hourly rate for certain circuit charges**

*[Revoked]*

Schedule 1AA clause 1: revoked, on the close of 30 June 2020, by Schedule 1AA clause 1(4).

## Schedule 1

### Fees and charges

rr 6, 7, 10

Schedule 1: replaced, on 1 July 2015, by regulation 7 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94).

### Part 1

#### Schedule of fees

Schedule 1 Part 1: replaced, on 1 July 2019, by regulation 5(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123).

| <b>Matter for which fee or charge payable under<br/>Animal Products Act 1999</b> |                                                                                                                               | <b>Fee or charge*</b>                                                                                                 |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1                                                                                | Application under section 20 for registration of new risk management programme fully based on a template                      | \$270 per application<br>plus assessment charge on hourly basis after the first 180 minutes as specified in Part 2    |
| 1A                                                                               | Application under section 20 for registration of new customised risk management programme                                     | \$405 per application<br>plus assessment charge on hourly basis after the first 240 minutes as specified in Part 2    |
| 2                                                                                | Application under section 25 for registration of significant amendment to risk management programme fully based on a template | \$202.50 per application<br>plus assessment charge on hourly basis after the first 150 minutes as specified in Part 2 |
| 2A                                                                               | Application under section 25 for registration of significant amendment to customised risk management programme                | \$337.50 per application<br>plus assessment charge on hourly basis after the first 210 minutes as specified in Part 2 |
| 3                                                                                | Notification under section 26 of minor update to risk management programme, for update of any technical content               | \$135 per notification<br>plus assessment charge on hourly basis after the first 120 minutes as specified in Part 2   |
| 3A                                                                               | Notification under section 26 of minor update to risk management programme, for update of administrative content only         | \$67.50 per notification<br>plus assessment charge on hourly basis after the first 90 minutes as specified in Part 2  |
| 3B                                                                               | Application under section 14 for limited exemption from requirement to have risk management programme                         | \$135 per application<br>plus assessment charge on hourly basis after the first 60 minutes as specified in Part 2     |
| 4                                                                                | Application under section 34 for registration of food control plan as risk management programme                               | \$135 per application plus assessment charge on hourly basis after the first hour as specified in Part 2              |
| 5                                                                                | Application for market access functions                                                                                       | \$135 per application                                                                                                 |
| 6                                                                                | Application under section 54 for registration as exporter                                                                     | \$135 per application                                                                                                 |
| 7                                                                                | Application for approval of premises for export of products where required under export requirements                          | \$135 per application<br>plus assessment charge on hourly basis after the first 60 minutes as specified in Part 2     |
| 8                                                                                | Annual exporter registration fee under section 57                                                                             | \$135                                                                                                                 |
| 9                                                                                | Application under section 65G for listing as a game estate                                                                    | \$135 per application                                                                                                 |
| 10                                                                               | Annual listing fee under section 65L                                                                                          | \$135                                                                                                                 |
| 11                                                                               | Application under section 75 for listing as homekill or recreational catch service provider                                   | \$135 per application                                                                                                 |



| <b>Matter for which fee or charge payable under<br/>Animal Products Act 1999</b> |                                                                                                                                                                                                                                             | <b>Fee or charge*</b>                                                                                                                         |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 12                                                                               | Annual listing fee under section 77                                                                                                                                                                                                         | \$135                                                                                                                                         |
| 13                                                                               | Application under section 107 for recognition                                                                                                                                                                                               | \$168.75 per application<br>plus assessment charge on hourly basis after<br>the first 135 minutes as specified in Part 2                      |
| 14                                                                               | Application under section 112D for renewal of<br>recognition                                                                                                                                                                                | \$67.50 per application<br>plus assessment charge on hourly basis after<br>the first 90 minutes as specified in Part 2                        |
| 15                                                                               | Annual recognition fee under section 112F                                                                                                                                                                                                   | \$135                                                                                                                                         |
| 16                                                                               | Application under section 112E for substituted<br>notice of recognition                                                                                                                                                                     | \$67.50 per application<br>plus assessment charge on hourly basis after<br>the first 90 minutes as specified in Part 2                        |
| 17                                                                               | Issue of official assurance under section 61                                                                                                                                                                                                | \$33.75 per official assurance<br>plus assessment charge on hourly basis after<br>the first 15 minutes as specified in Part 2                 |
| 18                                                                               | Issue of official assurances under section 61 for<br>live animals or germplasm                                                                                                                                                              | \$46.58 per official assurance<br>plus assessment charge on hourly basis after<br>the first 15 minutes as specified in Part 2                 |
| 19                                                                               | Reissue of official assurance under section<br>64(2) if replacement assurance demanded by<br>importing country                                                                                                                              | \$405.00 per official assurance<br>plus assessment charge on hourly basis after<br>the first 3 hours as specified in Part 2                   |
| 20                                                                               | Reissue of official assurance under section<br>64(2) for live animals or germplasm if<br>replacement assurance demanded by importing<br>country                                                                                             | \$405.00 per official assurance<br>plus assessment charge on hourly basis after<br>the first 2 hours and 30 minutes as specified<br>in Part 2 |
| 21                                                                               | Issue, on request, of statement of New Zealand<br>standard under section 83                                                                                                                                                                 | \$32 per statement issued                                                                                                                     |
| 22                                                                               | Registration of transport operator, vehicle<br>docking facility operator, or wharf operator<br>under a notice issued under section 38(2)(b)                                                                                                 | \$135 per application                                                                                                                         |
| 23                                                                               | Application to list or renew listing of an animal<br>material depot as required under Part 7 of the<br>Animal Products Regulations 2021                                                                                                     | \$135 per application                                                                                                                         |
| 24                                                                               | Application for issue or revocation of relay<br>permit for bivalve molluscan shellfish issued<br>under the Animal Products (Regulated Control<br>Scheme—Bivalve Molluscan Shellfish)<br>Regulations 2006                                    | \$135 per application                                                                                                                         |
| 25                                                                               | Application for registration as bivalve<br>molluscan shellfish harvest operator under the<br>Animal Products (Regulated Control Scheme—<br>Bivalve Molluscan Shellfish) Regulations 2006                                                    | \$135 per application                                                                                                                         |
| 26                                                                               | Annual bivalve molluscan shellfish<br>harvest operator fee under the Animal<br>Products (Regulated Control Scheme—Bivalve<br>Molluscan Shellfish) Regulations 2006                                                                          | \$135                                                                                                                                         |
| 27                                                                               | Application to list or renew listing as transport<br>operator, sorting shed operator, or depot<br>operator required by notice made under the<br>Animal Products (Regulated Control Scheme—<br>Bivalve Molluscan Shellfish) Regulations 2006 | \$135 per application                                                                                                                         |
| 28                                                                               | Application to register a limited processing<br>vessel under the Animal Products (Regulated                                                                                                                                                 | \$135 per application                                                                                                                         |

