

Statutes Amendment Bill

Government Bill

As reported from the Governance and Administration Committee

Commentary

Recommendation

The Governance and Administration Committee has examined the Statutes Amendment Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

Statutes Amendment bills are omnibus bills that make minor, technical, and non-controversial changes to Acts of Parliament. The bill, as introduced, contains 96 amendments to 42 Acts.

Amendments included in a Statutes Amendment bill can only progress with unanimous support from the House of Representatives. Before such a bill is introduced to the House, all parliamentary parties are consulted on the provisions to be included. Amendments included must be non-controversial and should not have significant policy implications.

As part of our consideration of this bill, we also kept ACT New Zealand and Te Pāti Māori informed of our proposed amendments to the bill as introduced.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Anti-Money Laundering and Countering Financing of Terrorism Act

Part 2 of the bill would amend the Anti-Money Laundering and Countering Financing of Terrorism Act 2009. The Act sets out customer due diligence requirements that reporting entities (such as casinos or financial institutions) must fulfil, to help detect and deter money laundering and the financing of terrorism. These requirements are intended to ensure reporting entities verify customers' identity and confirm that customers' financial transactions are legitimate. The Act sets out requirements for standard, simplified, or enhanced customer due diligence processes, based on the level of risk.

Clause 10 of the bill would amend section 16 to state that address verification of a customer, beneficial owner of a customer, or a person acting on behalf of a customer, is only required "according to the level of risk involved" in the transaction. This amendment is intended to clarify that address verification is only required in higher-risk circumstances. We consider that the conditions for when address verification is required could be more clearly expressed. We recommend amending clause 10 and inserting new clause 10A to clarify that address verification is not required as part of standard customer due diligence processes, but is required as part of enhanced customer due diligence processes.

During our consideration of the bill, we heard a number of other concerns from submitters regarding this provision in the Anti-Money Laundering and Countering Financing of Terrorism Act. We consider that the issues raised, in many cases, would require substantive amendments which would be out of scope to progress through this piece of legislation. Nevertheless, we consider that it would be beneficial to further investigate these issues.

Oaths and Declarations Act

Part 30 would amend the Oaths and Declarations Act 1957. Clause 123 would insert new section 2A into the Act to allow affirmations and declarations to be administered, and oaths to be taken, by audio link or audiovisual link. Clause 122 would amend section 2 to provide definitions of the terms "audio link" and "audiovisual link". These amendments are intended to clarify that a person making an oath, affirmation, or declaration does not have to be in the physical presence of the person administering it.

We heard from one submitter that it might be unsuitable for an administrator to witness signing of documents using an audio link. We agree. We recommend amending clauses 122 and 123 to remove the option that oaths may be taken, or affirmations and declarations may be made, using an audio link. We consider that the option to use an audiovisual link should remain. We also recommend amending clause 123 to insert new section 2A(1A) to clarify that oaths and affirmations may not be administered, and declarations may not be made, by audio communication only. This is intended to make it clear that, for example, in cases where audiovisual software includes the option to turn off a camera, the camera must remain on.

New section 2A also sets out requirements for when an oath, affirmation, or declaration is required to be evidenced “in writing”. We consider that the term “in writing” should be changed, as it may not cover both hard copy and electronic formats. We recommend instead using the term “in a document”.

Privacy Act

Part 31 of the bill would amend the Privacy Act 2020. Before the introduction of the bill, parties were consulted on, and agreed to, an additional amendment to the Privacy Act that was not included in the bill. We recommend inserting clause 132A to include this amendment.

Clause 132A would amend section 98 of the Act, which sets out when a person can commence proceedings in the Human Rights Review Tribunal. It specifies that a person must commence proceedings within 6 months of being notified of a decision by the Privacy Commissioner or Director of the Tribunal.

Clause 132A would clarify that, in cases where there are 2 or more related complaints, the 6-month limitation period would begin only after decisions for all of the related complaints have been made and notified. Clause 132A would also provide a definition for related complaints or matters. It would specify that related complaints or matters are those that are related because they involve the same parties and the Privacy Commissioner or Director has notified the parties that they are being considered together.

Removing amendments to the Conservation Act and Racing Industry Act

We recommend removing clauses 25 to 33 and Part 33 from the bill. These provisions would make amendments to the Conservation Act 1987 and the Racing Industry Act 2020 that are no longer necessary, due to other legislative or policy work.

We understand that the amendments in clauses 25 to 32 would overlap with broader proposed changes to the Conservation Act that were being consulted on as part of broader policy work. The amendment in clause 33 is included in the Resource Management (Consenting and Other System Changes) Amendment Bill, which was introduced to the House on 9 December 2024, so it is not needed here.

Part 33 would amend the Racing Industry Act to make changes related to the consumption charges that apply to offshore betting operators. We note that the Racing Industry Amendment Bill, which was introduced to the House on 9 December 2024, would remove the consumption charges scheme. The changes in this bill are therefore not needed.

