

Territorial Sea and Exclusive Economic Zone

- | | | |
|----|--|-------------------------------|
| 6 | Area of operation, the location where contact sought with marine mammal | Attachment #1 map of the area |
| 7 | Number of vessel or aircraft to be used for operation at any one time, and description of vessel or aircraft | Photo attached |
| 8 | The duration of trips | |
| 9 | The frequency of trips | |
| 10 | The nature and extent of any interaction with any marine mammal | |
| 11 | The maximum number of passengers to be taken at any one time | |
| 12 | The species of marine mammals that the operation will seek to contact and the nature and extent of that contact | |
| 13 | Experience of applicant and each relevant staff member with marine mammals | |
| 14 | Knowledge of applicant and each relevant staff member of local area and sea conditions | |
| 15 | Whether applicant or any relevant staff member has been convicted of an offence related to mistreatment of animal or marine life | |
| 16 | Educational material to be used | |

I declare that I have answered all the questions truthfully and to the best of my knowledge and that I am required to report any changes in the information contained in this form to the Director within 7 days of the change.

I understand that the Director may require additional information.

Signature of applicant: Date:.....

Form 2



GOVERNMENT OF NIUE

WHALE WATCHING LICENCE

<u>LICENCE NO.</u>	<u>LICENSED OPERATOR</u>											
<u>WWL01-2015</u>	<u>(NAME)</u>	<u>Address:</u>										
		<u>Ph:</u>										
		<u>Fax:</u>										
		<u>Email:</u>										
<p><u>1. The licensed operator named in this licence is authorised to carry out a commercial operation in accordance with the requirements of the Whale Watching Regulations 2015.</u></p> <p><u>2. Vessels engaging in whale watching may interact with a whale.</u></p> <p><u>3. Swimmers under the supervision of the licensed operator's guide may interact with a whale.</u></p> <p><u>4. Vessels or aircraft authorised to be used:</u></p>												
<table border="1"> <thead> <tr> <th data-bbox="268 1216 571 1294"><u>Number of vessels/aircraft</u></th> <th data-bbox="571 1216 1498 1294"><u>Description of vessels (type, length, capacity, etc) or aircraft</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="268 1294 571 1344"><u>1</u></td> <td data-bbox="571 1294 1498 1344"></td> </tr> <tr> <td data-bbox="268 1344 571 1393"><u>2</u></td> <td data-bbox="571 1344 1498 1393"></td> </tr> <tr> <td data-bbox="268 1393 571 1442"><u>3</u></td> <td data-bbox="571 1393 1498 1442"></td> </tr> <tr> <td data-bbox="268 1442 571 1485"></td> <td data-bbox="571 1442 1498 1485"></td> </tr> </tbody> </table>			<u>Number of vessels/aircraft</u>	<u>Description of vessels (type, length, capacity, etc) or aircraft</u>	<u>1</u>		<u>2</u>		<u>3</u>			
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<u>1</u>												
<u>2</u>												
<u>3</u>												
<p><u>5. The area of operation:</u></p>												
<p><u>This licence is subject to the laws and regulations of Niue</u></p>												
<p style="text-align: center;"><u>Period during which licence is in force</u></p>												
<p><u>This licence remains in force fromto</u></p>												
<p><u>Dated:</u></p>												
<p><u>.....</u></p>												
<p style="text-align: center;"><u>Director</u></p>												
<p style="text-align: center;">Department of Agriculture, Forestry and Fisheries</p>												
<p style="text-align: center;"><u>This licence not transferable.</u></p>												

SUMMARY OF CONDITIONS OF WHALE WATCHING LICENCE AND SPECIAL INTERACTION PERMIT

1. A licensed operator must comply with the requirements of the Whale Watching Regulations 2015. In summary, the effect of those regulations is that the operator—
 - a. must not disturb or harass marine mammals; and
 - b. must abandon contact with a marine mammal if the mammal becomes or shows signs of becoming disturbed or alarmed; and
 - c. must not cause a marine mammal to be separated from a group of marine mammals, or cause a group to be scattered; and
 - d. must not cut off the path of a marine mammal; and
 - e. must not feed marine mammals or cause food or rubbish to be near or around marine mammals; and
 - f. must ensure that relevant staff members are familiar with the exclusion zone and must observe and comply with the zone at all times; and
 - g. must not use or allow to be used any unmotorised water craft such as kayaks and paddleboards; and
 - h. must not use or allow to be used motorised water craft such as jet skis, motorised swimming aids, and vessel tenders.
2. The licensed operator must ensure swimmers are under the supervision of an approved guide. The licensed operator must ensure that swimmers comply with the Whale Watching Regulations 2015.
3. It is the sole responsibility of the licensed operator to ensure the safety of people whale watching under its supervision.
4. Each guide for the licensed operator must be approved before conducting whale watching.
5. Staff operating the vessels or aircraft for the licensed operator must only use vessels or aircraft listed and authorised under the licence or permit.
6. The licensed operator must, after every trip, provide a report to the Director on the activities undertaken, the number of people whale watching, and the number of marine mammals sighted.
7. The licensed operator must comply with the vessel safety equipment requirements under regulation 8 of the Domestic Fishing Regulations 1996.
8. The licence is subject to the laws of Niue.

Failure to comply with these conditions, the Whale Watching Regulations 2015, and other laws of Niue may result in the licence or permit being revoked or suspended, or the restriction of the operation carried on under the licence or permit.

Form 3



GOVERNMENT OF NIUE
SPECIAL INTERACTION PERMIT

<u>PERMIT NO.</u>	LICENSED OPERATOR	
		ADDRESS:
		<u>PH:</u>
		<u>FAX:</u>
		<u>EMAIL:</u>

Schedule 3
Fees

Item	Type of licence or permit	Fee
1	Whale watching licence	\$250.00 plus NCT per year/per vessel
2	Viewing only permit	\$150.00 plus NCT
3	Application fee for special interaction permit	\$50.00 plus NCT
4	Special interaction permit	\$500.00 plus NCT per year/per vessel

TRANSPORT

DRIVER'S LICENCE REGULATIONS 2011

2011/1 – 28 March 2011

1	Name	4	Visitors License
2	Issuing Driver's Licences	5	Senior Citizen Driver's Licence
3	Licensing System.	6	Licensing Fees

1 Name

This is the Driver's Licence Regulations 2011.

2 Issuing Driver's Licences

The Niue Police is authorised to issue driver's licences for the purposes of the Transport Act 1965.

3 Licensing System

(1) The Niue driver's licenses will be changed from an annual renewal to a five year cycle of renewal through this progressive introduction:

- (a) 31 March 2011 License holders surnames beginning with A-E to renew licence for 5 years until 3 March 2016, all other licence holders resident on Niue to renew for the standard annual period;
- (b) 31 March 2012 Licence holders with surnames beginning with F-J to renew licence for 5 years until 31 March 2017, those Niue resident licence holders K-Z renew for the standard annual period;
- (c) 31 March 2013 Licence holders with surnames beginning with K-O to renew licence for 5 years until 31 March, 2018, those Niue resident licence holders P-Z renew for the standard annual period;
- (d) 31 March 2014 Licence holders with surnames beginning with P-T to renew licence for 5 years until 31 March 2019, those Niue resident licence holders UZ renew for the annual standard period;
- (e) 3 March 2015 Licence holders with surnames beginning with U-Z renew licence for five years until 31 March 2020.