| <b>Matter for which fee or charge payable under<br/>Animal Products Act 1999</b> |                                                                                                                                                                                                             | <b>Fee or charge*</b>    |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                                                                  | Control Scheme—Limited Processing Fishing Vessels) Regulations 2001                                                                                                                                         |                          |
| 29                                                                               | Annual limited processing vessel registering fee under the Animal Products (Regulated Control Scheme—Limited Processing Fishing Vessels) Regulations 2001                                                   | \$135                    |
| 30                                                                               | Application for approval of MPI Devices (brands/seals) made under the Animal Products (Export Requirements for Branding, Marking and Security Devices) Notice 2012 or any replacement notice                | \$135 per application    |
| 31                                                                               | Application for approval as a manufacturer or supplier of official devices under the Animal Products (Export Requirements for Branding, Marking and Security Devices) Notice 2012 or any replacement notice | \$135 per application    |
| 32                                                                               | Application to list a hunter as required under Part 6 of the Animal Products Regulations 2021                                                                                                               | \$135 per application    |
| 33                                                                               | Application to renew listing of a hunter under Part 10 of the Animal Products Regulations 2021                                                                                                              | \$135 per application    |
| 34                                                                               | Application to list a further petfood processor as required under Part 7 of the Animal Products Regulations 2021                                                                                            | \$135 per application    |
| 35                                                                               | Application to renew listing of a further petfood processor under Part 10 of the Animal Products Regulations 2021                                                                                           | \$67.50 per application  |
| 36                                                                               | Notification of change of a recognised agency on a risk management programme under sections 16(2) and 19(g)                                                                                                 | \$67.50 per notification |
| 37                                                                               | Application to list as an approved halal premises under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice                                | \$135 per application    |
| 38                                                                               | Application to list as an approved halal organisation under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice                            | \$135 per application    |
| 39                                                                               | Audit of approved halal organisations under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice                                            | \$135                    |
| 40                                                                               | Application for approving, renewing, or revoking an issuing officer's approval under the Animal Products (Overseas Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice   | \$135 per application    |
| 41                                                                               | Listing of halal assessment and approval personnel and a competent halal slaughter person under the Animal Products (Overseas                                                                               | \$135 per listing        |

| <b>Matter for which fee or charge payable under<br/>Animal Products Act 1999</b> |                                                                                                                                                                                                                                                                           | <b>Fee or charge*</b>                                                                                             |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                                                                  | Market Access Requirements for Halal Assurances) Notice 2015 or any replacement notice                                                                                                                                                                                    |                                                                                                                   |
| 41A                                                                              | Audit of infant formula manufacturing under the Animal Products: China Overseas Market Access Requirements Notice 2023 or any replacement notice                                                                                                                          | \$295 per hour                                                                                                    |
| 42                                                                               | Inspection and audit under the Animal Products Act 1999                                                                                                                                                                                                                   | Assessment charge on hourly basis as specified in Part 2                                                          |
| 43                                                                               | Performance of a function, power, or duty that is— <ul style="list-style-type: none"> <li>required to be undertaken under the Animal Products Act 1999, including under any regulations or notices; and</li> <li>not prescribed elsewhere in these regulations</li> </ul> | \$67.50<br>plus assessment charge on hourly basis after the first 30 minutes as specified in Part 2               |
| 44                                                                               | Application for approval of any maintenance compound under Part 13 of the Animal Products Regulations 2021                                                                                                                                                                | \$135 per approval<br>plus assessment charge on hourly basis after the first 120 minutes as specified in Part 2   |
| 45                                                                               | Application to renew approval of any maintenance compound under Part 13 of the Animal Products Regulations 2021                                                                                                                                                           | \$67.50 per approval<br>plus assessment charge on hourly basis after the first 90 minutes as specified in Part 2  |
| 46                                                                               | Application to list as a beekeeper under the Animal Products Notice: General Export Requirements for Bee Products dated 16 May 2024 or any replacement notice                                                                                                             | \$135 per application                                                                                             |
| 47                                                                               | Application to renew listing as a beekeeper under the Animal Products Notice: General Export Requirements for Bee Products dated 16 May 2024 or any replacement notice                                                                                                    | \$67.50 per application                                                                                           |
| 48                                                                               | Application for a bee product, sourced from a beekeeper whose listing has expired, to be assessed as fit for purpose under the Animal Products Notice: General Export Requirements for Bee Products dated 16 May 2024 or any replacement notice                           | \$135 per application<br>plus assessment charge on hourly basis after the first 60 minutes as specified in Part 2 |
| 49                                                                               | Application to re-establish eligibility for export with an official assurance under the Animal Products Notice: Official Assurance Requirements, dated 20 September 2023, or any replacement notice                                                                       | \$135 per application<br>plus assessment charge on hourly basis after the first 60 minutes as specified in Part 2 |
| 50                                                                               | Failure to make use of a scheduled veterinarian booking without giving the Ministry prior notice of cancellation of the booking                                                                                                                                           | \$46.575                                                                                                          |

\*Fee or charge exclusive of any applicable costs payable under Parts 3, 4, and 5

Schedule 1 Part 1 item 1: replaced, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 1A: inserted, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 2: replaced, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 2A: inserted, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 3: replaced, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 3A: inserted, on 1 November 2021, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 3B: inserted, on 1 October 2023, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 1 item 7: amended, on 1 October 2023, by regulation 4(2) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 1 item 13: replaced, on 1 November 2021, by regulation 4(2) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 14: replaced, on 1 November 2021, by regulation 4(2) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 16: replaced, on 1 November 2021, by regulation 4(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 1 Part 1 item 22: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 23: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 32: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 33: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 34: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 35: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 35A: revoked, on 1 November 2023, by regulation 20(2) of the Animal Products Amendment Regulations 2022 (SL 2022/252).

Schedule 1 Part 1 item 41A: inserted, on 1 October 2023, by regulation 4(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 1 item 44: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 45: replaced, on 1 July 2022, by regulation 265(2) of the Animal Products Regulations 2021 (SL 2021/400).

