

Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it. *Note - N/A (see below)

Listed below are the most commonly used grounds from the OIA.

N/A - Document released in full. No information has been withheld for this proactive release

Section	Description of ground
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> (i) the Government of any other country or any agency of such a Government; or (ii) any international organisation
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

In Confidence

Office of the Associate Minister of Transport
Chair, Cabinet Legislation Committee

APPROVAL OF LEGISLATIVE CHANGES REQUIRED FOR MARITIME AND OIL POLLUTION LEVIES CHANGES

Proposal

- 1 This paper seeks authorisation for submissions to the Executive Council of the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024, together referred to as the Amendment Regulations.

Policy

- 2 Maritime New Zealand’s (“Maritime NZ”) funding for frontline regulatory services is largely provided by maritime operators via the maritime levy (authorised by the Maritime Levies Regulations 2016). Its oil pollution readiness and response activity are funded by the oil pollution levy (OPL) (authorised the Maritime Transport (Oil Pollution Levies) Order 2016) and paid by ships carrying oil around New Zealand.
- 3 The maritime levy and OPL have not been updated since 2019 due to the COVID-19 pandemic disrupting Maritime NZ’s three-year funding cycle.
- 4 Maritime NZ has since completed a review of its funding for 2024/25 through to 2027/28, which identifies changes required to the maritime levy and OPL to fund eight proposals intended to enable Maritime NZ to continue undertaking its statutory functions.
- 5 On 10 April 2024, the Cabinet Economic Policy Committee approved changes to the maritime levy and OPL from 1 July 2024, set out in paragraph 6.1 and 6.2 below [ECO-24-MIN-0055 refers].
- 6 The regulations to be authorised are the:
 - 6.1 Maritime Levies Amendment Regulations 2024, which will amend the Maritime Levies Regulations 2016 by increasing the maritime levy rates;
 - 6.1.1 The increase to rates for a foreign commercial passenger ship are as follows (GST exclusive):
 - the gross tonnage rate increases from \$0.1004 to \$0.1282;
 - the deadweight tonnage rate increases from \$0.0082 to \$0.0105;
 - the passenger capacity rate increases from \$2.0248 to \$2.5839.
 - 6.1.2 The increase to rates for a foreign commercial non-passenger ship are as follows (GST exclusive):

IN CONFIDENCE

- the gross tonnage rate increases from \$0.1178 to \$0.1504;
 - the deadweight tonnage rate increases from \$0.0095 to \$0.0121.
- 6.1.3 The increase to rates for a New Zealand Safety of Life at Sea (SOLAS) ship are as follows (GST exclusive):
- the gross tonnage rate increases from \$7.7931 to \$9.9449;
 - the deadweight tonnage rate increases from \$0.4607 to \$0.5879;
 - the passenger capacity rate increases from \$46.7100 to \$59.6072.
- 6.1.4 The increase to rates for a New Zealand non-SOLAS ship that is 24 metres or more in length are as follows (GST exclusive):
- the gross tonnage rate increases from \$8.2197 to \$10.4870;
 - the passenger capacity rate increases from \$17.5403 to \$22.3834.
- 6.1.5 The increase to rates for a New Zealand non-SOLAS ship that is less than 24 metres in length are as follows (GST exclusive):
- the overall length rate increases from \$15.1746 to \$19.5347;
 - the passenger capacity rate increases from \$17.5403 to \$22.3834.
- 6.2 The Maritime Transport (Oil Pollution Levies) Amendment Order 2024 which will amend the Maritime Transport (Oil Pollution Levies) Order 2016 by changing the OPL:
- 6.2.1 The changes to rates for foreign vessels are as follows (GST exclusive):
- for a ship using bunker fuel, which is times (x) by the number of gross tons of the ship increases from 0.54 cents to 2.63 cents;
 - for an oil tanker carrying persistent oil as cargo, which is x by the number of tonnes of persistent oil carried as cargo decreases from 36.14 cents to 35.46;
 - for an oil tanker carrying non persistent oil as cargo, which is x by the number of tonnes of non-persistent oil carried as cargo increases from 7.60 cents to 20.86.
- 6.2.2 The decreases to rates for domestic vessels are as follows (GST exclusive):
- for a ship using bunker fuel (other than a New Zealand fishing vessel), which is x by the number of gross tons of the ship decreases from 414.69 cents to 173.95 cents;
 - for an oil tanker carrying persistent oil as cargo, which is x by the number of tonnes of persistent oil carried as cargo in year decreases from 29.96 cents to 12.85 cents;
 - for an oil tanker carrying non-persistent oil as cargo, which is x by the number of tonnes of non-persistent oil carried as cargo in year decreases from 26.76 cents to 7.56 cents;
 - the rates for a New Zealand fishing vessel, which are x by the gross tons of the vessel decreases from 73.56 cents to 30.86 cents.