Other matters

The following issue was also raised during our consideration of the bill. Although we do not propose any resulting amendment, we recommend that the House note the matter.

Incorporated Societies Act

Part 20 of the bill would amend the Incorporated Societies Act 2022. One submitter, the New Zealand Amateur Sport Association (NZASA), suggested making 22 additional amendments to the Act to clarify the obligations of a “small society”. One of these suggestions was to insert a new definition for the term “small society” in section 5 of the Act. Under the proposed definition, a small society would be a society that:

- is registered under the Incorporated Societies Act and meets the criteria specified by section 103(2) of that Act
- is not an employer under the Employment Relations Act 2000
- is registered under the Income Tax Act 2007 either as a non-profit organisation (under section DV 8), or as a body promoting amateur games and sports (under section CW 46).

There were a number of suggested changes proposed by NZASA that we consider substantive in nature and out of scope for this piece of legislation. However, it is suggested that this issue is further investigated.

Appendix

Committee process

The Statutes Amendment Bill was referred to this committee on 17 October 2024. We called for submissions on the bill with a closing date of 4 December. We received and considered submissions from 20 interested groups and individuals. We heard oral evidence from 5 submitters.

Advice on the bill was provided by the Ministry of Justice. We also received support from the Department of Conservation, the Department of Internal Affairs, Land Information New Zealand, the Ministry of Business, Innovation and Employment, the Ministry of Housing and Urban Development, the New Zealand Defence Force, the Public Service Commission, and Te Arawhiti | Office for Māori Crown Relations.

The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Camilla Belich (Chairperson and member from 12 March 2025)

Rachel Boyack (Chairperson and member until 12 March 2025)

Cameron Brewer (until 29 January 2025)

Tim Costley

Andy Foster

Melissa Lee (from 29 January 2025)

Tom Rutherford (until 29 January 2025)

Stuart Smith (from 29 January 2025)

Lemauga Lydia Sosene

Celia Wade-Brown

Mariameno Kapa-Kingi also participated in our consideration of this bill. We also kept ACT New Zealand informed of our proposed amendments to the bill as introduced.

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Nicole McKee

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Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Statutes Amendment Act **2024**.

2 Commencement

This Act comes into force on the day after Royal assent.

Part 1

Amendments to Accident Compensation Act 2001

3 Principal Act

5

This **Part** amends the Accident Compensation Act 2001.

4 Section 43 amended (Public consultation on draft Code after agreement by Minister)

Replace section 43(1)(b) with:

(b) on an Internet site maintained by or on behalf of the Corporation.

10

5 Section 286 amended (Corporation to provide information to Ministry of Business, Innovation, and Employment and to health and safety regulators)

Repeal section 286(5)(a).

6 Cross-heading above section 313 replaced

15

Replace the cross-heading above section 313 with:

Charging documents

7 Section 331 amended (Consultation and other requirements for regulations relating to levy setting)

In section 331(2)(a) and (4), replace “in a daily newspaper circulating in each of the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin” with “on an Internet site maintained by or on behalf of the Corporation”.

20

Part 2

Amendments to Anti-Money Laundering and Countering Financing of Terrorism Act 2009

25

8 Principal Act

This **Part** amends the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

9 Section 5 amended (Interpretation)

In section 5(1), definition of **occasional transaction**, paragraph (c)(i), after “cheque deposits”, insert “made at a registered bank or non-bank deposit taker”.

30

- 10 Section 16 amended (Standard customer due diligence: verification of identity requirements)**
- (1) In section 16(1)(a), after “section 15”, insert “(other than the information obtained under section 15(d))”.
- (2) Replace section 16(1)(b) with: 5
- (b) ~~according to the level of risk involved, take reasonable steps to verify—~~
 (i) ~~the information obtained under section 15(d); and~~
 (ii) ~~any beneficial owner’s identity so that the reporting entity is satisfied that it knows who the beneficial owner is; and~~
- 10A Section 24 amended (Enhanced customer due diligence: verification of identity requirements)** 10
- Replace section 24(1)(b) with:
- (b) according to the level of risk involved, take reasonable steps to verify the information obtained under—
 (i) section 15(d); and 15
 (ii) section 23(1)(a); and
- 11 Section 40 replaced (Reporting entities to report suspicious activities)**
- Replace section 40 with:
- 40 Reporting entities to report suspicious activities**
- (1) A reporting entity other than a high-value dealer or law firm must, as soon as practicable but no later than 3 working days after forming its suspicion, report the activity, or suspicious activity, to the Commissioner in accordance with section 41. 20
- (2) A law firm must, as soon as practicable, but no later than 5 working days after forming its suspicion, report the activity or suspicious activity to the Commissioner in accordance with section 41. 25
- (3) Despite **subsection (2)**, a law firm is not required to disclose any information that the law firm believes on reasonable grounds is a privileged communication.
- (4) A high-value dealer may report a suspicious activity to the Commissioner. 30
- 12 Section 48A amended (Reporting entities to report certain prescribed transactions)**
- In section 48A(1), replace “10 working days” with “20 working days”.