Schedule 1 Part 1 item 46: inserted, on 1 July 2024, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 1 item 47: inserted, on 1 July 2024, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 1 item 48: inserted, on 1 July 2024, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 1 item 49: inserted, on 1 July 2024, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 1 item 50: inserted, on 1 July 2024, by regulation 4(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

## Part 2

### Assessment charges on hourly basis

Schedule 1 Part 2: replaced, on 1 July 2019, by regulation 5(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123).

Where Part 1 specifies an assessment charge on an hourly basis, that charge is to be determined as follows for each hour (or final part-hour) that is spent on assessing the matter concerned beyond the first period of time specified for that matter in Part 1:

| Category                                                                                                                             | Fee (\$) |
|--------------------------------------------------------------------------------------------------------------------------------------|----------|
| (a) For each hour (excluding final part-hour) spent by a person employed by the Ministry (not relating to live animals or germplasm) | 135      |
| (b) For each 15-minute block in final part-hour spent under paragraph (a)                                                            | 33.75    |
| (c) For each hour (excluding final part-hour) spent by a person employed by the Ministry (relating to live animals or germplasm)     | 186.30   |
| (d) For each 15-minute block in final part-hour spent under paragraph (c)                                                            | 46.58    |
| (e) For each hour (excluding final part-hour) spent by a person employed by the Ministry under item 4 in Part 1 of this schedule     | 135      |
| (f) For each 15-minute block in final part-hour spent under paragraph (e)                                                            | 33.75    |
| (g) For each hour (excluding final part-hour) spent by a person who is not employed by the Ministry                                  | 135      |
| (h) For each 15-minute block in final part-hour spent under paragraph (g)                                                            | 33.75    |

Schedule 1 Part 2: amended, on 1 November 2021, by regulation 4(5) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

## Part 3

### Costs incurred by Ministry at request of operator, etc

- 1 Actual and reasonable costs, including actual and reasonable incidental and additional costs incurred by a Ministry employee, or a person engaged by the Ministry who is not an employee, may be recovered by the Ministry where those costs arise from a request by, or an act or omission of, any person under the Act or regulations or notices made under the Act.
- 2 The costs include, but are not limited to,—
  - (a) the costs of external review, expert review, notification, product testing, travel, and accommodation; and
  - (b) disbursements such as the costs of photocopying, printing and stationery, telephone, fax, video conferencing, postage, and couriers.
- 3 For technical staff providing support for the delivery of specialist services in relation to functions, duties, or powers under the Animal Products Act 1999 or any regulations or notice made under that Act, a fee of \$155.00 per hour is payable, in 15-minute increments, by the person whose actions result in the function, duty, or power being required to be exercised or performed.

## Part 4

### Travel costs

Where travel of a Ministry officer or employee is required for any of the matters specified in Parts 1, 2, 3, 7, and 8, an additional amount of \$0.67 per kilometre travelled by the officer or employee is payable in addition to the relevant fee or charge.

## Part 5

### Cost of other work-related allowances

Additional amounts are payable in respect of the actual and reasonable cost to the Ministry of work-related allowances paid to Ministry officers and employees where these are fairly attributable to any of the matters specified in Parts 1, 2, 3, 7, and 8.

Without limiting the generality of what constitutes a work-related allowance, these include matters such as meal allowances, clothing and laundry allowances, and field, standby, and isolation allowances.

## Part 6

### Charges for use of electronic certification system

- 1 For industry users that access the Ministry's electronic certification system, charges based on the following formula are payable in respect of each database request and each second of time spent on the server:

$$(\text{cost per request} + \text{cost per second}) \times \text{appropriate percentage}$$

where—

**cost per request** is the amount fixed from time to time by the Director-General by notice under section 167(1)(ma) of the Animal Products Act 1999 for each database request, having regard to clause 2

**cost per second** is the amount fixed from time to time by the Director-General by notice under section 167(1)(ma) for each second of time on the server, having regard to clause 2

**appropriate percentage** is,—

- (a) for industry users of a class for which recognised agency use of the electronic certification system is not required, 55%;
  - (b) for all other industry users, 100%.
- 2 In setting any **cost per request** or **cost per second**, the aim is for these costs to reflect usage of the electronic certification system for the relevant year or other period, with regular updating if appropriate.
  - 3 This Part applies to all users of the electronic certification system.

## Part 7

### Ministry verification charges

#### Preliminary provisions

- 1 The charges set out in this Part apply where any verification function under the Animal Products Act 1999 is carried out by an officer or employee of the Ministry.
- 2 The charges set out in this Part are exclusive of goods and services tax, and goods and services tax on these charges will be added to the total invoice.
- 2A Costs specified in this Part as an hourly charge or rate must be calculated by—
  - (a) adding together the total number of 15-minute units spent by an officer or employee of the Ministry on a verification function; and
  - (b) multiplying the total number of units by 25% of the applicable hourly rate.

Schedule 1 Part 7 clause 2A: inserted, on 1 July 2024, by regulation 4(2) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

- 2B However, if the amount calculated under clause 2A is less than a minimum charge specified in item 3 of the table, the charge payable is the minimum charge.

Schedule 1 Part 7 clause 2B: inserted, on 1 July 2024, by regulation 4(2) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

- 3 In this Part,—
  - a 4 × 10 hour day roster** means designated hours of work that are identified by the employer as a 4 × 10 hour day roster
  - after-hours call-out** means circumstances in which a veterinary or non-veterinary verifier, having left a place or premises, has been recalled to duty for the purpose of carrying out a verification function outside of that verifier's normal hours of work
  - breakfast shift** refers to the situation where the verification functions carried out by a verifier in any day are commenced before 6 am
  - circuit charges** refer to charges payable in respect of any place or premises where the verification or advice functions are performed by Ministry staff who are not permanently or semi-permanently based at the place or premises
  - disestablishment charges** means the charges payable in respect of the disestablishment of the position of a veterinary verifier due to the closure of an operator's premises or the reduction of operations at those premises
  - double time** refers to overtime hours worked by a verifier for which the verifier is entitled, by his or her employment contract, to double time rates

**establishment charges** refer to charges payable in respect of any place or premises where the verification functions are performed by Ministry verifiers who are permanently or semi-permanently based at the place or premises

**Ministry holiday** means a day designated by the Director-General as a Ministry holiday and notified on a publicly accessible internet site maintained by or on behalf of the Ministry

**non-veterinary verifier** means a verifier who is not a veterinarian registered under the Veterinarians Act 2005

**normal time** means time worked by a verifier, excluding time worked—

- (a) at time and a half; or
- (b) at double time; or
- (c) at penal time; or
- (d) on an after-hours call-out