IN CONFIDENCE

- 6.2.3 The incremental increases to floating production storage and offloading sites (FPSO) from \$858.66 in a levy year increases as follows (GST exclusive):
- in the levy year 2024 – 2025 increases to \$41,457;
 - in the levy year 2025 – 2026 increases to \$82,055.19;
 - outyears remains \$82,055.19.

- 7 The Amendment Regulations are required to give effect to policy decisions agreed to by Cabinet Economic Policy Committee on 10 April 2024 and are consistent with the policy intent [ECO-24-MIN-0055], which is to ensure Maritime NZ's regulatory and compliance activities are suitably funded and the basis on which the cost of those activities is recovered from the maritime sector is clear, consistent and transparent.

Timing and 28-day rule

- 8 The Amendment Regulations have a proposed in-force date of 1 July 2024. No waiver of the 28-day rule is sought.

Compliance

- 9 The Amendment Regulations comply with each of the following:
- 9.1 the principles of the Treaty of Waitangi;
 - 9.2 the Treaty Provisions Officials Group Guidelines;
 - 9.3 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
 - 9.4 the principles and guidelines set out in the Privacy Act 1993;
 - 9.5 relevant international standards and obligations;
 - 9.6 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 10 There are no grounds for the Regulations Review Committee (RRC) to draw the Amendment Regulations to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel

- 11 The Parliamentary Counsel Office has certified the Amendment Regulations as being in order for submission to Cabinet.

Impact Analysis

- 12 Maritime NZ completed a Cost Recovery Impact Statement (CRIS) which has been proactively released to the public.

- 13 The CRIS and associated supporting material has been assessed by the Ministry of Transport RIS Panel, and assessed as meeting the quality assurance criteria. The paper thoroughly details the reasoning for the proposed funding changes.

Publicity

- 14 The Amendment Regulations will be published in the *New Zealand Gazette*.

Proactive release

- 15 I intend to pro-actively release this Cabinet paper shortly after decisions are made on this paper. Release will be subject to appropriate redactions.

Consultation

- 16 The Ministry of Transport consulted the following agencies in drafting this paper: Maritime NZ, the Treasury, New Zealand Police, the Ministry of Business, Innovation and Employment, the Ministry of Foreign Affairs and Trade, WorkSafe New Zealand, the New Zealand Customs Service, Te Puni Kōkiri, the Ministry for Primary Industries, the Ministry for the Environment and the Department of the Prime Minister and Cabinet.
- 17 None of the agencies who were consulted expressed any opposition to the proposed legislative changes. A few agencies provided some immaterial feedback which has been addressed in this paper. Police supports the increased fees and charges proposed as they will fund critical activities that enable Maritime NZ to meet their statutory obligations and regulatory functions.

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TE MANATŪ WAKA MINISTRY OF TRANSPORT

Recommendations

I recommend that the Cabinet Legislation Committee:

1. **note** that on 10 April 2024 the Cabinet Economic Policy Committee agreed to implement levies changes proposed by the Maritime NZ Funding Review [ECO-24-MIN-0055], with the exception of a 2-year phased approach for the Oil Pollution Levy for FPSO;
2. **note** that the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024 will give effect to the decision referred to in paragraph 1 above;
3. **note** that the Minister of Transport must have regard to the specific criteria in section 191(3A) of the Maritime Transport Act 1994 before recommending that the Governor-General makes the Maritime Levies Amendment Regulations 2024;
4. **note** that the Minister of Transport must have regard to the specific criteria in section 333(4) of the Maritime Transport Act 1994 before recommending that the Governor-General makes the order amending the Maritime Transport (Oil Pollution Levies) Amendment Order 2024;
5. **note** the advice of the Associate Minister of Transport that the requirements in paragraphs 3 and 4 have been met;
6. **authorise** submission to the Executive Council of the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024.
7. **note** that the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024 will come into force on 1 July 2024.