Part 3

Amendments to Armed Forces Discipline Act 1971

13 Principal Act

This **Part** amends the Armed Forces Discipline Act 1971.

14 Section 87A amended (Suspension of compensation and restitution orders made by Court Martial, etc) 5

In section 87A(2), delete “section 160 of this Act or”.

15 Section 117ZA amended (Orders for compensation and restitution)

In section 117ZA(2)(b), replace “wider” with “under”.

Part 4

10

Amendments to Births, Deaths, Marriages, and Relationships Registration Act 2021

16 Principal Act

This **Part** amends the Births, Deaths, Marriages, and Relationships Registration Act 2021.

15

17 Section 88 amended (Person must confirm identity to access information under this subpart)

(1) In section 88(1)(a), delete “or 90”.

(2) After section 88(2), insert:

(3) However, a person does not have to confirm their identity under subsection (1) to request access to historical information under section 91(1)(a) or (b). 20

18 Section 91 amended (Any person may request access to information in relation to named person)

In section 91(1), replace “whose identity is confirmed under section 88 may” with “may, after their identity is confirmed under section 88 (if required),”.

25

Part 5

Amendments to Building Act 2004

19 Principal Act

This **Part** amends the Building Act 2004.

- 20 Section 68 amended (Territorial authority must notify chief executive if waiver or modification granted)**
In section 68, replace “a building consent subject to a waiver or modification of the building code” with “a waiver or modification under section 67 or 67A”.
- 21 Section 177 amended (Application for determination)** 5
In section 177(3)(a), replace “of the building code under section 67” with “under section 67 or 67A”.

Part 6

Amendment to Burial and Cremation Act 1964

- 22 Principal Act** 10
This **Part** amends the Burial and Cremation Act 1964.
- 23 Section 46B amended (Certificate of cause of death in relation to illness)**
In section 46B(6)(a)(i), replace “section 13 (except subsection (1)(b))” with “section 14(2) (except paragraph (f))”.

Part 7

Amendments to Conservation Act 1987

- 24 Principal Act**
This **Part** amends the Conservation Act 1987.
- 25 Section 17D amended (Conservation management strategies)** 20
Repeal section 17D(8).
- 26 Section 17E amended (Conservation management plans)**
Repeal section 17E(9).
- 27 Section 17F amended (Procedure for preparation and approval of conservation management strategies)** 25
In section 17F, insert as subsection (2):
- (2) When preparing a conservation management strategy, the Director-General must have regard to any relevant concessions in force and any existing management plans under this Act or any Act specified in Schedule 1.
- 28 Section 17G amended (Procedure for preparation and approval of conservation management plans)** 30
After section 17G(3), insert:

- (4) ~~When preparing a conservation management plan, the Director-General must have regard to any relevant concessions in force and any existing freshwater fisheries management plans and sports fish and game management plans under this Act.~~
- 29 Section 17J amended (Freshwater fisheries management plans)** 5
Repeal section 17J(5).
- 30 Section 17K amended (Procedure for preparation, approval, review, and amendment of freshwater fisheries management plans)**
After section 17K(6), insert:
- (7) ~~When preparing any freshwater fisheries management plan, the Director-General must have regard to any sports fish and game management plan that has effect in that area.~~ 10
- 31 Section 17L amended (Sports fish and game management plans)**
Repeal section 17L(4).
- 32 Section 17M amended (Procedure for preparation, approval, review, and amendment of sports fish and game management plans)** 15
After section 17M(6), insert:
- (7) ~~When preparing a draft sports fish and game management plan, the Fish and Game Council must—~~
- (a) ~~have regard to the sustainability of sports fish and game in the area to which the draft plan relates; and~~ 20
- (b) ~~have regard to the impact that the management proposed in the draft plan is likely to have on other natural resources and other users of the habitat concerned; and~~
- (c) ~~include any provisions that may be necessary to maximise recreational opportunities for hunters and anglers.~~ 25
- 33 Section 39 amended (Other offences in respect of conservation areas)**
Replace section 39(6) with:
- (6) ~~A person who is convicted of an offence under subsection (4) is liable to imprisonment for a term not exceeding 2 years or a fine not exceeding \$100,000, or both, and to a further fine of \$10,000 per day if the offence is a continuing one, unless a defence listed in **subsection (6A)** applies.~~ 30
- (6A) ~~It is a defence to a charge under subsection (4) if the defendant can show that the discharge of the contaminant was—~~
- (a) ~~done in accordance with the conditions of a current discharge permit granted under the Resource Management Act 1991; or~~ 35