**penal rate 0.5** means—

- (a) if a shift starts before midnight and continues after midnight, the rate per hour of penal time worked by an employee during the period between midnight and 2 am Monday to Friday (on a day other than a public holiday or Ministry holiday); and
- (b) the rate per hour of the first 3 hours of penal time worked by an employee during the period between—
  - (i) midnight at the end of Friday; and
  - (ii) midday Saturday; and
- (c) *[Revoked]*

**penal rate 1.0** means—

- (a) if a shift starts before midnight and continues after midnight, the rate for every hour of penal time worked by an employee during the period between 2 am and 6 am Monday to Friday; and
- (b) the rate for every hour of penal time worked by an employee during the period midnight at the end of Friday to midnight at the end of Sunday other than hours to which penal rate 0.5 applies; and
- (c) the rate for every hour of penal time worked by an employee on a public holiday or Ministry holiday; and
- (d) if a shift starts after midnight but before 6 am, the rate for every hour of penal time (other than the first hour) worked by an employee during the period between midnight and 6 am Monday to Friday; and
- (e) if a shift starts after midnight but before 6 am, the rate for the first hour (or part-hour) of penal time worked by an employee during a period of double time that falls between midnight at the end of Friday and midnight at the end of Sunday



**penal rate 2.0** means, if a shift starts after midnight, the rate for the first hour (or part-hour) of penal time worked by an employee during the period between midnight and 6 am Monday to Friday (other than a public holiday or Ministry holiday)

**penal time** means—

- (a) hours worked by a verifier for which the verifier is entitled, by his or her contract of employment, to penal rates, being hours worked within a 40-hour week from Monday to Sunday or on a public holiday or Ministry holiday; but
- (b) does not include overtime, unless expressly stated otherwise in these regulations

**public holiday** has the meaning given by section 44 of the Holidays Act 2003

**reserve rate** refers to the rate for hours worked by a reserve verifier

**reserve verifier** means a temporary veterinary verifier or supervising veterinary verifier who undertakes the work of an establishment verifier while that verifier is on annual leave or is otherwise absent on a temporary basis

**shift rates** refers to the rates applicable to the case where a verifier is entitled, by his or her employment contract, to extra remunerations for working shifts

**supervising veterinary verifier** means a veterinary verifier who has prime responsibility for the verification functions at a place or premises

**time and a half, or 1½ time**, refers to overtime hours worked by a verifier for which the verifier is entitled, by his or her employment contract, to time and a half rates

**veterinary verifier** means a verifier who is a veterinarian registered under the Veterinarians Act 2005.

Schedule 1 Part 7 clause 3 **after-hours call-out**: inserted, on 1 July 2024, by regulation 4(4) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **after-hours callout charges**: revoked, on 1 July 2024, by regulation 4(4) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **Ministry holiday**: inserted, on 1 July 2024, by regulation 4(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **normal time**: inserted, on 1 July 2024, by regulation 4(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **penal rate 0.5** paragraph (a): replaced, on 1 July 2024, by regulation 4(5) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **penal rate 0.5** paragraph (c): revoked, on 1 October 2023, by regulation 4(5) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal rate 1.0** paragraph (a): replaced, on 1 October 2023, by regulation 4(6) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal rate 1.0** paragraph (c): amended, on 1 July 2024, by regulation 4(6) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **penal rate 1.0** paragraph (d): replaced, on 1 October 2023, by regulation 4(7) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal rate 1.0** paragraph (e): inserted, on 1 October 2023, by regulation 4(7) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal rate 2.0**: replaced, on 1 October 2023, by regulation 4(8) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal rate 2.0**: amended, on 1 July 2024, by regulation 4(7) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **penal time**: replaced, on 1 October 2023, by regulation 4(9) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227).

Schedule 1 Part 7 clause 3 **penal time** paragraph (a): amended, on 1 July 2024, by regulation 4(8) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 clause 3 **public holiday**: inserted, on 1 July 2024, by regulation 4(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

|          |                                                                                            |                                                                                                                                                                                                                                              |
|----------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <b>Establishment charge</b>                                                                |                                                                                                                                                                                                                                              |
| A        | <i>Basic hourly charge on export and game sectors</i>                                      |                                                                                                                                                                                                                                              |
|          | For each hour of normal time spent by a verifier in verification functions                 | \$48.35                                                                                                                                                                                                                                      |
| B        | <i>Hourly charges for verifiers</i>                                                        |                                                                                                                                                                                                                                              |
| (1)      | Veterinary verifier—                                                                       |                                                                                                                                                                                                                                              |
|          | (a) non-shift rates—                                                                       |                                                                                                                                                                                                                                              |
|          | per hour at normal time                                                                    | the basic hourly charge specified in item A, plus an additional rate of \$79.80 per verifier per hour working at normal time                                                                                                                 |
|          | per hour at 1½ time                                                                        | \$168.05                                                                                                                                                                                                                                     |
|          | per hour at double time                                                                    | \$207.95                                                                                                                                                                                                                                     |
|          | (b) shift rates                                                                            | the relevant rate specified in paragraph (a), plus an additional rate of—                                                                                                                                                                    |
|          |                                                                                            | (i) \$45.00 per shift per verifier for evening shift                                                                                                                                                                                         |
|          |                                                                                            | (ii) \$45.00 per shift per verifier for night shift                                                                                                                                                                                          |
|          | (c) penal rates                                                                            | the relevant rates specified in paragraphs (a) and (b), plus an additional rate of—                                                                                                                                                          |
|          |                                                                                            | (i) \$39.90 per hour per verifier for penal time worked at penal rate 0.5                                                                                                                                                                    |
|          |                                                                                            | (ii) \$79.80 per hour per verifier for penal time worked at penal rate 1.0                                                                                                                                                                   |
|          |                                                                                            | (iii) \$159.60 per hour per verifier for penal time worked at penal rate 2.0                                                                                                                                                                 |
|          | (d) reserve rate                                                                           | the basic hourly charge specified in item A, plus an additional rate of \$79.80 per hour per reserve verifier                                                                                                                                |
|          | (e) charges for after-hours call-outs (other than on public holidays or Ministry holidays) | \$149.18 per hour per verifier working at 1½ time (plus flat rate of \$8.70 breakfast shift charge, if applicable)<br>\$182.79 per hour per verifier working at double time (plus flat rate of \$8.70 breakfast shift charge, if applicable) |
|          | (f) charges for after-hours call-outs (public holidays or Ministry holidays)               | \$115.57 per hour per verifier, plus \$537.77 per day per verifier                                                                                                                                                                           |
| (2)      | Supervising veterinary verifier—                                                           |                                                                                                                                                                                                                                              |
|          | (a) non-shift rates—                                                                       |                                                                                                                                                                                                                                              |
|          | per hour normal time                                                                       | the basic hourly charge specified in item A, plus an additional rate of \$88.10 per verifier per hour working at normal time                                                                                                                 |
|          | per hour at 1½ time                                                                        | \$180.50                                                                                                                                                                                                                                     |
|          | per hour at double time                                                                    | \$224.55                                                                                                                                                                                                                                     |
|          | (b) shift rates                                                                            | the relevant rate specified in paragraph (a), plus an additional rate of—                                                                                                                                                                    |