(2) The system will restart again in the above order upon the expiry of each 5 yearly licensing period.

4 Visitors Licence

All visitors must obtain a Niue driver's licence that will be valid for one year only.

5 Senior Citizen Driver's Licence

All residents of the age of 75 years and over must undertake an annual driving test to determine eligibility for a driver's licence.

6 Licence Fees

Niue Legislation 2019

The driver's licences fees are set out in the Schedule inclusive of the 12.5% Niue Consumption Tax.

SCHEDULE Driver's Licence Fees

	Fee inclusive of NCT
Visitors Licence	\$22.50
Reissue of Licence	\$22.50
Annual Licence	\$12.00
5 Yearly Licence	\$60.00

SPEED MEASURING REGULATIONS 2006

2006/8 – 19 December 2006

1 Title

These are the Speed Measuring Regulations 2006.

2 Definitions

In these Regulations -

"operating officer" means the Chief of Police or any constable;

"speed measuring device" means a LTI 20 -20 Laser Speed Detection Device or any other speed detection device approved for use by law enforcement agencies in New Zealand.

3 Use of a Speed Measuring Device

An operating officer may use a speed measuring device to monitor traffic on the roads for the purposes of Part VI of the Niue Transport Act 1965.

4 Detection of Speed

Upon detection of the speed at which a motor vehicle was travelling, the operating officer shall advise the driver of their excess speed and also of any further action that may be taken under section 47 of the Niue Transport Act 1965.

5 Tampering or Interfering with a Speed Measuring Device

(1) The speed measuring device is self-calibrating and does not require user maintenance or accuracy testing.

(2) Any person who without proper authority, wilfully tampers or interferes with the mechanism of a speed measuring device commits an offence and shall be liable on conviction to a fine not exceeding 2 penalty units.

TRANSPORT (FEES) REGULATIONS 2005

2005/5 – 24 June 2003

1 Title

These are the Transport (Fees) Regulations 2005.

2 Fees

The fees prescribed for the purpose of the Transport Act 1964 are set out in the Schedule.

SCHEDULE Driver's Licence

Type of Driver's Licence	Fee
First Licence Registration	\$15.00
Annual Licence	\$10.00
Visitor's Licence	\$10.00
Learner's Licence	\$5.00
Duplicate Licence (where original is lost or destroyed)	\$15.00

Motor Vehicle Registration

Type of Motor Vehicle	Fee
Motor cycle	25.00
Motor cycle for hire	30.00
Motor car, Pickup, Van and Light Truck	35.00
Heavy Trade Motor Vehicles	45.00
Motor Car, Van, Truck and others for hire	60.00
Tractor	25.00
Trailer	20.00

Annual Licence

Motor Cycle	\$35
Motor Cycle applied for Hire	\$45
Other vehicles applied for Hire	\$85
Motor Car	\$50
Van, pickup and light truck	\$50
Heavy Trade Motor Vehicles	\$85
Tractors	\$30
Trailers	\$15
Business use Vehicles	\$80
Duplicate Licence (where original is lost or destroyed)	\$15

TRANSPORT (FEES) REGULATIONS 2007

2007/03 – 13 February 2007

1 Name

These are the Transport (Fees) Regulations 2007.

2 Display of Registration Label

The vehicle registration label must be displayed on the left hand front side on the inside of the windscreen of a vehicle.

TRANSPORT (FEES) REGULATIONS 2009

2009/02 – 30 March 2009

1 Name

These are the Transport (Fees) Regulations 2009.

2 Fees for warrants of fitness

The fees prescribed for the purpose of section 74 of the Transport Act 1965 are set out in the Schedule.

SCHEDULE

Warrant of fitness	\$15.00
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TRUSTEE

TRUSTEES' COMMISSION RULES 1961

SR 1961/81 – 20 July 1961

1 These Rules are the Trustees' Commission Rules 1961.

2 Every application to the Court under section 72 of the Trustee Act 1956, for the allowance to any person who is or has been a trustee of the property subject to any trust or to his personal representative of a commission or percentage out of that property shall be made by motion under the Rules of Court for the time being in force.

3 (1) Every such motion shall be supported by an affidavit or affidavits showing –

- (a) How and when the trust was constituted, the names of all present and previous trustees thereof, and the period during which each held office;
- (b) Such information as may be necessary to enable an order giving directions as to service to be made;
- (c) Particulars of any commission or percentage out of the trust property previously allowed by the Court to, or taken in accordance with the instrument (if any) creating the trust or with the consent of the beneficiaries or otherwise by, each person who is or has been a trustee or the personal representative of a trustee;
- (d) Whether any profit, benefit, or advantage has been derived directly or indirectly by any trustee of the trust property, or by any partner, relative, servant, or personal representative of any trustee, from or in connection with the administration thereof; and, if so, particulars of every such profit, benefit, and advantage;
- (e) The amount of the allowance sought by each applicant, and the basis or principle by which the same is arrived at; and, if an order is sought under section 72(3) apportioning the total amount allowed, the basis on which the proposed apportionment is sought;
- (f) If the trustees who or whose personal representatives are making the application have not been the only trustees since the inception of the trust, information as to the extent to which, up to the date to which a commission or percentage is applied for, the trust property has been realised and income got in and the administration of the trust carried on and its responsibilities discharged by each person who is or has been a trustee;
- (g) If the application is not made at or about the time of the final distribution of the trust property, sufficient information to enable the Court to determine what commission or percentage (if any) should be ordered forthwith having regard to the extent to which the duties of the trusteeship have already been discharged, and the period likely to elapse before that final distribution, and the changes in trusteeship which may occur during that period, and other relevant facts.

(2) The information referred to in paragraph (1) (b) is such information as may be necessary to enable the Court to decide what persons or classes of persons are interested and by what means the interests of each such person or class of persons may be adequately represented where the questions raised by the motion relate to or affect or may affect –

- (a) The interests of several persons under any will, settlement, deed, instrument of gift, contract, or other instrument, or under any enactment; or
- (b) The interests of infants, or of unborn persons, or of absentees; or
- (c) The interests of the inhabitants of any locality represented by a local authority, or the interests of any similar class of persons; or
- (d) The public interest.

(3) With respect to any motion under rule 3 the Court may –

- (a) Direct any executor or trustee to represent infants, unborn persons, or absentees, or persons otherwise unrepresented, or otherwise provide for such representation;
- (b) Direct that a guardian *ad litem* be appointed to represent any person where such a course appears necessary;
- (c) Direct any person to represent others who have the like interests;
- (d) Direct that any party or group of parties appear by a separate solicitor;
- (e) Appoint counsel to represent any party separately as to all or any questions arising upon the motion, on such counsel undertaking to represent that party;
- (f) –
- (g) Direct that the Government Solicitor be served;
- (h) Direct that any other Minister or functionary have notice of the motion;
- (i) Direct that, with the consent of a Minister to be filed, any head of a Government Department or other officer or functionary may represent the public interest and direct that he be served;
- (j) Direct that any local authority, public body, or other representative body of persons represent the inhabitants of any locality or any class of persons, unless it appears to the Court that their interests, or the interests of a considerable section of them, may be adverse to those of that local authority or public body or other representative body;
- (k) Where a local authority, public body, or other representative body is itself the party moving, or is a party whose interests appear to the Court to be adverse to those of the inhabitants or class of persons represented by that local authority or body or a considerable section of them, direct in what manner those inhabitants or that class or that section shall be represented.

