

DRAFT FOR CONSULTATION

Statutes Repeal Bill

Government Bill

Explanatory note

General policy statement

This Bill is an omnibus Bill introduced under Standing Order 263(a). That Standing Order provides that an omnibus Bill to amend more than 1 Act may be introduced if amendments deal with an interrelated topic that can be regarded as implementing a single broad policy.

This Bill is part of the response to the Productivity Commission report on Regulatory Institutions and Practices released in July 2014, which is available on the Productivity Commission website: <http://www.productivity.govt.nz/inquiry-content/1788?stage=4>. In that report, the Productivity Commission recommended that the Government use omnibus Bills to repeal redundant or superfluous legislation. The Government agreed to this recommendation in the Government response to the report.

This Bill repeals or partially repeals 128 Acts that are no longer needed because they no longer have any actual effect, have very limited effect, or are designed to achieve regulatory outcomes that are no longer relevant. It will reduce the total number of Acts in force in New Zealand by 120. Some of the provisions are in latent enactments that are not yet in force but could be brought into force by Order in Council. Where the Government has no intention of bringing these into force, it is desirable to repeal them to reduce uncertainty associated with them remaining on the statute book. For example, following Government decisions in respect of the regulation of therapeutic products in New Zealand, it is neither necessary nor desirable to bring the latent provisions of the Medicines Amendment Act 2013 into force.

The maintenance of a quality regulatory environment requires ensuring that the existing body of legislation is easy to use, up to date, and fit for purpose. This Bill will help to achieve this by clearing the statute book of some unnecessary Acts. A key benefit of this Bill is that it provides a timely and cost-effective method of collectively repealing unnecessary Acts. Without this Bill, these Acts may sit on the statute book indefinitely.

Departmental disclosure statement

A departmental disclosure statement is not required for this Bill.

Clause by clause analysis

Clause 1 sets out the Title of the Bill.

Clause 2 is the commencement clause. This Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 and *Schedule 1* repeal 120 Acts in full and 8 Acts in part. Of those 128 Acts, 9 are latent Acts, 9 are repeal Acts, and 7 are private Acts. Further information about some of the latent provisions is available on the Parliamentary Counsel Office website: www.pco.parliament.govt.nz/legislation-waiting-to-be-brought-into-force/

Clause 4 and *Schedule 2* amend 5 Acts to retain provisions that would otherwise be repealed by this Bill and to make consequential amendments.

Clause 5 provides that this Bill is repealed 28 days after it comes into force.

Hon Steven Joyce

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Contents

	Page
1 Title	1
2 Commencement	1
3 Repeals	1
4 Amendments to other Acts	2
5 Repeal of this Act	2
Schedule 1	3
Repeals	
Schedule 2	9
Amendments to other Acts	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Statutes Repeal Act **2015**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Repeals

- (1) The Acts specified in **Part 1 of Schedule 1** are repealed.
- (2) The Acts specified in **Part 2 of Schedule 1** are repealed to the extent shown.

4 Amendments to other Acts

The Acts specified in **Schedule 2** are amended in the manner indicated in that schedule.

5 Repeal of this Act

This Act is repealed on the day that is 28 days after the date on which it comes into force.

Schedule 1 Repeals

s 3

Part 1 Acts repealed in full

Auckland Harbour Bridge Authority Dissolution Act 1983 (1983 No 153)

Children’s Health Camps Board Dissolution Act 1999 (1999 No 141)

Christchurch–Lyttelton Road Tunnel Authority Dissolution Act 1978 (1978 No 51)

Church Property Trust (Canterbury) Amendment Act 1951 (1951 No 4 (P))

Church Property Trustees (Canterbury) Indemnity Act 1890 (1890 No 2 (P))

Consolidated Statutes Enactment Act 1908 (1908 No 4)

Consumer Council Act Repeal Act 1988 (1988 No 144)

Counties Insurance Empowering Act 1941 (1941 No 6)

Customs Law Act 1908 (1908 No 36)

Farm and Fishing Vessel Ownership Savings Schemes (Closure) Act 1998 (1998 No 22)

Farm Ownership Savings Act 1974 (1974 No 45)

Finance Act 1930 (No 2) (1930 No 40)

Finance Act 1931 (No 2) (1931 No 5)

Finance Act 1931 (No 4) (1931 No 44)

Finance Act 1932 (1932 No 11)

Finance Act 1933 (1933 No 33)

Finance Act 1933 (No 2) (1933 No 41)

Finance Act (No 2) 1935 (1935 No 41)

Finance Act (No 2) 1939 (1939 No 38)

Finance Act (No 2) 1940 (1940 No 19)