|          |                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                                                        | <ul style="list-style-type: none"> <li>(i) \$45.00 per shift per verifier for evening shift</li> <li>(ii) \$45.00 per shift per verifier for night shift</li> </ul>                                                                                                                                                                                                                             |
| (c)      | penal rates                                                                            | <p>the relevant rate specified in paragraphs (a) and (b), plus an additional rate of—</p> <ul style="list-style-type: none"> <li>(i) \$44.00 per hour per verifier for penal time worked at penal rate 0.5</li> <li>(ii) \$88.10 per hour per verifier for penal time worked at penal rate 1.0</li> <li>(iii) \$176.20 per hour per verifier for penal time worked at penal rate 2.0</li> </ul> |
| (d)      | reserve rate                                                                           | the basic hourly charge specified in item A, plus an additional rate of \$88.10 per hour per reserve verifier                                                                                                                                                                                                                                                                                   |
| (e)      | charges for after-hours call-outs (other than on public holidays or Ministry holidays) | <p>\$169.08 per hour per verifier working at 1½ time (plus flat rate of \$8.70 breakfast shift charge, if applicable)</p> <p>\$209.32 per hour per verifier working at double time (plus flat rate of \$8.70 breakfast shift charge, if applicable)</p>                                                                                                                                         |
| (f)      | charges for after-hours call-outs on public holidays or Ministry holidays              | <p>\$128.84 per hour per verifier, plus</p> <p>\$643.91 per day per verifier</p>                                                                                                                                                                                                                                                                                                                |
| <b>2</b> | <b>Circuit charge</b>                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | <i>Hourly charges for verifiers (for all verification activities)</i>                  |                                                                                                                                                                                                                                                                                                                                                                                                 |
|          | Verifier—                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                 |
| (a)      | non-penal rates                                                                        | <p>\$206.70 per hour per verifier working at normal time</p> <p>\$250.62 per hour per verifier working at 1½ time</p> <p>\$294.54 per hour per verifier working at double time</p>                                                                                                                                                                                                              |
| (b)      | penal rates                                                                            | <p>the relevant rate specified in paragraph (a), plus an additional rate of—</p> <ul style="list-style-type: none"> <li>(i) \$43.92 per hour per verifier for penal time worked at penal rate 0.5</li> <li>(ii) \$87.84 per hour per verifier for penal time worked at penal rate 1.0</li> <li>(iii) \$175.68 per hour per verifier for penal time worked at penal rate 2.0</li> </ul>          |
| (c)      | charges for after-hours call-outs (other than on public holidays or Ministry holidays) | <p>\$217.68 per hour per verifier working at 1½ time (plus flat rate of \$8.70 breakfast shift charge, if applicable)</p> <p>\$250.62 per hour per verifier working at double time (plus flat rate of \$8.70 breakfast shift charge, if applicable)</p>                                                                                                                                         |

- (d) charges for after-hours call-outs on public holidays or Ministry holidays \$184.74 per hour per verifier, plus \$527.05 per day per verifier

**3 Minimum charges for after-hours call-outs**

A *Minimum charge for after-hours call-outs (other than on public holidays or Ministry holidays)*  
If a verifier is required to attend an after-hours call-out (other than on a public holiday or Ministry holiday), the minimum charge payable is 3 hours at the applicable hourly rate under item 1B(1)(e) or (2)(e) or item 2(c), plus flat rate of \$8.70 breakfast shift (if applicable)

B *Minimum charge for after-hours call-outs on public holidays or Ministry holidays*  
If a verifier is required to attend an after-hours call-out on a public holiday or Ministry holiday, the minimum charge payable is 3 hours at the applicable hourly rate under item 1B(1)(f) or (2)(f) or item 2(d), plus the applicable daily rate under those items

**4 Disestablishment charges**

A *Where verifier employed by operator for less than 12 months*

Either—

- (a) the actual cost of transfer or relocation; or  
(b) the actual cost of retraining; or  
(c) the actual cost of the matters specified in paragraphs (a) and (b), if both are applicable; or  
(d) the lesser of—  
(i) the actual cost of redundancy; or  
(ii) the amount derived by multiplying the total ordinary pay during the period employed by 0.04165—

but in no case is the charge under paragraph (a), (b), (c), or (d) to exceed \$55,000.

B *Where verifier employed by operator for 12 months or more*

Either—

- (a) the actual cost of transfer or relocation; or  
(b) the actual cost of retraining; or  
(c) the actual cost of the matters specified in paragraphs (a) and (b), if both are applicable; or  
(d) the lesser of—  
(i) the actual cost of redundancy; or  
(ii) an amount calculated using the following formula:

$$(a \times 0.08) + (a \times 0.04)(b - 1) + (a \times c \times 0.0333) + (da)$$

where—

- a is the veterinary verifier's total ordinary pay for the immediately preceding 12 months  
b is the lesser of 19 or the number of completed years of employment with the operator  
c is any completed months of employment in respect of an additional period of employment with the operator of less than 12 months  
d is—  
0.10 if the period of employment completed is 1 year or more but not more than 3 years  
0.20 if the period of employment completed is more than 3 years but not more than 5 years  
0.29165 if the period of employment completed is more than 5 years

but in no case is the charge under paragraph (a), (b), (c), or (d) to exceed \$55,000.