4 Subject to rules 5, 6 and 12 the following documents, duly verified by an affidavit or affidavits of a solicitor or public accountant, shall be filed in respect of every such motion –

- (a) A copy of the will or other instrument (if any) creating the trust;
- (b) Capital and income accounts of the trust or summarised statements thereof showing –
 - (i) The trust property and liabilities at the inception of the trust and at the date to which a commission or percentage is sought;
 - (ii) The gross capital realisations and other capital receipts, and the capital liabilities discharged and investments of capital made, and distributions of capital to beneficiaries and other capital payments made, during the period from the inception of the trust to the date to which a commission or percentage is sought, distinguishing those received and made by the trustees who or whose personal representatives are making the application from those received and made by other trustees (if any);
 - (iii) The gross income received and liabilities and outgoings discharged from income, and the distributions of income to beneficiaries, and other disbursements from income, during the last-mentioned period, distinguishing those received and made by the trustees who or whose

Trustee

personal representatives are making the application from those received and made by other trustees (if any);

- (iv) The sums retained by or paid to solicitors, accountants, auctioneers, land agents, commission agents, brokers, and other agents during the said period in respect of capital and income respectively.

5 (1) Unless the Court or a Judge otherwise orders, the accounts of the trustees or summarised statements previously kept or made for the purposes of the trust may be adopted for the purposes of the said motion.

(2) Any information required by rules 3 and 4 and not contained in those accounts or summarised statements (including any information required in respect of administration by other trustees) shall be supplied by supplementary accounts or summarised statements verified in each case by an affidavit of a public accountant or solicitor.

6 In so far as any information and accounts or summarised statements required in support of any such motion have been supplied in support of any previous application to the Court for a commission or percentage, these rules shall be deemed to that extent to have been complied with in connection with that motion.

7 The Court may at any time refer the motion or any matter being part thereof or connected therewith to the Registrar for inquiry and report.

8 Unless the Court or a Judge otherwise orders, reasonable notice to the satisfaction of the Registrar of any appointment made by the Registrar to proceed with his inquiry shall be given to every person who was entitled to be served with the motion, unless he has given notice in writing to the Registrar that he does not intend to appear or be represented at the inquiry.

9 The evidence of every witness called on the inquiry before the Registrar shall be taken down in writing and signed by the witness, and shall accompany the Registrar's report to the Court.

10 (1) The Court may award costs to any applicant or other person affected by the application, whether any commission or percentage is allowed or not.

(2) If costs are allowed, all usual and proper disbursements, including agency charges, shall, unless the Court or a Judge otherwise orders, also be deemed to be allowed though not expressly mentioned.

11 The Court may direct that any costs be paid out of the trust property or any part thereof.

12 (1) The Court or a Judge, on motion made before or after the filing of a motion for a commission or percentage, and upon sufficient grounds, may by order dispense with the observance of all or any of the foregoing rules.

(2) A motion under this rule may in the first instance be made *ex parte*, but the Court or Judge may require notice to be given to such person or persons and in such manner as the Court or Judge may direct.

TRUSTEE COMPANIES

[EDITORIAL NOTE: The subsidiary legislation is not reproduced here. It is listed for early repeal.]

UNITED NATIONS

UNITED NATIONS SANCTIONS (TERRORISM SUPPRESSION AND AFGHANISTAN MEASURES) REGULATIONS 2004

2004/5 – 23 September 2003

1 Title

These are the United Nations Sanctions (Terrorism Suppression and Afghanistan Measures) Regulations 2004.

2 [Spent]

3 Interpretation

(1) In these Regulations –

“Al-Qaida entity” –

- (a) Means the Al-Qaida organisation; and
- (b) Includes an entity (other than the Al-Qaida organisation) designated, by or under one or more resolutions of the Security Council relating to Afghanistan, as being an entity associated with Usama bin Laden and against whom a sanction imposed by those resolutions and provided for in regulations 6 or 8 is to be imposed;

“entity” means a person, group, trust, partnership, or fund, or an unincorporated association or organisation;

“funds” –

- (a) Means assets of every kind, whether tangible or intangible, moveable or immovable, however acquired; and
- (b) Includes legal documents or instruments (for example, bank credits, travellers’ cheques, bank cheques, money orders, shares, securities, bonds, drafts, and letters of credit) in any form (for example, in electronic or digital form) evidencing title to, or an interest in, assets of any kind;

“property” –

- (a) Means real or personal property of any description, whether situated in Niue or elsewhere and whether tangible or intangible; and
- (b) Includes an interest in any real or personal property of that kind;

“specified entity” has the meaning given to it in regulation 4;

“Taliban” means the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan;

“Taliban entity” means an entity (other than an Al-Qaida entity or the Taliban or Usama bin Laden) designated, by or under one or more Resolutions of the Security Council relating to Afghanistan, as an entity against whom a sanction imposed by those resolutions and provided for in regulation 6 or regulation 8 is to be imposed.

(2) A reference in these regulations to the transfer of property that is a security includes a reference to a transfer of the security by way of loan, mortgage, pledge, or bailment, whether in respect of a legal or an equitable interest.

(3) The Minister of External Affairs may publish, in any manner that he or she thinks fit (for example, by notice in the *Gazette*, or publication on the Internet, or both) –

- (a) A list of the names, and of any other known identifying details, of entities that are specified entities to whom some or all of the provisions of these Regulations apply;
- (b) Any additions to, or deletions from, the list referred to in paragraph (a).

4 Application

These Regulations apply in respect of the entities referred to in column 1 of the table in the Schedule to the extent specified in column 2 of that table opposite the references to those entities, and references in these Regulations to a “specified entity” must be read accordingly.

5 Collecting or providing funds for specified entities

- (1) No person may, directly or indirectly, wilfully and without lawful justification or reasonable excuse, provide or collect funds intending that they be used, or knowing that they are to be used, in full or in part, by a specified entity.
- (2) In a prosecution for an offence against these regulations of contravening paragraph (1), it is not necessary for the prosecutor to prove that the funds collected or provided were actually used, in full or in part, by a specified entity.

6 Dealing with property of specified entities

- (1) No person may, without lawful justification or reasonable excuse, deal with any property knowing that the property is –
 - (a) Property owned or controlled, whether directly or indirectly, by a specified entity; or
 - (b) Property derived or generated from any property of the kind specified in subparagraph (a).
- (2) Paragraph (1) does not apply if the Minister of Finance has, under regulation 9, authorised that dealing with the property (for example, to enable a third party with a valid interest in the property, or in the maintenance or disposition of it, to obtain relief).
- (3) In this regulation “deal with”, in relation to any property –
 - (a) Means to use or deal with the property, in any way and by any means, for example, to acquire possession of, or a legal or an equitable interest in, transfer, pay for, sell, assign, or dispose of (including by way of gift) the property; and
 - (b) Includes allowing the property to be used or dealt with, or facilitating the use of it or dealing with it.

7 Property suspected to be owned or controlled by specified entities to be reported

A person in possession or control of property that the person suspects on reasonable grounds is property that is or may be owned or controlled by, or on behalf of, a specified entity must, as soon as practicable after forming that suspicion, report it to a constable.

