

New Zealand Horticulture Export Authority (Fees) Regulations 2002
(SR 2002/343)

Note

These regulations are administered in the Ministry of Agriculture and Forestry.

Pursuant to section 62 of the New Zealand Horticulture Export Authority Act 1987, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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1 Title

- These regulations are the New Zealand Horticulture Export Authority (Fees) Regulations 2002.

2 Commencement

- These regulations come into force on 1 November 2002.

3 Interpretation

- In these regulations, **Act** means the New Zealand Horticulture Export Authority Act 1987.

4 Matters for which fees may be charged and maximum fees

- (1) The matters for which the Authority may charge fees and the maximum amount of the fees are as follows:

Matter	Maximum fee (\$)
(a) Application for an export licence under section 35 of the Act	2,500
(b) Application for an exemption under section 40 or section 41 of the Act	250
(c) Application for an export licence under section 35 of the Act to replace a licence that will expire under section 36(6) of the Act	500
(d) Administering the export licensing of prescribed products in accordance with Part III of the Act, including in particular monitoring compliance with requirements and conditions imposed by or under sections 37 and 38 of the Act	1,500

- (2) A fee is not payable under subclause (1)(a) if the applicant already holds a current export licence.
- (3) A fee is payable under subclause (1)(c) only if the export licence applied for is to replace—
 - (a) a licence for which a fee was paid under subclause (1)(a); or
 - (b) if the applicant no longer holds a licence specified in paragraph (a), the next current licence granted to the applicant.
- (4) The fee payable under subclause (1)(d)—
 - (a) is payable with an application for an export licence whether or not—
 - (i) an applicant already holds a current export licence; or
 - (ii) a fee is payable under subclause (1)(a) or (c),—but must be refunded if the application is declined; and
 - (b) if the export licence is granted, is payable, while the licence is in force, in each of the first to fourth subsequent years by the anniversary of the grant of the licence; and
 - (c) to avoid doubt, is payable in respect of a current licence granted before the commencement of these regulations.
- (5) For the purposes of subclause (3)(a), if an applicant holds 2 or more current export licences granted before the commencement of these regulations, the first of those licences is to be treated as if it were a licence for which a fee was paid under subclause (1)(a).

5 Fees exclusive of GST

- The fees prescribed by these regulations are exclusive of goods and services tax.

6 Revocation

- The New Zealand Horticulture Export Authority (Fees) Regulations 1993 (SR 1993/99) are revoked.

Martin Bell,
Acting for Clerk of the Executive Council.

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