**5 Charge for establishing verification services premises at any location**

The actual and reasonable costs associated with establishing a full time Verification Services presence at any premises, including, but not limited to,—

- (a) capital items such as computer terminals, monitors, printers, office furniture, storage, telephones, and technical equipment; and
- (b) expenses such as costs for recruitment, transfer, relocation, induction and training, salaries, new health and safety equipment, new folders, stationary, lockable cupboards, inspection stamps, and reject and hold tags

Schedule 1 Part 7 table item 1: replaced, on 1 July 2024, by regulation 4(9) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 table item 2: replaced, on 1 July 2024, by regulation 4(9) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

Schedule 1 Part 7 table item 3: replaced, on 1 July 2024, by regulation 4(9) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

## **Part 8**

### **Unit charges, hourly rates, after-hours call-out charges, and on-call charges in respect of export of live animals and animal germplasm**

Schedule 1 Part 8: replaced, on 1 July 2024, by regulation 4(10) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

#### **Preliminary provisions**

**1** Costs specified in this Part as payable at an hourly rate must be calculated by—

- (a) adding together the total number of 15-minute units spent by a recognised person employed or engaged by the Ministry on an activity; and
- (b) multiplying the total number of units by 25% of the applicable hourly rate.

Schedule 1 Part 8 clause 1: inserted, on 1 July 2024, by regulation 4(10) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

**2** However, if the amount calculated under clause 1 is less than a minimum charge specified in item 3 of the table, the charge payable is the minimum charge.

Schedule 1 Part 8 clause 2: inserted, on 1 July 2024, by regulation 4(10) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

**3** In this Part,—

**after-hours call-out** means circumstances in which a person, having left a place or premises, has been recalled to duty for the purpose of carrying out an activity outside of that person's normal hours of work

**double time** refers to overtime hours worked by a person for which the person is entitled, by an employment contract or other agreement with the Ministry, to double time rates

**Ministry holiday** means a day designated by the Director-General as a Ministry holiday and notified on a publicly accessible internet site maintained by or on behalf of the Ministry

**penal rate 0.5** means,—

- (a) if a shift starts before midnight and continues after midnight, the rate per hour of penal time worked by a person during the period between midnight and 2 am Monday to Friday (on a day other than a public holiday or Ministry holiday); and
- (b) the rate per hour of the first 3 hours of penal time worked by a person during the period between—
  - (i) midnight at the end of Friday; and
  - (ii) midday Saturday

**penal rate 1.0** means,—

- (a) if a shift starts before midnight and continues after midnight, the rate for every hour of penal time worked by a person during the period between 2 am and 6 am Monday to Friday; and
- (b) the rate for every hour of penal time worked by a person during the period from midnight at the end of Friday to midnight at the end of Sunday other than hours to which penal rate 0.5 applies; and
- (c) the rate for every hour of penal time worked by a person on a public holiday or Ministry holiday; and
- (d) if a shift starts after midnight but before 6 am, the rate for every hour of penal time (other than the first hour) worked by a person during the period between midnight and 6 am Monday to Friday; and
- (e) if a shift starts after midnight but before 6 am, the rate for the first hour (or part-hour) of penal time worked by a person during a period of double time that falls between midnight at the end of Friday and midnight at the end of Sunday

**penal rate 2.0** means, if a shift starts after midnight, the rate for the first hour (or part-hour) of penal time worked by a person during the period between midnight and 6 am Monday to Friday (other than a public holiday or Ministry holiday)

**penal time** means—

- (a) hours worked by a person for which the person is entitled, by an employment contract or other agreement with the Ministry, to penal rates, being hours worked within a 40-hour week from Monday to Sunday or on a public holiday or Ministry holiday; but
- (b) does not include overtime, unless expressly stated otherwise in these regulations

**public holiday** has the meaning given by section 44 of the Holidays Act 2003

**standard working hours** means the hours between 8 am and 5 pm on any day except—

- (a) a Saturday or a Sunday; or
- (b) a public holiday or Ministry holiday

**time and a half** refers to overtime hours worked by a person for which the person is entitled, by an employment contract or other agreement with the Ministry, to time and a half rates.

Schedule 1 Part 8 clause 3: inserted, on 1 July 2024, by regulation 4(10) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86).

| <b>1 Unit charges payable for each relevant unit to be exported</b>                                                                                           | <b>Charge</b>                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <b>Note:</b> If an animal is a zoo animal and comes within the description of another animal, only the unit charge for the animal as a zoo animal is payable. |                                                             |
| Cats and dogs (including semen) (per animal or semen consignment)                                                                                             | \$114.44                                                    |
| Equine animals (per animal)                                                                                                                                   | \$41.22                                                     |
| Equine semen (per straw), per vial, or per bag                                                                                                                | \$3.09                                                      |
| Livestock (only bovine, caprine, cervine, ovine, and porcine) (per animal)                                                                                    | \$10.83, with a maximum charge of \$54,150 per consignment  |
| Bovine semen (per straw)                                                                                                                                      | \$0.08, with a maximum charge of \$3,200 per consignment    |
| Caprine and ovine semen (per straw)                                                                                                                           | \$7.87, with a maximum charge of \$314,800 per consignment  |
| Cervine semen (per straw)                                                                                                                                     | \$7.90, with a maximum charge of \$316,000 per consignment  |
| Embryos and ova (only bovine, caprine, cervine, and ovine) (per embryo or ovum)                                                                               | \$22.64, with a maximum charge of \$905,600 per consignment |
| Porcine semen (per straw)                                                                                                                                     | \$0.17, with a maximum charge of \$6,800 per consignment    |
| Day-old chicks and hatching eggs (only poultry and ducklings) (per chick or egg)                                                                              | \$0.02, with a maximum charge of \$600 per consignment      |
| Bumble bees                                                                                                                                                   | \$0.32                                                      |
| Either per kg of honey bees (including a queen bee if applicable) or per queen bee (including a small number of attendant bees)                               | \$0.32                                                      |
| Lamoids (per animal)                                                                                                                                          | \$257.50                                                    |
| Birds (excluding budgies, lovebirds, cockatiels, finches, and rosellas) (per bird)                                                                            | \$17.89, with a maximum charge of \$536.70 per consignment  |
| Budgies, lovebirds, cockatiels, finches, and rosellas (per bird)                                                                                              | \$0.27                                                      |
| Zoo animals (per animal)                                                                                                                                      | \$572.63                                                    |