8 Making property, or financial or other related services, available to specified entities

- (1) No person may make available, or cause to be made available, directly or indirectly, without lawful justification or reasonable excuse, any property, or any financial or business or professional services, either to, or for the benefit of, a specified entity, knowing that the entity is a specified entity.
- (2) An example of a person making property available with a lawful justification, for the purposes of paragraph (1) is where the property the person made available is items of food, clothing, or medicine, that are necessities of life.

(3) Paragraph (1) does not apply if the Minister of Finance has, under regulation 9, authorised that making available of the property or services (for example, to enable a third party with a valid interest in the property, or in the maintenance or disposition of it, to obtain relief).

(4) In this regulation “make available”, in relation to any property or services, means to make the property or services available in any way and by any means (for example, to send, transfer, deliver, or provide the property or services).

9 Minister of Finance may authorise activities or transactions

(1) The Minister of Finance may, by notice in writing, permit any one or more activities or transactions, or classes of activities or transactions, that would otherwise be prohibited by regulations 6 or 8.

(2) Any authorisation of that kind –

- (a) May be subject to terms or conditions; and
- (b) May be amended, or revoked, or revoked and replaced.

(3) If a person has obtained an authorisation of that kind, another person involved in carrying out the activity or transaction or class or classes of activities or transactions to which the authorisation relates is not subject to regulations 6 or 8.

(4) Paragraph (3) does not apply if –

- (a) The authorisation is subject to terms or conditions imposed under paragraph (2)(a), and
- (b) Those terms or conditions are not satisfied.

10 Recruiting members of specified groups

No person may recruit another person as a member of a group or organisation, knowing that the group or organisation is a specified entity.

11 Participating in specified groups

No person may participate in a group or organisation, knowing that the group or organisation is a specified entity.

12 Protection of persons

(1) A person has immunity from civil, criminal, or disciplinary proceedings to the extent provided in paragraphs (2) and (3) if the person –

- (a) Acts in purported compliance with the requirements of any of regulations 6 and 8; or
- (b) Reports a suspicion to a constable under regulation 7(1); or
- (c) Discloses information in connection with a report of that kind.

(2) No civil, criminal, or disciplinary proceedings lie against a person to whom paragraph (1) applies –

- (a) In respect of the acts of the person in good faith and with reasonable care in purported compliance with the requirements of any of regulations 6 and 8; or
- (b) In respect of the report or disclosure, or the manner of the report or disclosure, by that person, of the information referred to in paragraph (1)(b) and (c); or
- (c) For any consequences that follow from the report or disclosure of that information.

(3) Paragraph (2)(b) and (c) does not apply if the information was reported or disclosed in bad faith, or without reasonable care having been taken in determining, before the report or disclosure, that an entity is a specified entity.

13 Offences

Every person commits an offence against these Regulations, and is liable accordingly under section 3 of the United Nations Act 1946, who acts in contravention of or fails to comply in any respect with any of the provisions of these Regulations.

14 Minister's consent required for prosecutions

(1) No prosecution for an offence against these Regulations may be instituted in any court except with the consent of the Minister of External Affairs.

(2) A person alleged to have committed an offence against these Regulations may be arrested, or a warrant for the person's arrest may be issued and executed, and the person may be remanded in custody or on bail, even though the Minister's consent under paragraph (1) has not been obtained.

SCHEDULE
(Regulation 4(1))

Specified Entities

Entity

Every Al-Qaida entity
The Taliban
Every Taliban Entity
Usama bin Laden

Provisions that apply to the entity

Every provision of these Regulations
Every provision of these Regulations
Every provision of these Regulations
Every provision of these Regulations, except regulations 10 and 11.

VAGAHAU NIUE

VAGAHAU NIUE REGULATIONS 2016

2016 /02 – 5 May 2016

1	Title	6	Application fee
2	Interpretation	7	Term of certificate of competency in Vagahau Niue
3	Competencies for interpretation of Vagahau Niue	8	Commission must keep public register
4	Competencies for translation of Vagahau Niue	9	Fees for certified translator and interpreter
5	Competencies for interpretation and translation of Vagahau Niue		

1 Title

These regulations are the Vagahau Niue Regulations 2016.

2 Interpretation

(1) In these regulations, unless the context otherwise requires —
“Act” means the Vagahau Niue Act 2012;
“interpretation work” means work involving interpretation from the English language into Vagahau Niue and from Vagahau Niue into the English language;
“translation work” means work involving translation from the English language into Vagahau Niue and from Vagahau Niue into the English language.

(2) Any term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

3 Competencies for interpretation of Vagahau Niue

The criteria for assessing a person's competence in the interpretation of Vagahau Niue are as follows:

- (a) the person has a sound knowledge of the grammar and structure of the English language and Vagahau Niue;
- (b) the person has extensive experience in interpretation work and has undertaken a wide range of interpretation work;
- (c) the person indicates interest in advancing his or her skills in interpretation work;
- (d) the person is culturally sensitive to the protocols and use of Vagahau Niue.

4 Competencies for translation of Vagahau Niue

The criteria for assessing a person's competence in the translation of Vagahau Niue are as follows:

- (a) the person has a sound knowledge of the grammar and structure of the English language and Vagahau Niue;
- (b) the person has extensive experience in translation work and has undertaken a wide range of translation work;

- (c) the person is able to translate simple as well as highly technical information from the English language into Vagahau Niue and from Vagahau Niue into the English language:
- (d) the person is able to produce meaningful rather than literal translations of a text in the English Language or in Vagahau Niue:
- (e) the person indicates interest in advancing his or her skills in translation work:
- (f) the person is culturally sensitive to the protocols and use of Vagahau Niue.

5 Competencies for interpretation and translation of Vagahau Niue

The criteria for assessing a person's competence in the interpretation and translation of Vagahau Niue are those set out in regulations 3 and 4.

6 Application fee

An application for a certificate of competency in the interpretation and translation of Vagahau Niue must be accompanied by a fee of \$20.

7 Term of certificate of competency

A certificate of competency in the interpretation and translation of Vagahau Niue expires on the date that is 3 years after the date on which the certificate was granted.

8 Commission must keep public register

(1) The Commission must keep and maintain an up-to-date register of all people who hold a certificate of competency in the interpretation and translation of Vagahau Niue.

(2) The register must be freely available to the public for inspection during reasonable office hours.

9 Fees of certified interpreter and translator

(1) The following fees may be charged by a person who holds a certificate of competency in the interpretation and translation of Vagahau Niue:

- (a) for translating \$30 per hour:
- (b) for interpreting \$35 per hour.

(2) This regulation is subject to clause 15(3) of the Schedule of the Act.

VISITING FORCES

VISITING FORCES (COMMONWEALTH DESERTERS AND ABSENTEES) ORDER 1969

SR 1969/81 – 8 May 1969

1 Title

This is the Visiting Forces (Commonwealth Deserters and Absentees) Order 1969.

2 Deserters and absentees from Commonwealth forces

Section 5 of the Visiting Forces Act 1939 shall apply to all naval, military, and air forces of Australia, Canada, Malaysia, Singapore and the United Kingdom.