- (b) ~~allowed by a national environmental standard as defined in section 2(1) of the Resource Management Act 1991; or~~
- (c) ~~authorised by any secondary legislation (including by way of an exemption) made under the Resource Management Act 1991; or~~
- (d) ~~a permitted activity in the relevant regional plan and any proposed regional plan, if there is one, under the Resource Management Act 1991.~~ 5
- (6B) ~~For the purpose of a defence under **subsection (6A)**, it is sufficient for the defendant to produce a relevant certificate from the regional council in the area for which the permit was purported to be granted or activity otherwise permitted.~~ 10

34 New section 51CA inserted (Taking indigenous freshwater fish without authority)

After section 51C, insert:

51CA Taking indigenous freshwater fish without authority

- (1) A person must not take indigenous freshwater fish from any freshwater, except in accordance with section 26ZHB or an authorisation given under section 26ZHC or 26ZHD. 15
- (2) A person who fails to comply with this section commits an infringement offence.

35 Section 59 amended (Warranted officers) 20

In section 59(9), delete “to exercise powers in relation to freshwater fisheries”.

Part 8

Amendment to Conservation Amendment Act 1996

36 Principal Act

This **Part** amends the Conservation Amendment Act 1996. 25

37 Section 24 replaced (New sections inserted)

Replace section 24 with:

24 New sections 26ZIA and 26ZIB inserted

After section 26ZI, insert:

26ZIA Sports fishing guides 30

- (1) A person must not act as a sports fishing guide unless they hold a current sports fishing guide licence.
- (2) A person who contravenes **subsection (1)** commits an offence and is liable to a fine not exceeding \$5,000.

26ZIB Use of gaffs prohibited

- (1) A person must not use a gaff to take any freshwater fish unless permitted to do so by an Anglers Notice.
- (2) A person who contravenes **subsection (1)** commits an offence and is liable to a fine not exceeding \$5,000.

5

Part 9

Amendments to Coroners Act 2006

38 Principal Act

This **Part** amends the Coroners Act 2006.

39 Section 14 amended (Deaths that must be reported under section 13(2)) 10

In section 14(2)(f), replace “no doctor has given a doctor’s certificate” with “there has not been given a certificate of cause of death”.

40 Section 80 amended (Decision to hold inquest)

After section 80(3), insert:

- (4) This section does not apply to an associate coroner except to the extent set out in section 77A(1)(a).

15

41 Section 132 amended (Chief coroner may issue practice notes)

- (1) After section 132(2)(a)(iv), insert:

- (v) co-ordinating with other coroners or associate coroners over a death:
- (vi) determining whether a person is appropriately regarded as an expert in a particular area:

20

- (2) Repeal section 132(2)(b)(v).

Part 10

Amendments to Credit Contracts and Consumer Finance Act 2003

25

42 Principal Act

This **Part** amends the Credit Contracts and Consumer Finance Act 2003.

43 Section 9CA amended (Records about inquiries made)

After section 9CA(9), insert:

- (10) To avoid doubt, the lender is not required to keep records about inquiries when an application is declined or withdrawn.

30

44 Section 35 amended (How disclosure is made)

In section 35(2), after “specified”, insert “the same address for the purpose of subsection (1)(b) or”.

Part 11**Amendment to Criminal Investigations (Bodily Samples) Act 1995 5****45 Principal Act**

This **Part** amends the Criminal Investigations (Bodily Samples) Act 1995.

46 Schedule 1 amended

In Schedule 1, Part 1, replace “Sexual intercourse with severely subnormal woman or girl” with “Sexual intercourse with certain persons”. 10

Part 12**Amendments to Criminal Records (Clean Slate) Act 2004****47 Principal Act**

This **Part** amends the Criminal Records (Clean Slate) Act 2004.

48 Section 4 amended (Interpretation) 15

In section 4(1), definition of **specified offence**,—

- (a) paragraph (c)(v), replace “sexual intercourse with a severely subnormal woman or girl” with “sexual intercourse with certain persons”;
- (b) paragraph (d)(x), replace “defiling idiot or imbecile woman or girl” with “defiling certain persons”. 20

Part 13**Amendments to Crown Entities Act 2004****49 Principal Act**

This **Part** amends the Crown Entities Act 2004.

50 Section 107 amended (Directions to support whole of government approach) 25

In section 107(1), replace “Minister of State Services” with “Minister for the Public Service”.