|          |                                                                                                                                             |                                                                                     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|          | Other animals and animal germplasm not specified (per consignment)                                                                          | \$114.44                                                                            |
| <b>2</b> | <b>Hourly and daily rates</b>                                                                                                               |                                                                                     |
| (1)      | Item 2(2) sets out hourly rates for recognised persons employed or engaged by the Ministry undertaking any of the following:                |                                                                                     |
| (a)      | specialist functions and activities necessary for the export of live animals (other than cats or dogs) or germplasm:                        |                                                                                     |
| (b)      | specialist functions and activities necessary for the export of live cats or dogs (excluding cat or dog germplasm):                         |                                                                                     |
| (c)      | negotiating with an importing country, on behalf of an exporter, alternative measures for meeting access requirements for overseas markets: |                                                                                     |
| (d)      | negotiating, on behalf of an exporter (except for exporters of cats or dogs), new access requirements for overseas markets                  |                                                                                     |
| (2)      | The relevant hourly rates are—                                                                                                              |                                                                                     |
| (a)      | rate during standard working hours                                                                                                          | \$186.30 per hour                                                                   |
| (b)      | rate at time and a half                                                                                                                     | \$236.67 per hour                                                                   |
| (c)      | rate at double time                                                                                                                         | \$287.04 per hour                                                                   |
| (d)      | penal rates                                                                                                                                 | the applicable rate specified in paragraphs (a) to (c), plus an additional rate of— |
|          | (i)                                                                                                                                         | \$50.37 per hour for penal time worked at penal rate 0.5                            |
|          | (ii)                                                                                                                                        | \$100.74 per hour for penal time worked at penal rate 1.0                           |
|          | (iii)                                                                                                                                       | \$201.48 per hour for penal time worked at penal rate 2.0                           |
| (e)      | after-hours call-outs (other than on public holidays or Ministry holidays)—                                                                 |                                                                                     |
|          | rate at time and a half                                                                                                                     | \$198.89 per hour                                                                   |
|          | rate at double time                                                                                                                         | \$236.67 per hour                                                                   |
| (f)      | after-hours call-outs on a public holiday or Ministry holiday                                                                               | \$161.11 per hour, plus \$604.44 per day                                            |
| <b>3</b> | <b>Minimum charges</b>                                                                                                                      | <b>Charge</b>                                                                       |
| <b>A</b> | <i>Minimum charges (other than for after-hours call-outs)</i>                                                                               |                                                                                     |
| (1)      | Minimum charge payable for activities under item 2(1)(a)                                                                                    | \$93.15                                                                             |

|     |                                                                                                                                                                                                                                                                                             |                                                                                                                                            |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| (2) | Minimum charge payable for activities under item 2(1)(b)                                                                                                                                                                                                                                    | \$186.30 for the first cat or dog being inspected, plus a further \$46.575 for each additional cat or dog being inspected at the same time |
| (3) | Minimum charge payable for activities under item 2(1)(c)                                                                                                                                                                                                                                    | \$93.15                                                                                                                                    |
| (4) | Minimum charge payable for activities under item 2(1)(d)                                                                                                                                                                                                                                    | \$93.15                                                                                                                                    |
| B   | <i>Minimum charge for after-hours call-outs (other than on public holidays or Ministry holidays)</i>                                                                                                                                                                                        |                                                                                                                                            |
|     | Minimum charge payable for persons carrying out activities under item 2(1)(a) to (d) on an after-hours call-out (other than on a public holiday or Ministry holiday)                                                                                                                        | 3 hours at the applicable hourly rate under item 2(2)(e)                                                                                   |
| C   | <i>Minimum charge for after-hours call-outs on public holidays or Ministry holidays</i>                                                                                                                                                                                                     |                                                                                                                                            |
|     | Minimum charge payable for persons carrying out activities under item 2(1)(a) to (d) on an after-hours call-out on a public holiday or Ministry holiday                                                                                                                                     | 3 hours at the applicable hourly rate under item 2(2)(f), plus the applicable daily rate under item 2(2)(f)                                |
| 4   | <b>On-call charges</b>                                                                                                                                                                                                                                                                      | <b>Charge</b>                                                                                                                              |
|     | On-call charges for recognised persons who are employees of the Ministry (or persons engaged by the Ministry who are not employees) who are on call to undertake after-hours call-outs to perform specialist functions and activities necessary for the export of live animals or germplasm | \$45.00 per on-call shift (in addition to after-hours call-out charges (if any))                                                           |

## Schedule 2

### Levies

rr 5, 6, 10

Schedule 2: replaced, on 1 July 2015, by regulation 7 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94).

#### Preliminary provisions

- 1 The levies set out in this schedule are payable by—
- (a) operators of risk management programmes in respect of operations under the programme:
  - (b) operators of export approved premises:
  - (c) homekill and recreational catch providers (not being dual operator butchers):
  - (d) operators of fishing vessels who are operating under—
    - (i) a risk management programme and who undertake primary processing of fish and bivalve molluscan shellfish; or
    - (ii) the regulated control scheme set out in the Animal Products (Regulated Control Scheme—Limited Processing Fishing Vessels) Regulations 2001.

Schedule 2 clause 1(b): amended, on 1 July 2019, by regulation 6(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123).

- 1A However, the levies set out in this schedule are not payable by—
- (a) chicken producers:
  - (b) germplasm processors:
  - (c) poultry hatcheries that are not chicken producers.

Schedule 2 clause 1A: replaced, on 6 October 2022, by regulation 21(1) of the Animal Products Amendment Regulations 2022 (SL 2022/252).

- 2 The levies set out in this schedule are payable irrespective of who performs any verification or other function in relation to the processing operations.
- 3 The levies set out in this schedule are exclusive of goods and services tax, and goods and services tax on those levies will be added to the total invoice.
- 4 In any case, a minimum levy of \$77.50 (excluding goods and services tax) is payable under this schedule.
- 5 In this schedule,—
- chicken producer** has the meaning given in regulation 3A of the Animal Products Regulations 2021

**dual operator butcher** has the meaning given in section 4(1) of the Animal Products Act 1999

**homekill** has the meaning given in section 4(1) of the Animal Products Act 1999

**recreational catch** has the meaning given in section 4(1) of the Animal Products Act 1999.

Schedule 2 clause 5: replaced, on 6 October 2022, by regulation 21(2) of the Animal Products Amendment Regulations 2022 (SL 2022/252).