VISITING FORCES ORDER 1966

SR 1966/33 – 31 March 1966

1 This is the Visiting Forces Order 1966.

2 (1) Each of the following countries is hereby declared to be part of the Commonwealth for the purposes of the Visiting Forces Act 1939 –

Australia	Malawi	Tanzania
Canada	Malaysia	Trinidad and Tobago
Cyprus	Malta	Uganda
Gambia	Nigeria	The United Kingdom
Ghana	Pakistan	Zambia
India	Sierra Leone	
Jamaica	Singapore	
Kenya	Sri Lanka	

(2) Each of the following countries is hereby declared to be part of the Commonwealth for the purposes of the Visiting Forces Act 1939 as if it were a member of the Commonwealth –

The Republic of Ireland
Samoa

VISITING FORCES (PENAL ARRANGEMENTS) ORDER 1963

SR 1963/61 – 2 May 1963

- 1 This is the Visiting Forces (Penal Arrangements) Order 1963.
- 2 Members of a visiting force, if sentenced by a service court of that part of the Commonwealth to which the force belongs to penal servitude, imprisonment, or detention, may, under the authority of the Minister of Defence given at the request of the officer commanding the visiting force, and, in the case of a person who is to be detained in a prison, with the concurrence of the Minister of Justice, be temporarily detained in custody in prisons or detention barracks in Niue, and, if so sentenced to imprisonment, may, under the like authority and with the like concurrence, be imprisoned during the whole or any part of the term of their sentences in prisons in Niue.
- 3 The provisions of any enactment, regulations, rules or orders, so far as they relate to or are applied in relation to the reception of prisoners from and their return to the service authorities, their treatment while so imprisoned, the circumstances under which they are to be released, and the manner in which they are to be dealt with in the event of their unsoundness of mind while in such custody or while so imprisoned, shall apply in relation to the members of any visiting force sentenced as aforesaid in like manner as they apply to members of the New Zealand forces of a like nature to the visiting forces sentenced by a service court, subject to the modification that for any reference in any such enactment, regulations, rules, or orders to any service authority of the part of the Commonwealth to which the visiting force belongs, and subject to such other modifications as may be necessary.

VISITING FORCES (RELATIVE RANKS) REGULATIONS 1971

SR 1971/223 – 1 November 1971

- 1 **Title**
These are the Visiting Forces (Relative Ranks) Regulations 1971.
- 2 For the purposes of section 6 of the Visiting Forces Act 1939, the relative ranks of members of the home forces and of the naval, military, and air forces of the Commonwealth of Australia and the United Kingdom respectively shall be those specified in the Schedule.

SCHEDULE
TABLE OF RELATIVE RANKS
Ranks in the Home Forces

Royal New Zealand Navy	New Zealand Army	Royal New Zealand Air Force
1		
2		
3 Vice-Admiral	Lieutenant-General	Air Marshal
4 Rear-Admiral	Major-General	Air Vice-Marshal
5 Commodore	Brigadier	Air Commodore

Visiting Forces

6	Captain Superintendent	Colonel Matron-in-Chief	Group Captain Group Officer
7	Commander Chief Officer	Lieutenant-Colonel Principal Matron	Wing Commander Wing Officer
8	Lieutenant-Commander First Officer	Major Matron	Squadron Leader Squadron Officer
9	Lieutenant Second Officer	Captain Charge Sister	Flight Lieutenant Flight Officer
10	Sub-Lieutenant Third Officer	Lieutenant Sister	Flying Officer Section Officer
11	Ensign Fourth Officer Midshipman (but junior to all ranks in clause 11 of this Schedule except Acting Pilot Officer)	Second Lieutenant Staff Nurse	Pilot Officer Assistant Section Officer Acting Pilot Officer (but junior to all ranks in clause 11 of this Schedule except Midshipman)
12	Warrant Officer Warrant Officer (Wren)	Warrant Officer, Class I	Warrant Officer Master Aircrew
13		Warrant Officer, Class II	
14	Chief Petty Officer Chief Wren	Staff Sergeant	Flight Sergeant Flight Sergeant Aircrew
15	Petty Officer Petty Officer Wren	Sergeant	Sergeant Sergeant Aircrew
16	Leading Rank Leading Wren (but junior to Army and Air Force ranks)	Bombardier Corporal	Corporal
17		Lance-bombardier Lance-corporal	
18	Able Rank Wren Ordinary Rank	Gunner Trooper Sapper Signalman Private Driver Craftsman	Leading Aircraftsman Aircraftman Aircraftwoman Cadet Aircrew
19	Artificer Apprentice Junior Rank	Regular Force Cadet	Aircraft Apprentice Airman Cadet

Relative Ranks in Forces Raised in the United Kingdom

Royal Navy	Army and Royal Marines	Royal Air Force
1 Admiral of the Fleet	Field-Marshal	Marshal of the Royal Air Force
2 Admiral	General	Air Chief Marshal
3 Vice-Admiral	Lieutenant-General	Air Marshal
4 Rear-Admiral	Major-General	Air Vice-Marshal
5 Commodore	Brigadier	Air Commodore
6 Captain	Colonel	Group Captain
7 Commander	Lieutenant-Colonel	Wing Commander
8 Lieutenant-Commander	Major	Squadron Leader
9 Lieutenant	Captain	Flight Lieutenant

Niue Legislation 2019

10	Sub-Lieutenant Acting Sub-Lieutenant (but junior to Army and Air Force ranks)	Lieutenant	Flying Officer	
11	Midshipman/Naval Cadet (but junior to all ranks in clause 11 of this Schedule except Acting Pilot Officer)	Second Lieutenant Major, Queen's Gurkha Officer; Captain, Queen's Gurkha Officer; Lieutenant, Queen's Gurkha Officer; (but junior to Air Force ranks)	Pilot Officer Acting Pilot Officer (but junior to all ranks in clause 11 of this Schedule except Midshipman)	
12	Warrant Officer	Warrant Officer, Class I Regimental Sergeant-Major, Royal Marines	Warrant Officer Master Pilot Master Navigator Master Signaller Master Engineer Master Air Electronics Operator Master Air Quartermaster	} Master Aircraftcrew
13		Warrant Officer, Class II Quartermaster Sergeant, Royal Marines		
14	Chief Petty Officer (ranks with Quartermaster Sergeant, Royal Marines, after 9 years' service as Chief Petty Officer)	Staff Corporal Staff Sergeant	Flight Sergeant Chief Technician	
15	Petty Officer	Corporal-of-horse Sergeant	Sergeant	
16	Leading Rating (but junior to Army and Air Force ranks)	Corporal Bombardier	Corporal	
17		Lance-corporal Lance-bombardier		
18	Able Rating Ordinary Rating	Marine Trooper Gunner Sapper Signalman Driver Guardsman Private Ranger Fusilier Rifleman Craftsman	Junior Technicians Senior Aircraftman Senior Aircraftwoman Leading Aircraftman Leading Aircraftwoman Aircraftman Aircraftwoman	
19				

Relative Ranks in Forces Raised in the Commonwealth of Australia

	Royal Australian Navy	Australian Military Forces	Royal Australian Air Force
1	Admiral of the Fleet	Field-Marshal	Marshal of the Royal Australian Air Force
2	Admiral	General	Air Chief Marshal
3	Vice-Admiral	Lieutenant-General	Air Marshal