51 Section 133 amended (Power to request information)

In section 133(2A) and (2B), replace “Minister of State Services” with “Minister for the Public Service”. 30

- 52 Section 178 amended (Application of Archives Act 1957)**
- (1) In the heading to section 178, replace “**Archives Act 1957**” with “**Public Records Act 2005**”.
- (2) In section 178, replace “Archives Act 1957” with “Public Records Act 2005”.
- 53 Schedule 1 amended** 5
- In Schedule 1, Part 1, replace “New Zealand Blood Service” with “New Zealand Blood and Organ Service”.
- 54 Schedule 2 amended**
- In Schedule 2, replace “New Zealand Venture Investment Fund Limited” with “New Zealand Growth Capital Partners Limited”. 10
- 55 Schedule 3 amended**
- In Schedule 3, item relating to section 178, replace “Archives Act 1957” with “Public Records Act 2005”.
- 56 Schedule 4 amended**
- In Schedule 4, item relating to section 178, replace “Archives Act 1957” with “Public Records Act 2005”. 15
- 57 Consequential amendments to other legislation**
- Amend the legislation specified in **Schedule 1** as set out in that schedule.

Part 14

Amendments to Defence Act 1990

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- 58 Principal Act**
- This **Part** amends the Defence Act 1990.
- 59 Section 2 amended (Interpretation)**
- (1) In section 2(1), repeal the definitions of **airman** and **leading aircraftman**.
- (2) In section 2(1), insert in their appropriate alphabetical order: 25
- aviator—**
- (a) means any person duly attested for service in the Air Force or declared by or under this or any other enactment to belong to the Air Force; and
- (b) includes—
- (i) a non-commissioned officer of the Air Force; and 30
- (ii) a rating of the Navy attached to the Air Force; and
- (iii) a soldier of the Army attached to the Air Force; but
- (c) does not include an officer

leading aviator classification includes an aviator classification, a general service hand, and an air force cadet

- (3) In section 2(1), definition of **member of the Defence Force**, paragraph (a), replace “airman” with “aviator”.
- (4) In section 2(1), definition of **non-commissioned officer**, paragraph (c), replace— 5
- (a) “airman” with “aviator”; and
- (b) “aircraftman” with “aviator classification”.
- (5) In section 2(1), definition of **rating**, paragraph (b), replace “airman” with “aviator”. 10
- (6) In section 2(1), definition of **soldier**, paragraph (b), replace “airman” with “aviator”.
- 60 Section 13 amended (Members of regular forces)**
In section 13(1) and (2), replace “airmen” with “aviators”.
- 61 Section 15 amended (Members of territorial forces)** 15
In section 15(1) and (2), replace “airmen” with “aviators”.
- 62 Section 16 amended (Members of reserve forces)**
In section 16, replace “airmen” with “aviators”.
- 63 Section 19 amended (Circumstances in which members of one Service are deemed attached to another Service)** 20
In section 19(1), (2), (3), and (4), replace “airman” with “aviator”.
- 64 Section 61A amended (Appointment of members of Civil Staff)**
In section 61A(1)(a), replace “airmen” with “aviators”.
- 65 Consequential amendments to other legislation**
Amend the legislation specified in **Schedule 2** as set out in that schedule. 25

Part 15

Amendments to Electoral Act 1993

- 66 Principal Act**
This **Part** amends the Electoral Act 1993.
- 67 Section 3 amended (Interpretation)** 30
In section 3(1),—
- (a) definition of **candidate**, paragraph (b), replace “Parts 6AA and 6A” with “Parts 6AA, 6A, and 6B”; and

- (b) definition of **candidate**, paragraph (c), after “6A,”, insert “6B,”.

Part 16

Amendment to Employment Relations Act 2000

68 Principal Act

This **Part** amends the Employment Relations Act 2000.

5

69 Section 233B amended (Information sharing)

In section 233B(6)(g), replace “section 28B of the Health and Safety in Employment Act 1992” with “section 191 of the Health and Safety at Work Act 2015”.

Part 17

Amendment to Heretaunga Tamatea Claims Settlement Act 2018

10

70 Principal Act

This **Part** amends the Heretaunga Tamatea Claims Settlement Act 2018.

71 New subpart 1A of Part 3 inserted

After section 86, insert:

15

Subpart 1A—Subdivision of transferred deferred selection property

86A 14 Mangarau Crescent marginal strip ceases if subdivision proceeds

- (1) This section applies if the requirements are met for the Registrar-General to deposit Land Transfer Plan 601308 for the purpose of section 11(1)(a)(i) of the Resource Management Act 1991.

20

- (2) The 14 Mangarau Crescent marginal strip ceases to be a marginal strip under Part 4A of the Conservation Act 1987.

- (3) The Registrar-General must, before creating new records of title for the subdivision authorised by that Land Transfer Plan, amend the notation on record of title HBW2/148 to record that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply.

25

- (4) In this section,—

14 Mangarau Crescent means the land comprising 0.8081 hectares, more or less, being Lot 1 DP 26535 and Lot 12 Deeds Plan 82, all record of title HBW2/148

30

14 Mangarau Crescent marginal strip means the marginal strip reserved from the transfer of 14 Mangarau Crescent from the Crown to the trustees under section 81.