Finance Act (No 3) 1940 (1940 No 26)
Finance Act 1941 (1941 No 4)
Finance Act (No 2) 1941 (1941 No 27)
Finance Act (No 2) 1942 (1942 No 14)
Finance Act 1945 (1945 No 2)
Finance Act (No 2) 1945 (1945 No 45)
Finance Act 1946 (1946 No 16)
Finance Act (No 2) 1946 (1946 No 41)
Finance Act 1947 (1947 No 6)
Finance Act (No 2) 1947 (1947 No 45)
Finance Act 1948 (1948 No 35)
Finance Act (No 2) 1948 (1948 No 78)
Finance Act 1949 (1949 No 39)
Finance Act (No 2) 1949 (1949 No 52)
Finance Act 1951 (1951 No 78)
Finance Act 1952 (1952 No 57)
Finance Act (No 2) 1952 (1952 No 81)
Finance Act (No 2) 1953 (1953 No 115)
Finance Act 1954 (1954 No 90)
Finance Act 1955 (1955 No 8)
Finance Act 1956 (1956 No 51)
Finance Act 1957 (1957 No 106)
Finance Act 1958 (1958 No 38)
Finance Act 1959 (1959 No 96)
Finance Act 1960 (1960 No 114)
Finance Act 1961 (1961 No 120)

Finance Act 1962 (1962 No 131)
Finance Act 1963 (1963 No 127)
Finance Act 1964 (1964 No 6)
Finance Act (No 2) 1967 (1967 No 159)
Finance Act 1968 (1968 No 54)
Finance Act 1969 (1969 No 132)
Finance Act 1971 (1971 No 55)
Finance Act 1972 (1972 No 19)
Finance Act 1973 (1973 No 41)
Finance Act 1975 (1975 No 133)
Finance Act 1977 (1977 No 75)
Finance Act 1980 (1980 No 47)
Finance Act 1981 (1981 No 4)
Finance Act (No 2) 1981 (1981 No 110)
Finance Act 1982 (1982 No 122)
Finance Act 1983 (1983 No 59)
Finance Act 1986 (1986 No 134)
Finance Act 1987 (1987 No 200)
Finance Act (No 2) 1988 (1988 No 128)
Finance Act 1989 (1989 No 13)
Finance Act (No 2) 1989 (1989 No 51)
Finance Act (No 2) 1990 Amendment Act 1997 (1997 No 73)
Finance Act (No 3) 1990 (1990 No 115)
Finance Act 1993 (1993 No 49)
Finance Act (No 2) 1994 (1994 No 134)
Fishing Vessel Ownership Savings Act 1977 (1977 No 62)

Forests Amendment Act 1996 (1996 No 25)

Hawke's Bay Earthquake Act 1931 (1931 No 6)

Hawke's Bay Earthquake Relief Funds Act 1931 (1931 No 29)

Hutt Road Act 1939 (1939 No 18)

Labour Department Act Repeal Act 1989 (1989 No 82)

Licensing Fund Act 1989 (1989 No 61)

Liverpool and London and Globe Insurance Company Act 1879 (1879 No 5 (P))

Local Authority Reorganisation (Property Transfers) Act 1990 (1990 No 54)

Local Restoration Polls Act 1990 (1990 No 4)

Marine and Power Engineers' Institute Industrial Disputes Act 1974 (1974 No 28)

Mental Hospitals Reserves Act 1908 (1908 No 257)

Michael Connelly Appointment Validation Act 1936 (1936 No 1 (P))

Ministry of Economic Development Act 2000 (2000 No 28)

Mortgagors and Lessees Rehabilitation Act 1936 (1936 No 33)

Mount Albert Licensing Trust Dissolution Act 1986 (1986 No 9)

Municipal Insurance Act 1960 (1960 No 29)

National Development Act Repeal Act 1986 (1986 No 122)

National Expenditure Adjustment Act 1932 (1932 No 8)

New Zealand Council for Postgraduate Medical Education Act Repeal Act 1990 (1990 No 10)

New Zealand Export-Import Corporation Dissolution Act 1992 (1992 No 23)

New Zealand National Airways Corporation Dissolution Act 1978 (1978 No 48)

Okarito Harbour Act 1932–33 (1932 No 39)

Phoenix Assurance Company of London Act 1887 (1887 No 2 (P))

Post Office Act Repeal Act 1987 (1987 No 115)

Public Safety Conservation Act Repeal Act 1987 (1987 No 181)

Public Service Investment Society Management Act (No 2) 1979 (1979 No 9)

Rent Restriction Act 1924 (1924 No 3)

Rent Restriction Extension Act 1931 (1931 No 11)

Royal New Zealand Institute of Horticulture Act 1953 (1953 No 20)

Rugby World Cup 2011 (Empowering) Act 2010 (2010 No 123)

Seamen's Union Funds Act 1971 (1971 No 71)

Sentencing Council Act 2007 (2007 No 25)

Southland Electricity Act 1993 (1993 No 147)

Southland Flood Relief Committee Empowering Act 1992 (1992 No 1 (P))

State Insurance Act 1990 (1990 No 36)

State Sector Amendment Act (No 2) 2004 (2004 No 114)

Statutes Repeal Act 1907 (1907 No 40)

Sydenham Money Club Act 2001 (2001 No 2 (P))

Taranaki Harbours Act 1965 (1965 No 4)

Terralink NZ Limited (Transfer of Employees) Act 1996 (1996 No 52)

Tobacco Growing Industry Repeal Act 1987 (1987 No 6)

Tourist Hotel Corporation of New Zealand Act 1989 (1989 No 130)

Trade and Industry Act Repeal Act 1988 (1988 No 156)

Waimakariri - Ashley Water Supply Act 1961 (1961 No 131)

Waterfront Industry Reform Act 1989 (1989 No 6)

Waterfront Industry Restructuring Act 1989 (1989 No 66)

Wheat Board Amendment Act 1986 (1986 No 25)

Year 2000 Information Disclosure Act 1999 (1999 No 25)

Part 2

Acts repealed in part

Administration of Community Sentences and Orders Act 2013 (2013 No 88)

Section 45(1).