Visiting Forces

4	Rear-Admiral	Major-General	Air Vice-Marshal
5	Commodore	Brigadier	Air Commodore
6	Captain Superintendent	Colonel	Group Captain Group Officer
7	Commander Chief Officer Matron	Lieutenant-Colonel	Wing Commander Wing Officer
8	Lieutenant-Commander Chief Inspector (Naval Police) First Officer Superintending Sister	Major	Squadron Leader Squadron Officer
9	Lieutenant Inspector (Naval Police) Second Officer Senior Sister	Captain	Flight Lieutenant Flight Officer
10	Sub-Lieutenant Sub-Inspector (Naval Police) Third Officer Sister Acting Sub-Lieutenant (but junior to Army and Air Force ranks)	Lieutenant	Flying Officer Section Officer
11	Probationary Third Officer Sister on Probation Midshipman/Cadet Midshipman (but junior to all ranks in clause 11 of this Schedule except Acting Pilot Officer)	Second Lieutenant	Pilot Officer
12	Warrant Officer Warrant Officer Wran	Warrant Officer, Class I	Warrant Officer
13		Warrant Officer, Class II	
14	Chief Petty Officer Chief Wran Sergeant 1st Class (Naval Police) Sergeant 2nd Class (Naval Police)	Staff Sergeant	Flight Sergeant
15	Petty Officer Petty Officer Wran Constable (Naval Police)	Sergeant	Sergeant
16	Leading Seaman Leading Wran (but junior to Army and Air Force ranks)_	Corporal Bombardier	Corporal
17		Lance-corporal Lance-bombardier	
18	Able Seaman Wran Ordinary Seaman Recruit	Gunner Trooper Sapper Signalman Private Craftsman	Leading Aircraftsman Leading Aircraftswoman Aircraftsman Aircraftswoman Aircraftsman (recruit)

Niue Legislation 2019

19	RAN Apprentice Recruit Seaman Junior Recruit	Officer Cadet, WRAAC	Air Cadet Cadet Aircrew Trainee Signallers Aircraft Apprentice Aircraftwoman (Recruit)
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*Ranks in the New Zealand, United Kingdom and Australian women's forces are shown in the Schedule only where they differ from those in the corresponding male forces. Ranks in the United Kingdom Women's Royal Naval Service are not shown because the personnel concerned are not subject to the Naval Discipline Act.

NOTE – Officer Cadets: An officer cadet in the New Zealand Army and in the Royal New Zealand Air Force is an appointment, not a rank. New Zealand Army and Royal New Zealand Air Force personnel are normally attested as other ranks and retain that rank during the cadet appointment. Officer cadets are not appointed in the New Zealand Naval Forces.

WATER

WATER REGULATIONS 2017

2017/01 – 3 February 2017

1	Title		<i>Extraction licences</i>
2	Commencement	5	Application for extraction licence and form of licence
3	Interpretation	6	Renewal of extraction licence
		7	General condition
	<i>Bores</i>		
4	Application for construction, alteration, or maintenance of a bore		<i>Water pollution control licences</i>
		8	Application for water pollution control licences
		9	Renewal of water pollution control licence

1 Title

These regulations are the Water Regulations 2017.

2 [Spent]

3 Interpretation

(1) In these regulations, unless the context otherwise requires —
“Act” means the Water Act 2012;
“Department” means the Public Works Department or the Environment Department;
“extraction” licence means a licence to extract and use water that is issued for the purposes of Division 3 of Part 4 of the Act;
“NCT” means Niue consumption tax;
“water pollution control licence” means a licence to carry out scheduled activities at specified locations or premises that is issued for the purposes of Division 1 of Part 5 of the Act.

(2) Any term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

Bores

4 Application for construction, alteration, or maintenance of a bore

(1) An application for the construction, alteration, or maintenance of a bore must—

- (a) be in a form provided by the Public Works Director and contain the information specified in Schedule 1; and
- (b) be accompanied by the application fee of \$300.

(2) The applicant must pay all the reasonable costs of the Public Works Director in relation to the application.

Extraction licences

5 Application for extraction licence and form of licence

- (1) An application for an extraction licence must —
 - (a) be in a form provided by the Public Works Director and contain the information specified in Schedule 2; and
 - (b) be accompanied by the application fee of \$300.
- (2) The applicant must pay all the reasonable costs of the Public Works Director in relation to the application, including the costs of providing a connection to the main public water supply and providing and connecting any water meter.
- (3) An extraction licence must be in a form provided by the Public Works Director and contain the information specified in Schedule 3.

6 Renewal of extraction licence

- (1) The holder of an extraction licence who wishes to renew the licence must reapply at least one month before its expiry (under section 23 of the Act a licence is valid for 3 years from the date on which it is granted).
- (2) An application for renewal must be made under regulation 5 as if it were an application for a new extraction licence.

7 General condition

- (1) It is a condition of every extraction licence that the holder's activities are carried out in such a manner that will minimise the pollution of water resources and the wastage of water.
- (2) The Public Works Director may impose on any extraction licence reasonable conditions to prevent the pollution of, and to conserve, water resources.

Water pollution control licences

8 Application for water pollution control licences

- (1) An application for a water pollution control licence must—
 - (a) be in a form provided by the Department and contain the information specified in Schedule 4; and
 - (b) be accompanied by the application fee of \$100.
- (2) The applicant must pay all the reasonable costs of the Department in relation to the application.
- (3) A water pollution control licence must be in a form provided by the Department and contain the information set out in Schedule 5.

9 Renewal of water pollution control licence

- (1) The holder of a water pollution control licence who wishes to renew the licence must reapply at least one month before its expiry (under section 43 of the Act a licence is valid for 3 years from the date on which it is granted).
- (2) An application for renewal must be made under regulation 8 as if it were an application for a new water pollution control licence.

Schedule 1
Information required for application for construction, alteration, or
maintenance of bore

Water Act 2012

Application to construct, alter or repair a bore

- 1. Applicant**
 - 1.1 Name of applicant**

The name shown must be for an individual (or individuals), a company, a body corporate or public authority, but not a partnership or joint-venture name.
 - 1.2 Postal address of applicant**

Provide a postal address and fax number for all correspondence.
 - 1.3 Contact person for application for Public Works Director inquiries**

Provide—

 - 1.3.1 Mr/Mrs/Ms Given name:
 - 1.3.2 Organisation (if different from licence holder)
 - 1.3.3 Position
 - 1.3.4 Address
 - 1.3.5 Phone number (business/mobile/after hours/pager)
 - 1.3.6 Fax and email contacts
- 2. Bore site**
 - 2.1 Land ownership**
 - 2.1.1 Is your application made as the owner of the land?
 - 2.1.2 Is your application made as the lawful occupier of the land?

If you answer yes to 2.1.2, attach documentary evidence of lawful occupation.
 - 2.2 Location of bore**

Attach a map showing the location and layout of the whole of the property on which the bore will be located, and the exact position of the proposed bore on the property, including distances from the property boundaries, and provide the following details of the location of the property.

OR

If the property does not have a street address or little reference, provide a description of the location.

2.3 Proximity to other bores

Specify the distance from the closest bores in all directions, and the purpose of those bores.

2.4 Proximity to potential pollutants

Is the proposed bore within any protection zone? For instance, is it within 50 metres of any dwelling septic, hydroponic farms, swimming pools, any burial without a permit (as described under the Niue Building Code), and weed control spraying with chemicals on crop farms? If yes, indicate the type and distance in each case.

3. Other consents

3.1 Has a water extraction licence been granted under the Water Act 2012 to extract and use water from the proposed bore?

