Ministry for Cities, Environment, Regions & Transport

Summary of Underpinning Analysis: Maritime Levies Amendment Regulations 2026

Agency responsible	Ministry for Cities, Environment, Regions and Transport
Portfolio	Transport
Date finalised	17 July 2026
Identification Number	REG-2119

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation	
Inconsistency identified?	NO
Summary of agency analysis	

From 6 November to 8 December 2025, Maritime New Zealand (Maritime NZ) conducted a four-week public consultation on multiple options for setting the Maritime Levy rates. This consultation period aligns with previous reviews.

The consultation received 33 submissions from a wide range of parties who will be directly and materially affected by the legislation. This includes the Port Company Chief Executive Officer Group, larger shipping operators represented by the New Zealand Shipping Federation, exporters and importers through the New Zealand Cargo Owners Council, smaller operators though the New Zealand Marine Transport Association, seafarer welfare organisations, the New Zealand Cruise Association, the New Zealand Federation of Commercial Fisherman representing fishing operators with boats generally less than 30 metres, and Aquaculture New Zealand.

Good law-making: 9(j)

The importance of carefully evaluating— • **the issue concerned; and** • **the effectiveness of any relevant existing legislation and common law; and** • **whether the public interest requires that the issue be addressed; and** • **any options (including non-legislative options) that are reasonably available for addressing the issue; and** • **who is likely to benefit, and who is likely to suffer a detriment, from the legislation**	
Inconsistency identified?	NO
Summary of agency analysis	

Maritime NZ is a cost recovery agency that is empowered under the Maritime Transport Act 1994 to collect levies to fund its operations. Since its last funding review in 2024, a funding shortfall caused by lower cruise activity, mixed cargo volumes and inflationary pressures.

Maritime NZ has pursued non-regulatory measures by identifying $6.3m in savings per year to 2030 (16% of the levy) but, from 2027/28, its reserves will fall below the level required to meet the going concern solvency test under section 51 of the *Crown Entities Act 2004*. This could impact on the regulator's ability to discharge its duties which would not be in the public interest. Therefore, an increase in the Maritime Levy is needed from 1 July 2027. This is aligned with Maritime NZ's normal practice of conducting a funding review every three years.

Maritime NZ's Cost Recovery Impact Statement sets out the impact of three separate levy increase rates on maritime sector participants:
https://www.transport.govt.nz/assets/Uploads/RIA/Cost-Recovery-Impact-Statement-for-the-Maritime-Levy-and-Oil-Pollution-Levy-Review-2027.pdf

The Cabinet paper seeking agreement to the levy rate also considers the flow-through impact of a levy increase on spending in the wider economy where possible:
https://www.transport.govt.nz/assets/Uploads/Cabinet/Maritime-Levy-Review-Cabinet-Paper-Proposed-change-to-the-Maritime-Levy.pdf

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation	
Inconsistency identified?	NO
Summary of agency analysis	

Roles, responsibilities and the process for implementing changes to the Maritime Levy are well established as the Maritime Levy has been in place since 1995. Once agreed by the Cabinet, the new Maritime levy rates will be published and collected by Maritime NZ using its established arrangements for collecting the levy from levy payers. A long lead in time has been provided to ensure that the industry can prepare for the levy implementation, as it will not come into force until 1 July 2027.

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Maritime NZ's current cost recovery policy is designed to be in line with Treasury's cost recovery principles.

Maritime NZ's Cost Recovery Impact Statement assesses the cost recovery principles https://www.transport.govt.nz/assets/Uploads/RIA/Cost-Recovery-Impact-Statement-for-the-Maritime-Levy-and-Oil-Pollution-Levy-Review-2027.pdf

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available	
Inconsistency identified?	NO
Summary of agency analysis	

Making an adjustment to this levy through an Order In Council is the most effective, efficient, and proportionate response available to address the issue of Maritime NZ facing cost pressures to its activities.

Maritime NZ has already taken non-legislative measures to partly address its funding shortfall. Maritime NZ has partly reduced funding pressure through reserve drawdowns and savings of $5.5 million in 2025/26, increasing to $6.3 million in 2026/27 (16% of Maritime Levy-funded activity). These savings of $6.3 million will be maintained annually to 2030. The Maritime Levy rate option being implemented will require Maritime NZ to implement savings equating to a further 16% of Maritime Levy-funded activity.