Fisheries Act 1996 (1996 No 88)

Sections 314(1)(a) to (c) and 338.

Government Superannuation Fund Amendment Act (No 2) 1990 (1990 No 77)

Section 12.

Medicines Amendment Act 2013 (2013 No 141)

Sections 2(1), 5(2), 8, 11 to 15, 17 to 21, 29(1), 32, 33(2), and 34.

Parole Amendment Act 2007 (2007 No 28)

Sections 4(1), (3), and (7), 16, 48, 49, and 67.

Sentencing Amendment Act 2007 (2007 No 27)

Sections 5, 6(1), 12, 15, 45, 46, 49(1), (2), and (5), and 52 to 54.

Sport and Recreation New Zealand Act 2002 (2002 No 38)

Sections 18 to 22 and the cross-heading above section 18.

Sections 53 to 61 and the cross-heading above section 53.

State Sector Act 1988 (1988 No 20)

Sections 96 to 105, 107 to 109, 110(3) and (4), and 112.

Schedule 2

Amendments to other Acts

s 4

Flags, Emblems, and Names Protection Act 1981 (1981 No 47)

After section 20, insert:

20AAA Unauthorised use of King George the Fifth Memorial Children's Health Camps Federation emblem

- (1) In this section, **Foundation** means the charitable trust established by deed dated 31 March 1999 with the name Children's Health Camps—The New Zealand Foundation for Child and Family Health and Development.
- (2) Despite the revocation of the Health Camps Federation Emblem Order 1954, the emblem of the King George the Fifth Memorial Children's Health Camps Federation is to be the emblem of the Foundation.
- (3) No person may,—
 - (a) for the purposes of sale, apply or cause to be applied to any article the emblem of the Foundation or any colourable imitation of that emblem without the prior written consent of the Foundation; or
 - (b) knowing that the emblem of the Foundation or any colourable imitation of that emblem has been applied to any article without the prior written consent of the Foundation, sell that article, or cause it to be sold, or offer or expose that article for sale, or cause it to be offered or exposed for sale.
- (4) A person who contravenes **subsection (3)** commits an offence and is liable on conviction to a fine not exceeding \$2,000.

In section 24, insert as subsection (2):

- (2) This section does not apply to an offence against **section 20AAA**.

In Schedule 3, repeal the item relating to the Children's Health Camps Board Dissolution Act 1999.

Government Roothing Powers Act 1989 (1989 No 75)

In section 2, after the definition of **Agency**, insert:

Auckland Harbour Bridge means the bridge structure (including the superstructure, deck, piers, and any attached structures) across the Waitemata Harbour, Auckland, between Birkenhead and Westhaven, that is part of State Highway 1 between route positions 01N-0414/09.02 and 01N-0414/10.82.

After section 87, insert:

Government Rounding Powers Act 1989 (1989 No 75)—continued**87A Auckland Harbour Bridge**

The Auckland Harbour Bridge is declared to be a motorway within the meaning of this Act, and the provisions of this Act and of any other Act and of any regulations relating to motorways accordingly apply to the Auckland Harbour Bridge.

87B Auckland Harbour Bridge to be properly lighted

The Agency must at all times ensure that the Auckland Harbour Bridge is adequately lighted so as to provide for the safety of ships and aircraft in the vicinity of the Auckland Harbour Bridge.

87C Installation of services on Auckland Harbour Bridge

- (1) No person or body may provide, install, maintain, or repair any water main, gas pipe, or other pipe, or any power or telecommunications line, wire, or cable on the Auckland Harbour Bridge without the consent of the Agency, which may be given subject to such conditions as the Agency considers necessary for the protection and safety of the Auckland Harbour Bridge and of traffic using the Auckland Harbour Bridge.
- (2) The person or body responsible for any installation on the Auckland Harbour Bridge must pay to the Agency an annual amount for the use of the Auckland Harbour Bridge as may be agreed upon by the Agency and the person or body.

Official Information Act 1982 (1982 No 156)

In Schedule 1, repeal the item relating to the Sentencing Council.

Sport and Recreation New Zealand Act 2002 (2002 No 38)

Replace the Part 3 heading with:

Part 3
Consequential amendments and repeal

State Sector Act 1988 (1988 No 20)

After section 88(2), insert:

- (3) The entitlement of an officer or employee in the State services under any superannuation arrangement that applied to that officer or employee on 25 January 2005 is not affected by—
 - (a) the repeal of sections 84 to 84D of this Act by section 16(1) of the State Sector Amendment Act (No 2) 2004; or
 - (b) the amendments to Acts that are contained in Schedule 6 of the Crown Entities Act 2004.