Part 18

Amendment to Housing Act 1955

72 Principal Act

This **Part** amends the Housing Act 1955.

73 Section 29 amended (Registration of easement certificates) 5

In section 29(5), replace “of 1 pound shall be” with “prescribed under the Land Transfer Act 2017 is”.

Part 19

Amendments to Immigration Advisers Licensing Act 2007

74 Principal Act 10

This **Part** amends the Immigration Advisers Licensing Act 2007.

75 Section 17 amended (Other matters relevant to fitness for licensing)

Replace section 17(c) with:

- | | |
|--|----|
| (c) whether or not the person is related by employment or association to a person— | 15 |
| (i) who has previously been refused a licence; or | |
| (ii) who is prohibited from being licensed under section 15; or | |
| (iii) who is subject to a restriction on being licensed under section 16; or | |
| (iv) who has a conviction for an offence of a kind referred to in paragraph (a); or | 20 |
| (v) against whom disciplinary proceedings of a kind referred to in paragraph (b) have been taken or are being taken. | |

76 Section 18 amended (Application for licence)

In section 18(c)(i), after “full name”, insert “(including any aliases and former names used by the applicant)”. 25

Part 20

Amendments to Incorporated Societies Act 2022

77 Principal Act

This **Part** amends the Incorporated Societies Act 2022. 30

78 Section 254 amended (Regulations)

In section 254(1)(u),—

- (a) after “specifying Acts”, insert “and Provincial Ordinances”;
- (b) after “specified Act”, insert “or Provincial Ordinance”.
- 79 Section 257 amended (Entities formed or incorporated by other Acts may convert to be incorporated societies)**
- In section 257, after “an Act”, insert “or a Provincial Ordinance”. 5
- 80 Schedule 3 amended**
- (1) In Schedule 3, clause 1,—
- (a) after “an Act”, insert “or a Provincial Ordinance”;
- (b) replace “entity’s Act” with “entity’s legislation”.
- (2) In Schedule 3, heading to clause 5, replace “Entity’s Act” with “Entity’s legislation”. 10
- (3) In Schedule 3, clause 5, replace “entity’s Act” with “entity’s legislation”.
- Consequential amendments to Incorporated Societies Regulations 2023*
- 81 Principal regulations**
- Sections 82 and 83** amend the Incorporated Societies Regulations 2023. 15
- 82 Regulation 3 amended (Interpretation)**
- (1) In regulation 3, revoke the definition of **entity’s Act**.
- (2) In regulation 3, insert in its appropriate alphabetical order:
- entity’s legislation**, in relation to a specified entity, has the meaning given in clause 1 of Schedule 3 of the Act 20
- 83 Regulation 51 amended (Application for reregistration of specified entity as incorporated society: prescribed information)**
- In regulation 51(b), replace—
- (a) “entity’s Act” with “entity’s legislation”;
- (b) “that Act” with “the entity’s legislation”. 25

Part 21

Amendment to Inquiries Act 2013

- 84 Principal Act**
- This **Part** amends the Inquiries Act 2013.
- 85 Section 33 amended (Application of Public Records Act 2005)** 30
- Replace section 33(4) with:

- (4) In determining, for the purposes of Part 3 of the Public Records Act 2005, the access status of the public records or any things transferred to the control of the Chief Archivist under this section, if an order has been made under section 15(1) of this Act that—
- (a) applies for a specified time period, the relevant department must act consistently with the order: 5
 - (b) applies permanently, the relevant department must take the order into account.
- (4A) In this subsection and **subsection (4)**,— 10
- act consistently with the order** means,—
- (a) if the order forbids publication of any thing described in section 15(1)(a)(i) to (iv), to classify any records relating to that thing as restricted access records as defined in section 4 of the Public Records Act 2005: 15
 - (b) if the order restricts public access to any part or aspect of the inquiry, to classify any records relating to that part or aspect as restricted access records: 15
 - (c) if the order requires the inquiry or any part of it to be held in private, to classify any records relating to that inquiry or part of an inquiry as restricted access records as defined in section 4 of the Public Records Act 2005 20
- take the order into account** means to consider whether the reasons for making the order still apply and,—
- (a) if they do, to act consistently with the order:
 - (b) if they do not, to classify the record in accordance with section 44 of the Public Records Act 2005. 25

Part 22

Amendments to Juries Act 1981

- 86 Principal Act** 30
- This **Part** amends the Juries Act 1981.
- 87 Section 12A amended (Registrar may amend jury list)**
- In section 12A(1)(da), delete “under section 14C(1)(d)”.
- 88 Section 13 amended (Summoning of jurors)**
- In section 13(3A)(a)(i), delete “issued under section 14C(1)(c)”.