Authorised for lodgement

Hon Matt Doocey

Associate Minister of Transport

Appendices

Maritime Levies Amendment Regulations 2024

Maritime Transport (Oil Pollution Levies) Amendment Order 2024

PROACTIVELY RELEASED BY
TE MANATŪ WAKA MINISTRY OF TRANSPORT

Maritime Levies Amendment Regulations 2024

Order in Council

At Wellington this day of 2024

Present:
in Council

These regulations are made under section 191 of the Maritime Transport Act 1994—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport made after complying with section 191(3A) of that Act.

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Regulations

1 Title

These regulations are the Maritime Levies Amendment Regulations 2024.

2 Commencement

These regulations come into force on 1 July 2024.

3 Principal regulations

These regulations amend the Maritime Levies Regulations 2016.

4 Regulation 8 amended (Maritime levies for foreign commercial ships: Part 1 of Schedule 2)

Replace regulation 8(2) with:

- (2) The maritime levy for each port visit by a ship of a class specified in column 1 of the table in Part 1 of Schedule 2 during a levy year must be calculated in accordance with the following formula:

$$(g \times c2) + (d \times c3) + (p \times c4) = \$L$$

where—

- g is the gross tonnage of the ship
- d is the deadweight tonnage of the ship
- p is the passenger capacity of the ship
- c2 is the relevant gross tonnage rate specified in column 2 of the table
- c3 is the relevant deadweight tonnage rate specified in column 3 of the table
- c4 is the relevant passenger capacity rate specified in column 4 of the table
- \$L is the levy payable.

5 Regulation 9 amended (Maritime levies for New Zealand commercial ships: Part 2 of Schedule 2)

Replace regulation 9(2), (3), and (4) with:

- (2) The maritime levy for a New Zealand SOLAS ship that is of a class specified in column 1 of the table in Part 2 of Schedule 2 in relation to a levy year must be calculated in accordance with the following formula:

$$(g \times c2) + (d \times c4) + (p \times c5) = \$L$$

where—

- g is the gross tonnage of the ship
- d is the deadweight tonnage of the ship
- p is the passenger capacity of the ship (if the ship is a passenger ship)
- c2 is the relevant gross tonnage rate specified in column 2 of the table

c4 is the relevant deadweight tonnage rate specified in column 4 of the table
 c5 is the relevant passenger capacity rate specified in column 5 of the table (if applicable)
 \$L is the levy payable.

- (3) The maritime levy for a New Zealand non-SOLAS ship that is 24 metres or more in length and that is of a class specified in column 1 of the table in Part 2 of Schedule 2 in relation to a levy year must be calculated in accordance with the following formula:

$$(g \times c2) + (p \times c5) = \$L$$

where—

g is the gross tonnage of the ship
 p is the passenger capacity of the ship (if the ship is a passenger ship)
 c2 is the relevant gross tonnage rate specified in column 2 of the table
 c5 is the relevant passenger capacity rate specified in column 5 of the table (if applicable)
 \$L is the levy payable.

- (4) The maritime levy for a New Zealand non-SOLAS ship that is less than 24 metres in length and that is of a class specified in column 1 of the table in Part 2 of Schedule 2 in relation to a levy year must be calculated in accordance with the following formula:

$$(l \times c3) + (p \times c5) = \$L$$

where—

l is the overall length of the ship
 p is the passenger capacity of the ship (if the ship is a passenger ship)
 c3 is the relevant overall length rate specified in column 3 of the table
 c5 is the relevant passenger capacity rate specified in column 5 of the table (if applicable)
 \$L is the levy payable.

6 Schedule 2 replaced

Replace Schedule 2 with the Schedule 2 set out in the Schedule of these regulations.