1 *Levies per head where animals slaughtered and dressed*

The following levies are payable by the operators (not being homekill or recreational catch service providers) of premises or places where the animals specified are slaughtered and dressed, on the basis of the number of animals slaughtered and dressed:

|                                                            | <b>Operators that process wholly or partly for export</b> | <b>Operators that process only for consumption within New Zealand</b> |
|------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------|
| Lambs, bobby calves                                        | \$0.150 per head                                          | \$0.027 per head                                                      |
| Goats                                                      | \$0.125 per head                                          | \$0.027 per head                                                      |
| Sheep                                                      | \$0.169 per head                                          | \$0.030 per head                                                      |
| Pigs                                                       | \$0.311 per head                                          | \$0.067 per head                                                      |
| Cattle                                                     | \$1.047 per head                                          | \$0.188 per head                                                      |
| Deer and other large species (horses, ostriches, and emus) | \$0.872 per head                                          | \$0.188 per head                                                      |
| Poultry                                                    | \$0.00507 per bird                                        | \$0.00507 per bird                                                    |
| Other species (other than fish)                            | \$0.27 per head                                           | \$0.27 per head                                                       |

2 *Annual levies for fish*

The following levies are payable on the basis of greenweight tonnage of fish or bivalve molluscan shellfish processed on the fishing vessel:

- |                                                                       |                                                                                                                                                                                 |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) primary processors of fish other than bivalve molluscan shellfish | \$0.22 per tonne of fish—                                                                                                                                                       |
|                                                                       | (a) processed on a fishing vessel that are—                                                                                                                                     |
|                                                                       | (i) filleted at sea for consumption in New Zealand; or                                                                                                                          |
|                                                                       | (ii) otherwise processed at sea for consumption in New Zealand and that are not delivered to an onshore primary processor (except for the purposes of storage or transport); or |
|                                                                       | (b) processed by an onshore processor except for fish that are—                                                                                                                 |

|     |                                                                                                                                                                                         |                                                                                                                                                                                                                                                                           |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>(i) filleted at sea for consumption in New Zealand; or</li> <li>(ii) otherwise processed at sea for consumption in New Zealand and that are only transported or stored by the onshore processor; or</li> </ul>                     |
|     |                                                                                                                                                                                         | \$1.55 per tonne of fish—                                                                                                                                                                                                                                                 |
|     | (a)                                                                                                                                                                                     | processed on a fishing vessel that are—                                                                                                                                                                                                                                   |
|     |                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>(i) filleted at sea for export; or</li> <li>(ii) otherwise processed at sea for the purposes of export and that are not delivered to an onshore primary processor (except for the purposes of storage or transport); or</li> </ul> |
|     | (b)                                                                                                                                                                                     | processed by an onshore processor except for fish that are—                                                                                                                                                                                                               |
|     |                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>(i) filleted at sea for export; or</li> <li>(ii) otherwise processed at sea for the purposes of export and that are only transported or stored by the onshore processor</li> </ul>                                                 |
| (b) | primary processors of bivalve molluscan shellfish                                                                                                                                       | <p>\$1.50 per tonne of bivalve molluscan shellfish processed (if an operator processes only for consumption in New Zealand); or</p> <p>\$2.90 per tonne of bivalve molluscan shellfish processed (if an operator processes wholly or partly for export)</p>               |
| 3   | <i>Annual levy for coolstores and other storage premises</i>                                                                                                                            |                                                                                                                                                                                                                                                                           |
|     | Operator of a coolstore or other storage premises, per coolstore or other premises                                                                                                      | \$207.30 per annum                                                                                                                                                                                                                                                        |
| 4   | <i>Annual levy for homekill and recreational catch service providers (not being dual operator butchers)</i>                                                                             |                                                                                                                                                                                                                                                                           |
|     | Homekill and recreational catch service providers (not being dual operator butchers) listed under section 76 of the Animal Products Act 1999, per application for listing or re-listing | \$100 per annum                                                                                                                                                                                                                                                           |
| 5   | <i>Annual levy for primary or secondary animal processing premises or places that do not include animal slaughter (not being homekill or recreational catch service providers)</i>      |                                                                                                                                                                                                                                                                           |

|     |                                                                                                                                                    |                                                                                           |                       |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------|
| (a) | annual levy for bee products                                                                                                                       | \$431.08 per annum*                                                                       | \$2,566.08 per annum† |
| (b) | annual levy for egg products                                                                                                                       | \$527.30 per annum for all processors                                                     |                       |
| (c) | annual levy for animal feed processors                                                                                                             | \$684.10 per annum*                                                                       | \$769.60 per annum†   |
| (d) | annual levy for dual operator butchers                                                                                                             | \$256.50 per annum for all processors                                                     |                       |
| (e) | annual levy for renderers                                                                                                                          | \$132.80 per annum*                                                                       | \$559.70 per annum†   |
| (f) | annual levy for hides and skins processors and processors who process animal parts not for human or animal consumption                             | \$136.00 per annum for all processors                                                     |                       |
| (g) | annual levy for primary or secondary processors processing animal material or animal product not covered under paragraph (a) to (f)                | \$710.10 per annum*                                                                       | \$784.50 per annum†   |
| (h) | annual levy for primary or secondary processors processing animal material or animal products covered by 1 or more of paragraphs (c), (e), and (g) | A single levy that is the highest of the applicable levies under the applicable paragraph |                       |

\*Operators that process only for consumption within New Zealand

†Operators that process wholly or partly for export

Schedule 2 item 1: replaced, on 1 July 2018, by regulation 6(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92).

Schedule 2 item 1: amended, on 1 November 2021, by regulation 5(a) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 2 item 1: amended, on 1 November 2021, by regulation 5(b) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285).

Schedule 2 item 2: amended, on 1 July 2022, by regulation 6(1) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2022 (SL 2022/158).

Schedule 2 item 2: amended, on 1 July 2018, by regulation 6(2)(a) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92).

Schedule 2 item 5(a): amended, on 1 July 2022, by regulation 6(2)(a) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2022 (SL 2022/158).

Schedule 2 item 5(a): amended, on 1 July 2022, by regulation 6(2)(b) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2022 (SL 2022/158).

Schedule 2 item 5(f): amended, on 1 July 2019, by regulation 6(3) of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123).

Schedule 2 item 5(h): amended, on 1 July 2016, by regulation 6 of the Animal Products (Fees, Charges, and Levies) Amendment Regulations 2016 (LI 2016/99).

Diane Morcom,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 31 May 2007.

## Notes

### **1     *General***

This is a consolidation of the Animal Products (Fees, Charges, and Levies) Regulations 2007 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***

Animal Products (Fees, Charges, and Levies) Amendment Regulations 2024 (SL 2024/86)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2023 (SL 2023/227)  
Animal Products Amendment Regulations 2022 (SL 2022/252): regulations 20, 21  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2022 (SL 2022/158)  
Animal Products Regulations 2021 (SL 2021/400): regulation 265(2)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2021 (LI 2021/285)  
Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248): regulation 15  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2019 (LI 2019/123)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2016 (LI 2016/99)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2015 (LI 2015/94)  
Animal Products (Fees, Charges, and Levies) Amendment Regulations 2011 (SR 2011/270)  
Animal Products (Fees, Charges, and Levies) Regulations 2007 (SR 2007/130): Schedule 1AA clause 1(4)