Maritime NZ applies a user-pays, full cost recovery model. The Maritime Levy is an existing, well-understood mechanism to fund services that enable operators to enter, operate within, and exit the maritime system safely and efficiently. Other than funding redundancies, the proposed levy increase is an inflation adjustment only to ensure that Maritime NZ can respond to inflationary pressures.

We note that the scope of this funding review was focused only on reviewing the rate of the Maritime Levy rather that how Maritime NZ funds its operations.

Rule of Law: 9(a)(i)

The law should be clear and accessible	
Inconsistency identified?	NO
Summary of agency analysis	

These amendments simply update the existing Maritime Levy in regulations with new rates. The new rates will be set out in the regulations on the Legislation website and published well before they come into effect on 1 July 2027. Maritime sector participants have regularly implemented changes to the Maritime Levy at funding review intervals without any issues of clarity or accessibility.

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Rule of Law: 9(a)(iii)

Every person is equal before the law	
Inconsistency identified?	NOT APPLICABLE

Summary of agency analysis	

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless- • **there is a good justification for the taking or severe impairment; and** • **fair compensation for the taking or severe impairment is provided to the owner; and** • **the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment**	
Inconsistency identified?	NOT APPLICABLE

Summary of agency analysis

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1996 (Parliamentary control of taxation)	
Inconsistency identified?	NO
Summary of agency analysis	

Section 191(1) of the Maritime Transport Act 1994 provides statutory power for the Governor-General, on the recommendation of the Minister, to make regulations providing for the payment of maritime levies in respect of ships and floating production, storage, and offloading units entering any port in New Zealand or operating in New Zealand waters and prescribing the amounts of those levies. The Maritime Levy is made under this Act of Parliament, so is consistent with section 22(a) of the Constitution Act.

Changes to the Maritime Levies Regulations 2016 are made by an Order In Council.

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

This proposal does not include a proposal for new or amended fees.

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both— • the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and • the costs of efficiently achieving the objective or providing the function	
Inconsistency identified?	NO
Summary of agency analysis	

Maritime NZ's authority to charge levies is established under the Maritime Transport Act 1994, which enables the organisation to recover the costs of delivering regulatory, safety, and infrastructure services across the maritime sector.

The levy increase under Option 2 will only recover actual costs for services and is modelled on the existing methodology using established vessel categories and factors. The levy rate also reflects efficiencies already made and future staffing reductions.

The activities and functions Maritime Levies pay for include:

- Participating in technical work to develop, maintain, implement and update international maritime conventions and agreements. This ensures New Zealand's obligations under conventions are incorporated into New Zealand legislation.
- First port state control inspections of foreign vessels.
- The provision of information and education to help commercial operators improve maritime safety and protect the marine environment.
- Investigations and compliance functions, including prosecutions.
- Aids to navigation and distress and safety communication (radio) services.
- Assisted regulatory functions, including research, intelligence, guidance and information.
- Systemic risk activities, such as targeted safety awareness and other campaigns and industry engagement.
- Routine maritime safety audits and inspections of domestic operators.
- Some seafarer welfare services.

As the maritime sector creates the risks and collectively relies on a safe and well-regulated operating environment, it is appropriate that the costs of providing the activities and functions above are shared across sector participants through levies.

Maritime Levy rates are applied to vessel categories on the basis of weight, passenger capacity and overall length. Maritime NZ will make $6.3 million in annual savings through to 2030 which equivalent to 16% of the Maritime Levy-funded activity. The proposed levy increase covers inflationary pressures faced by Maritime NZ and would be applied proportionately across vessel categories. The Ministry considers this a reasonable levy increase for Maritime NZ to provide its services.

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation	
Inconsistency identified?	NOT APPLICABLE

Summary of agency analysis

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review	
Inconsistency identified?	NOT APPLICABLE
Summary of agency analysis	

Additional information

Relevant publicly available inquiry, review, or evaluation reports

Not applicable.

Relevant international treaties, standards and obligations

Maritime Levy funding supports New Zealand's participation in technical work to develop, maintain, implement and update international maritime conventions and agreements, and ensure that New Zealand's obligations under those conventions are implemented. A key convention that the Levy supports is SOLAS (International Convention for the Safety of Life at Sea)

Departures from the Legislation Guidelines

Not applicable.

Other unusual provisions or features

Not applicable.