Schedule
Schedule 2 replaced

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Schedule 2				
Maritime levies				
Part 1				
Foreign commercial ships				
Column 1	Column 2	Column 3	Column 4	
Class of ship	Gross tonnage rate (\$)	Deadweight tonnage rate (\$)	Passenger capacity rate (\$)	
Passenger	0.1282	0.0105	2.5839	
Non-passenger	0.1504	0.0121	–	

Part 2				
New Zealand commercial ships				
Column 1	Column 2	Column 3	Column 4	Column 5
Class of ship	Gross tonnage rate (\$)	Overall length rate (\$)	Deadweight tonnage rate (\$)	Passenger capacity rate (\$)
NZ SOLAS	9.9449	–	0.5879	59.6072
NZ non-SOLAS (24 m or more in length)	10.4870	–	–	22.3834
NZ non-SOLAS (less than 24 m in length)	–	19.5347	–	22.3834

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Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2024, amend the Maritime Levies Regulations 2016. The main effects of the amendments are as follows:

- an increase to the amount of maritime levy that is payable for each visit that a foreign commercial ship makes to a New Zealand port in a levy year:
- an increase to the amount of maritime levy that is payable each levy year for a New Zealand SOLAS or non-SOLAS ship.

The increases to rates for a foreign commercial passenger ship are as follows:

- the gross tonnage rate increases from \$0.1004 to \$0.1282;
- the deadweight tonnage rate increases from \$0.0082 to \$0.0105;
- the passenger capacity rate increases from \$2.0248 to \$2.5839.

The increases to rates for a foreign commercial non-passenger ship are as follows:

- the gross tonnage rate increases from \$0.1178 to \$0.1504;
- the deadweight tonnage rate increases from \$0.0095 to \$0.0121.

The increases to rates for a New Zealand SOLAS ship are as follows:

- the gross tonnage rate increases from \$7.7931 to \$9.9449;
- the deadweight tonnage rate increases from \$0.4607 to \$0.5879;
- the passenger capacity rate increases from \$46.7100 to \$59.6072.

The increases to rates for a New Zealand non-SOLAS ship that is 24 metres or more in length are as follows:

- the gross tonnage rate increases from \$8.2197 to \$10.4870;
- the passenger capacity rate increases from \$17.5403 to \$22.3834.

The increases to rates for a New Zealand non-SOLAS ship that is less than 24 metres in length are as follows:

- the overall length rate increases from \$15.1746 to \$19.5347;
- the passenger capacity rate increases from \$17.5403 to \$22.3834.

Regulatory impact statement

Maritime New Zealand produced a regulatory impact statement on 31 October 2023 to help inform the decisions taken by the Government relating to the contents of this instrument.

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

- <https://www.transport.govt.nz/about/governance/ris-bccs/>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry of Transport.

Maritime Transport (Oil Pollution Levies) Amendment Order 2024

Order in Council

At Wellington this day of 2024

Present:
in Council

This order is made under section 333(1) of the Maritime Transport Act 1994—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport made in accordance with section 333(4) of that Act.

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**Maritime Transport (Oil Pollution Levies) Amendment
Order 2024**

cl 1

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Schedule 1

New Part 2 inserted into Schedule 1AA

Schedule 2

Schedule 1 replaced

5
6

Order

1 Title

This order is the Maritime Transport (Oil Pollution Levies) Amendment Order 2024.

2 Commencement

This order comes into force on 1 July 2024.

3 Principal order

This order amends the Maritime Transport (Oil Pollution Levies) Order 2016.

4 Clause 4 amended (Interpretation)

In clause 4, revoke the definition of FPSO.

5 Cross-heading above clause 5 amended

In the cross-heading above clause 5, delete “*and capability*”.

6 Clause 5 amended (Purposes of levies)

Revoke clause 5(2).

7 Clause 7 replaced (Oil pollution levies: contributing oil sites)

Replace clause 7 with:

7 Oil pollution levies: contributing oil sites

- (1) Oil pollution levies are imposed for each year that begins on or after 1 July 2024 with respect to every contributing oil site that is an FPSO.
- (2) The oil pollution levy for a year for an FPSO is as follows:
 - (a) for the year beginning on 1 July 2024 and ending on 30 June 2025, \$41,457.00:

- (b) for the year beginning on 1 July 2025 and ending on 30 June 2026, and for each subsequent year, \$82,055.19.
- (3) In this clause, **FPSO** means an offshore oil installation that is a floating vessel used in the production, storage, and offloading of oil.