Part 23

Amendments to Land Transfer Act 2017

89 Principal Act

This **Part** amends the Land Transfer Act 2017.

90 Section 61 amended (Exceptions to compensation) 5

In section 61(1)(a), after “claimant”, insert “or the registered owner”.

91 Section 63 amended (Consideration of claim)

In section 63(1) and (2), after “proceeding”, insert “, and, without further appropriation than this section, the claim may be paid out of a Crown Bank Account”.

10

92 Section 93 amended (Consent of registered mortgagee to variation of lease)

After section 93(2), insert:

(2A) A consent under subsection (1) or (2) binds the mortgagee and every person who subsequently derives an interest in the mortgage from the mortgagee.

93 Section 220 amended (Public notice)

15

In section 220, insert as subsection (2):

(2) If it is impracticable to include all required information in the notice under **subsection (1)** due to the volume of information, then—

(a) all or part of the information may be made available on an Internet site maintained by the department, instead of in the notice; and

20

(b) the notice must—

(i) make it clear that further information relating to the notice is available on that site; and

(ii) give sufficient detail to enable persons to understand what sort of further information is available on that site.

25

94 Section 221 amended (Giving of notice to persons other than Registrar)

In section 221(1)(b), after “address”, insert “(including by a courier service that records details of delivery to the address)”.

95 Section 222 amended (Notice to Registrar)

After section 222(1)(d), insert:

30

(da) by delivering it to a designated Land Registry Office by a courier service that records details of delivery to the address; or

96 Section 223 amended (When notices given)

After section 223(1)(d), insert:

(da) if sent by courier service, at the time of delivery recorded by the courier service provider:

97 Section 226 amended (Cost of survey to correct plans)

In section 226, after “title”, insert “and, without further appropriation than this section, the cost may be paid out of a Crown Bank Account”.

5

98 Section 233 amended (Delegation of Registrar’s duties and powers)

(1) In the heading to section 233, replace “duties” with “functions, duties,”.

(2) In section 233(1), replace “duties” with “functions, duties,”.

(3) In section 233(1)(a), replace “power or duty” with “function, duty, or power”.

(4) In section 233(3)(c), after “performing a”, insert “function or”.

10

(5) In section 233(5)(a), after “performance of a”, insert “function or”.

(6) In section 233(5)(b), replace “duty” with “function, duty,”.

(7) Replace section 233(6) and (7) with:

(6) A person to whom a function, duty, or power has been delegated may perform the function or duty or exercise the power in the same manner and with the same effect as if the function, duty, or power had been conferred directly on the person by this Act.

15

(7) A person to whom a function, duty, or power is delegated must perform the function or duty or exercise the power in accordance with any standard set or directive issued by the Registrar under section 236.

20

(8) In section 233(9), replace “duty” with “function, duty,”.

Part 24

Amendment to Local Government Act 2002

99 Principal Act

This **Part** amends the Local Government Act 2002.

25

100 Schedule 10 amended

In Schedule 10, after clause 29, insert:

29A Amount of rates written off to be included in notes to financial statements

A local authority must ensure that the notes to the financial statements described in clause 29(1)(a) disclose the amount of rates written off each financial year under sections 90A and 90B of the Local Government (Rating) Act 2002.

30

Part 25 Amendment to Local Government (Rating) Act 2002

101 Principal Act

This **Part** amends the Local Government (Rating) Act 2002.

102 Section 90D repealed (Amount of rates written off to be included in notes to financial statements) 5

Repeal section 90D.

Part 26 Amendment to Maritime Transport Act 1994

103 Principal Act 10

This **Part** amends the Maritime Transport Act 1994.

104 Section 365 amended (Production of certificate of insurance)

In section 365, delete “or section 364”.

Part 27 Amendments to Motor Vehicle Sales Act 2003 15

105 Principal Act

This **Part** amends the Motor Vehicle Sales Act 2003.

106 Section 88 amended (Panel of persons who may be appointed as assessors)

Repeal section 88(5).

107 New section 88A inserted (Continuation of approval of assessors) 20

After section 88, insert:

88A Continuation of approval of assessors

- (1) If a person’s name is removed from the panel of assessors under section 88(4)(c), the person still continues as a member of the panel until—
 - (a) the person is reappointed; or 25
 - (b) a successor is appointed; or
 - (c) the person is informed in writing by the Minister that the person is not to be reappointed.
- (2) A person who continues as a member of the panel of assessors for any period under **subsection (1)** may act as an assessor during that period for the purpose of— 30

(a)	completing any proceedings partly or wholly heard by the Disputes Tribunal on which the person sat before the expiry of the person's period of approval as a member of the panel:	
(b)	hearing any other proceedings.	
(3)	If a person's name is removed from the panel of assessors under section 88(4)(d), the person still continues as a member of the panel until—	5
(a)	a successor is appointed; or	
(b)	the person is informed in writing by the Minister that the person is not to be replaced.	
(4)	A person who continues as a member of the panel of assessors for any period under subsection (3) may act as an assessor during that period for the purpose of—	10
(a)	completing any proceedings partly or wholly heard by the Disputes Tribunal on which the person sat before their resignation:	
(b)	hearing any other proceedings.	15