3.2 If yes, provide the water extraction licence number.

3.3 Does the activity you intend to undertake require a water pollution control licence under the Water Act 2012?

3.4 If yes, has the water pollution control licence been granted?

4. Bore details

4.1 Type of application

4.1.1 Are you applying for a new bore to be constructed?

4.1.2 Are you applying for an existing bore to be altered or repaired?

4.2 Type of bore

4.2.1 The type of proposed bore (eg, bore, well excavation)

4.2.2 Proposed depth of the bore (in metres from land surface)

4.2.3 Preferred construction (if known)

4.3 Purpose of bore and proposed extraction rate

4.3.1 Specify the purpose of the bore (briefly)

4.3.2 Specify the proposed extraction rate (in litres per second)

5. Supporting documentation

Provide details of documentation included with this application.

6. Volume of extraction

What is the volume of extraction (daily/weekly/monthly/annually)?

7. **Method of extraction**
What technology expected to be used for this, for example, windmill, solar powered, or diesel powered, or electricity?
8. **Storage (reservoirs) and reticulation**
Provide details of this.
9. **EIA checklist**
Provide details of surrounding vegetation, soil types, agricultural activities (including threats such as pesticide use), and residential dwellings.
10. **Intended use for water extraction**
Provide details (for example, if the water is intended to be used for bottling or general use).
11. **Number of people expected to use the bore**
Provide details of this.
12. **Selection of method of sinking of the bore**
Provide details, including the drilling technology to be used.
13. **Signature of applicant**
This application may only be signed by a person or persons with legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in categories below.

If the applicant is:	The application must be signed and certified by one of the following:
an individual	the individual
a company	the common seal being affixed, or 2 directors, or a director and company secretary, or if a proprietary company that has a sole director who is also the sole company secretary - by that director
a public authority other than a council	the director of the public authority
a Village Council	Village Council Chairperson

Notes

Monitoring of water quality, etc

A licence holder's operation is subject to inspections and monitoring under the Water Act 2012 and the Public Health Act 1965, for example, water quality monitoring in any locations for any related water assets, bores, or facilities at any reasonable time.

Bore construction and decommissioning standards

The Public Works Department standard for every bore constructed, altered, deepened or enlarged requires that the bore must—

- (a) be properly cased to the satisfaction of the Public Works Director with uPVC or other materials specified by the Public Works Director, provided that the Public Works Director will not specify galvanised wrought iron or alkathene; and
- (b) be surrounded by, and the casing affixed to, a concrete platform constructed to the satisfaction of the Public Works Director; and
- (c) have the wellhead and any other devices or equipment connected to it, securely encased in a lockable weather-proof and stock-proof shed or covering, constructed and maintained to the satisfaction of the Public Works Director.

It is a condition of every approval to construct, alter, or maintain a bore that the approval holder, to the satisfaction of the Public Works Director, must—

- (a) erect and maintain a stock-proof fence to surround the bore at a distance from it of at least 10 metres in each direction (20x20metres, 400 total sq. metres); and
- (b) keep the area within the fence free from weeds or over tree growth or any obstruction, and be cleaned at least a 1 metres outside the fence; and
- (c) prohibit access by any person to the area enclosed by any such fence except for the purpose of carrying out any work required by the preceding paragraph or for the purpose of doing any act or activity required or authorised to be done by the Act or its regulations; and
- (d) install a water tap at the base of the water bore for the purposes or water quality testing or any other purposes for water management.

The Public Works Director is required to ensure that all bores that are no longer in use are sealed with concrete in such a manner that no foreign bodies may enter the bore. A highly visible notice shall be erected beside the bore to notify public of any bore closure.

For all bores other than public water supply bores, the costs associated with construction, alteration, maintenance, or decommissioning of the bore or the compliance with any conditions of approval are borne by the occupier, lessee, or licensee.

Restrictions on the location of bores for extracting water

Unless the Public Works Director, Environment Director, and Health Director agree otherwise, no bore for the extraction of water is permitted to be constructed, deepened, enlarged, or altered and no extraction licence is to be issued for extraction of water from any such bore that—

- (a) is situated within 2000 metres from the coastal high water mark; or
- (b) is closer than 500 metres to any existing bore; or
- (c) is closer than 50 metres (the wellhead protection zone) to any septic tank, livestock, waste disposal sites, swimming pools, hydroponic farms and plantations or those activities described by

Schedule 2 of the Water Act

2012.

Schedule 2
Application for extraction licence

Water Act 2012

Application for extraction licence

1. Licence applicant

1.1 Name of the proposed licence holder(s)

The name shown must be for an individual (or individuals), a company, a body corporate or public authority, but **not** a partnership or joint-venture name.

1.2 Postal address of the proposed licence holder(s)

Postal address and fax number for all correspondence

1.3 Fit and proper person

1.3.1 Has the applicant (whether a natural person or a corporation, or any director of a corporation) ever been convicted of an offence against the Public Health Act 1965, the Environment Act 2003, the Water Act 2012, or the Environment Act 2015?

1.3.2 Has the applicant had a licence or other authority suspended or revoked under any of those Acts?

If you answer 'Yes' to any of the above questions, attach a statement setting out the specific circumstances and why you think those circumstances should not prevent you from holding a licence.

Note also that in determining whether a person is a fit and proper person, the Director of Public Works may consider any or all of the factors listed in this paragraph.

1.4 Previous Licences

Has the applicant ever held an extraction licence under the Water Act 2012 or any consent under the Environment Act 2003 for the premises or operation?

If you answer 'Yes' to this question, attach details of previous licence(s).

1.5 Contact person for proposed new licence holder(s) for Department inquiries

Provide—

1.3.1 Mr/Mrs/Ms Given name:

- 1.3.2 Organisation (if different from licence holder)
- 1.3.3 Position
- 1.3.4 Address
- 1.3.5 Phone number (business/mobile/after hours/pager)
- 1.3.6 Fax and email contacts

2. Requirement for water extraction licence

- 2.1 Does the applicant intend to extract water from any water work or bore, other than a public water supply water work or rainwater capture work?
- 2.2 Does the applicant intend to extract more than 2000m³ per year of water from any public water supply water work?
- 2.3 Does the applicant intend to extract water to use for any of the purposes listed in schedule 1 of the Water Act 2012?
- 2.4 Provide details and/or information of the type of water meters to be installed by the applicant as part of the extraction licensing requirements at the bore base piping or at any part of the water supply system.

3. Other consents

- 3.1 If the applicant intends to extract water from a bore or work other than a public water supply work, has the applicants applied under the Water Act 2012 to have that bore or work constructed?
- 3.2 If yes, has that bore construction been approved?
- 3.3 Does the activity you intend to undertake require a water pollution control licence under the Water Act 2012?
- 3.4 If yes, has the water pollution control licence been granted?
- 3.5 If yes, then provide water pollution control licence number?

4. Extraction location

Attach a map showing the exact location from which the water will be extracted, and provide the following details of the location of the premises.

Premises commonly known as (if applicable).

Address.

OR

If the premises do not have a street address or title reference, provide a description of the location.

5. Extraction rates

- 5.1 Proposed maximum annual extraction in m³/weekly.
- 5.2 Proposed maximum daily extraction in m³/weekly.
- 5.3 Details of proposed pump size (if applicable).

6. Water Use

6.1 Location of land where water will be used

Attach a map showing the location of the premises where the water will be used (if different from paragraph 4), and provide the following details of the location of the premises.

Premises commonly known as (if applicable).
Address.

OR

If the premises do not have a street address or title reference, provide a description of the location.