8 Clause 8 revoked (Capability levies: contributing ships)

Revoke clause 8.

9 Clause 9 revoked (Capability levies: contributing oil sites)

Revoke clause 9.

10 Clause 10 amended (Reduced proportional levy if use arises after 1 July)

- (1) In clause 10(1),—
 - (a) replace “6 to 9” with “6 and 7”:
 - (b) replace “any” with “either”.
- (2) In clause 10(2), formula, item FullLevy, replace “the applicable clause of clauses 6 to 9” with “clause 6 or 7 (whichever is applicable)”.

11 Clause 14 amended (Refunds on change of use)

- (1) In clause 14(1), replace “6, 8, and 10” with “6 and 10”.
- (2) In clause 14(1)(a), replace “any” with “either”.
- (3) In clause 14(2), formula, item DaysLevied, delete “or 8”.

12 Clause 15 amended (Refunds for ships laid up)

- (1) In clause 15(1),—
 - (a) replace “6, 8, and 10” with “6 and 10”:
 - (b) replace “any” with “either”.
- (2) In clause 15(2), formula, item DaysLevied, delete “or 8”.

13 Clause 16 amended (Refunds for ships not entering port during year)

In clause 16,—

- (a) replace “clauses 6 and 8” with “clause 6”:
- (b) replace “either of those clauses” with “that clause”.

14 Clause 17 amended (Refunds for certain oil sites)

- (1) In clause 17(1), replace “7, 9, and 10” with “7 and 10”.
- (2) In clause 17(1)(a), replace “any” with “either”.
- (3) In clause 17(2), formula, item DaysUsedforLevy, delete “or 9”.

15 Clause 19 amended (Right to deduct other levies from refunds)

In clause 19, delete “or capability levy”.

16 Schedule 1AA amended

In Schedule 1AA,—

- (a) insert the Part set out in Schedule 1 of this order as the last Part; and
- (b) make all necessary consequential amendments.

17 Schedule 1 replaced

Replace Schedule 1 with the Schedule 1 set out in Schedule 2 of this order.

18 Schedule 2 revoked

Revoke Schedule 2.

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Schedule 1
New Part 2 inserted into Schedule 1AA

cl 16

Part 2
Provision relating to Maritime Transport (Oil Pollution Levies)
Amendment Order 2024

- 2 Levies that became payable before 30 June 2024 are still payable**
- (1) This clause applies to any levy that became payable on or before 30 June 2024 under any of clauses 6 to 9 of this order as in force immediately before the commencement of the 2024 amendment order.
 - (2) The levy continues to be payable despite the amendments made by the 2024 amendment order.
 - (3) In this clause, **2024 amendment order** means the Maritime Transport (Oil Pollution Levies) Amendment Order 2024.

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Schedule 2
Schedule 1 replaced

cl 17

Schedule 1
Rates of levy for contributing ships

cl 6

Column 1 Class of ship	Column 2 Oil pollution levy
<i>Foreign vessels</i>	
Ship using bunker fuel	2.63 cents x number of gross tons of ship
Oil tanker, persistent oil as cargo	35.46 cents x number of tonnes of persistent oil carried as cargo
Oil tanker, non-persistent oil as cargo	20.86 cents x number of tonnes of non-persistent oil carried as cargo
<i>Domestic vessels</i>	
Ship using bunker fuel (other than New Zealand fishing vessel)	173.95 cents x number of gross tons of ship
Oil tanker, persistent oil as cargo	12.85 cents x number of tonnes of persistent oil carried as cargo in year
Oil tanker, non-persistent oil as cargo	7.56 cents x number of tonnes of non-persistent oil carried as cargo in year
New Zealand fishing vessel	30.86 cents x number of gross tons of vessel

Clerk of the Executive Council.

Explanatory note

This note is not part of the order but is intended to indicate its general effect.

This order, which comes into force on 1 July 2024, amends the Maritime Transport (Oil Pollution Levies) Order 2016 (the **principal order**). The principal order is amended to do the following:

- change the rate of oil pollution levy for contributing ships:
- remove the following classes of contributing oil site:
 - oil exploration well:
 - offshore oil installation other than an offshore oil installation that is a floating vessel used in the production, storage, and offloading of oil (FPSO) or an oil exploration well:
 - oil pipeline:

- change the rate of oil pollution levy for the remaining class of contributing oil site (FPSO):
- remove references to capability levies (the imposition of which ended on 30 June 2022):
- confirm that oil pollution and capability levies that became payable on or before 30 June 2024 are still payable.

The main effects of the amendments are as follows:

- an increase in the amount of levy payable for foreign ships using bunker fuel and foreign oil tankers that carry non-persistent oil as cargo:
- a decrease in the amount of levy payable for foreign oil tankers that carry persistent oil as cargo, domestic ships using bunker fuel (other than New Zealand fishing vessels), domestic oil tankers that carry persistent oil as cargo, domestic oil tankers that carry non-persistent oil as cargo, and New Zealand fishing vessels:
- an oil pollution levy is no longer imposed in relation to the following classes of contributing oil site:
 - oil exploration well:
 - offshore oil installation other than an FPSO or an oil exploration well:
 - oil pipeline:
- an increase in the amount of oil pollution levy payable for FPSO sites for the year starting on 1 July 2024 and ending on 30 June 2025 and a further increase to the amount of levy payable for subsequent years.

Regulatory impact statement

Maritime New Zealand produced a regulatory impact statement on 31 October 2023 to help inform the decisions taken by the Government relating to the contents of this instrument.

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

- <https://www.transport.govt.nz/about/governance/ris-bccs/>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

This order is administered by the Ministry of Transport.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Maritime and Oil Pollution Levies Changes: Amendment Regulations

Portfolio Associate Transport

On 23 May 2024, the Cabinet Legislation Committee:

- 1 **noted** that in April 2024, the Cabinet Economic Policy Committee agreed to implement levies changes proposed by the Maritime NZ Funding Review [ECO-24-MIN-0055], with the exception of a two-year phased approach for the Oil Pollution Levy for floating production storage and offloading sites;
- 2 **noted** that the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024 will give effect to the decision referred to in paragraph 1 above;
- 3 **noted** that the Minister of Transport must have regard to the specific criteria in section 191(3A) of the Maritime Transport Act 1994 before recommending that the Governor-General makes the Maritime Levies Amendment Regulations 2024;
- 4 **noted** that the Minister of Transport must have regard to the specific criteria in section 333(4) of the Maritime Transport Act 1994 before recommending that the Governor-General makes the Maritime Transport (Oil Pollution Levies) Amendment Order 2024;
- 5 **noted** the advice of the Associate Minister of Transport that the requirements in paragraphs 3 and 4 have been met;
- 6 **authorised** the submission to the Executive Council of the:
 - 6.1 Maritime Levies Amendment Regulations 2024 [PCO 26313/6.0];
 - 6.2 Maritime Transport (Oil Pollution Levies) Amendment Order 2024 [PCO 26314/6.0];
- 7 **noted** that the Maritime Levies Amendment Regulations 2024 and the Maritime Transport (Oil Pollution Levies) Amendment Order 2024 will come into force on 1 July 2024.

Sam Moffett
Committee Secretary

Present: (see over)

Present:

Rt Hon Winston Peters
Hon Chris Bishop (Chair)
Hon Dr Shane Reti
Hon Paul Goldsmith
Hon Simeon Brown
Hon Matt Doocey
Hon Tama Potaka
Hon Nicole McKee
Hon Casey Costello
Hon Simon Watts
Hon Andrew Bayly
Hon Chris Penk
Hon Penny Simmonds
Hon Andrew Hoggard
Jamie Arbuckle, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG

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Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 24 May 2024

On 27 May 2024, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 24 May 2024:

Out of Scope

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LEG-24-MIN-0097

**Maritime and Oil Pollution Levies Changes:
Amendment Regulations**
Portfolio: Associate Transport

CONFIRMED

Out of Scope

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Out of Scope



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Diana Hawker
for Secretary of the Cabinet