6.2 Purposes of use

Nominate the purpose(s) for which the water will be used (eg, irrigation, food processing, etc)

6.3 Details of use

6.3.1 *Water distribution and other water management works - all uses.* Describe the works used for storage and distribution of works on the premises (with attached plans if appropriate).

6.3.2 *Tail water/wastewater management - all uses*
Describe how you intend to manage tail water or wastewater on the premises (attached plans if appropriate)

6.3.3 *Irrigation use*
If for irrigation, specify –

- crop type
- area to be irrigated (ha)
- irrigation system/method.

If for irrigation, specify the agricultural chemicals you intend to apply to the irrigation area:

- chemical
- application method
- application rate.

7. **Supporting documentation**
Provide details of documentation included with this application.
8. **Development consent**
Provide details of any development consent granted or required.
9. **EIA requirements**
Provide details of whether this has been carried out and the results. This will be taken into consideration as part of the application, but also means that this has already been done.
10. **Water meters**
Provide details of water meters installation requirements completed - the type of water meter to be installed by the applicant.
11. **Signature of propose licence holder**
This application may only be signed by a person or persons with legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in categories below.

If the proposed licence holder is:	The application must be signed and certified by one of the following:
an individual	the individual.
a company	the common seal being affixed, or 2 directors, or a director and a company secretary, or if a proprietary company that has a sole director who is also the sole company secretary - by that director.
a public authority other than a council	the director of the public authority.

a Council	Village Council Chairperson
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Seal (if signing under seal).

Schedule 3

Extraction licence

Water Act 2012

Extraction Licence

1. Licence Number
2. Licence Holder
Name
Contact Details
3. Date of Commencement
4. Expiry Date
5. Authorised purpose
6. Authorised location of use
7. Authorised extraction works
Location
Type
8. Condition

Schedule

NOTE TO LICENCE HOLDER

The licence holder must apply to amend any part of this extraction licence.

Authorised by:

Date:

Affix stamp or seal of Department/Government

Schedule 4
Application for water pollution control licence

Water Act 2012

Water pollution control licence application

1. Licence applicant

1.1 Name of the proposed licence holder(s)

The name shown must be for an individual (or individuals), a company, a body corporate or public authority, but **not** a partnership or joint-venture name.

1.2 Postal address of the proposed licence holder(s)

Provide a postal address and fax number for all correspondence.

1.3 Fit and proper person

1.3.1 Has the applicant (whether a natural person or a corporation, or any director of a corporation) ever been convicted of an offence against the Public Health Act 1965, the Environment Act 2003, the Water Act 2012, or the Environment Act 2015?

1.3.2 Has the applicant had a licence or other authority suspended or revoked under any of those Acts?

If you answer 'Yes' to any of the above questions, attach a statement setting out the specific circumstances and why you think those circumstances should not prevent you from holding a licence.

Note also that in determining whether a person is a fit and proper person, the Environment Director may consider any or all of the factors listed in this paragraph.

1.4 Previous licences

Has the applicant ever held a water pollution control licence under the Water Act 2012 or any consent under the Environment Act 2003 or the Environment Act 2015 for the premises or operation?

If you answer 'Yes' to this question, attach details of previous licence(s).

1.5 Contact person for proposed new licence holder(s) for Environment Department inquiries

Provide—

1.3.1 Mr/Mrs/Ms Given name:

- 1.3.2 Organisation (if different from licence holder)
- 1.3.3 Position
- 1.3.4 Address
- 1.3.5 Phone number (business/mobile/after hours/pager)
- 1.3.6 Fax and email contacts

2. Location of premises

Attach a map showing the exact location of the premises, and provide the following details of the location of the premises.

Premises commonly known as (if applicable).

Address.

OR

If the premises do not have a street address or title reference, provide a description of the location.

3. Activities conducted at the premises

3.1 Scheduled activities

Write down the short descriptions (listed in Schedule 2 of the Water Act 2012) of all the categories of scheduled activity conducted or proposed to be conducted at the premises.

3.2 Other activities (ancillary activities)

If you have listed a scheduled activity, please provide a short description of any other activities undertaken at the premises. These include activities that fit the description of a scheduled activity, but are below the licensing 'threshold' or are exempted from licensing.

3.3 Intensive animal husbandry

If you have listed a scheduled activity that involves the keeping of livestock in contained area following information must be provided.

Description of intensive animal husbandry (type of animal kept, number of animals kept, and area in which they are kept).

4. Discharge or disposal points

Do any of the activities on the premises discharge pollutions to water or land?

If you answered 'Yes' to this question, attach a map of the premises showing the location of all discharge points for pollutants to water or land and identify each discharge point with a number.

If the discharge is to land for the purpose of irrigation, mark the area of land to which discharge will be applied.

4.1 Discharges or disposal to water or land

Provide details of all discharge points to waters or land, including details of all discharges to areas being used for application of liquid waste, wastewater, effluent or biosolids on, to or into land.

	Discharge point 1	Discharge point 2	Discharge point 3	Discharge point 4
Label of discharge/disposal point on map				
Description of location of discharge/disposal point				
Description of composition of discharge or disposed material (components and % by weight and volume)				
Description of treatment prior to discharge/disposal (if septic or soak hole or other interceptor, provide details of specifications)				
Maximum discharge rate (l/day and kl/year), or Maximum volume to be disposed of (in m ³ /day and m ³ /year)				

Water

Ensure that all discharges to water and land have been included.
Attach extra page(s) if more space is needed.

5. Storage or use of fuels, oils, agricultural or other chemicals or pesticides

5.1 Does your activity involve the generation, storage or use of fuel, oils, agricultural or other chemicals or pesticides?

If you answer 'Yes' to this question, the following information must be provided with respect to those potentially polluting substances.

	Discharge point 1	Discharge point 2	Discharge point 3	Discharge point 4
Potential Pollution type				
Potential pollutant use (generation, storage, use)				
Volumes of potential pollutants generated, stored, or used (in kl/yr or tonnes/yr)				
Details of generation, storage, or use of potential pollutants (Details methods and procedures)				

6. Supporting documentation

Provide details of documentation included with this application.

7. Signature of proposed licence holder

This application may only be signed by a person or persons with legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in categories below.

If the proposed licence holder is:		The application must be signed and certified by one of the following:
<p>an individual</p> <p>a company</p>	<input type="checkbox"/> <input type="checkbox"/>	<p>the individual</p> <p>the common seal being affixed, or two directors, or</p> <p>2 directors, or</p> <p>a director and a company secretary, or</p> <p>if a proprietary company that has a sole director who is also the sole company secretary - by that director</p>
A public authority other than a council	<input type="checkbox"/>	the director of the public authority
A Village Council	<input type="checkbox"/>	Village Council Chairperson

**Schedule 5
Water pollution control licence**

Water Act 2012

Water Pollution Control Licence

1. Licence Number
2. Licence Holder
Name
Contact Details
3. Date of Commencement
4. Expiry Date
5. Authorised activities
6. Authorised premises
7. Conditions

Schedule

NOTE TO LICENCE HOLDER

The licence holder must apply to amend any part of this water extraction licence.

Authorised by:

Date:

Affix stamp or seal of Department/Govt.

WILDLIFE

WILDLIFE PROTECTED SPECIES NOTICE 1991

1991/9 – 19 November 1991

The species named in the Schedule are declared to be a partly protected species throughout Niue, except for the period commencing on 1 December and ending on 31 December in each year.

SCHEDULE

Pigeon (Lupe)

Flying Fox (Peka)