108 Schedule 1 amended

- | | | |
|-----|---|----|
| (1) | In Schedule 1, clause 9E(2), replace “the Registrar” with “an officer of a Disputes Tribunal”. | |
| (2) | In Schedule 1, clause 16(1), after “appeal to a District Court Judge”, insert “in accordance with the District Court Act 2016 and the District Court Rules 2014”. | 20 |

Part 28

Amendments to New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

109 Principal Act 25

This **Part** amends the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

110 Section 3 amended (Purpose)

In section 3(c), after “alter,”, insert “adopt, validate,”.

111 Section 8 amended (Extent of Board's jurisdiction) 30

In section 8(1)(c), after “as defined in”, insert “the Ross Dependency Boundaries and Government Order in Council 1923 and”.

112 Section 10 amended (Principal functions of Board)

- (1) Replace section 10(1)(c) with:

- (c) alter an official geographic name or recorded name, or the description of the position or spatial extent of the geographic feature to which the name applies, by—
- (i) substituting another name; or
 - (ii) correcting the spelling of the name; or
 - (iii) correcting the description of the position or spatial extent of the geographic feature to which the name applies:
- (2) In section 10(1)(e)(iii), after “name”, insert “or recorded name”. 5
- (3) In section 10(2), replace “a name to, or alter the” with “an official geographic name to, or alter the official geographic”. 10
- 113 Section 11 amended (Other functions of Board)**
- In section 11(1)(g), replace “name or alter the name” with “assign, alter, or approve the official geographic name or recorded name”.
- 114 Section 15 amended (Proposals may be submitted to Board)**
- (1) In section 15(1)(b), after “existing”, insert “official geographic name or recorded”. 15
- (2) Replace section 15(1)(c) with:
- (c) discontinue the use of the official geographic name or recorded name of the feature; or
 - (d) approve a recorded name as an official geographic name. 20
- 115 Section 16 amended (Notification of proposal)**
- In section 16(2), replace “Before” with “Subject to section 24, before”.
- 116 Section 24 amended (Discretion not to give public notice)**
- In section 24(2)(b), after “official geographic name”, insert “or recorded name”. 25
- 117 Section 25 amended (Geographic features outside territorial limits)**
- (1) After section 25(1)(b), insert:
- (c) discontinuing an official geographic name or names to which section 26 applies.
- (2) In section 25(2)(b), after “official geographic name”, insert “or discontinued official geographic name”. 30
- 118 Section 31A amended (Requirement to notify Board if name of Crown protected area discontinued)**
- Replace section 31A(2) with:
- (2) On receiving notification under subsection (1), the Board must— 35

- (a) remove the name of the Crown protected area from the list of official geographic names in the Gazetteer; and
- (b) give public notice of that discontinuation in accordance with section 21(2).

Part 29

5

Amendment to Ngāti Rangi Claims Settlement Act 2019

119 Principal Act

This **Part** amends the Ngāti Rangi Claims Settlement Act 2019.

120 Section 132 amended (Transfer of defence area land to trustees)

In section 132(1), replace “4 years” with “7 years”.

10

Part 30

Amendments to Oaths and Declarations Act 1957

121 Principal Act

This **Part** amends the Oaths and Declarations Act 1957.

122 Section 2 amended (Interpretation)

15

In section 2, insert in ~~their~~ its appropriate alphabetical order:

~~**audio link** means facilities (for example, telephone facilities) that enable audio communication between people in different places~~

audiovisual link means facilities that enable audio and visual communication between people in different places

20

123 New section 2A and cross-heading inserted

After the Part 1 heading, insert:

Use of audio links and audiovisual links

2A Requirements relating to oaths, affirmations, and declarations may be met by ~~audio link or audiovisual link~~

25

- (1) Where this Part requires an oath to be taken, or an affirmation or a declaration to be made, in the presence of the person administering the oath or affirmation or taking the declaration (the **administrator**), that requirement may be met using an ~~audio link or audiovisual link~~ (subject to ~~subsection (2)~~ **subsections (1A) and (2)**).

30

- (1A) The oath or affirmation may not be administered, and the declaration may not be made, by audio communication only.

- (2) If the oath, affirmation, or declaration is, or is required to be evidenced, ~~in writing in a document,~~—
- (a) the administrator must be satisfied that the person taking the oath, or making the affirmation or declaration, signed the document concerned in the course of the ~~audio link~~ or audiovisual link; and
 - (b) as soon as practicable after signing the document, the person must send the signed document (or a photograph or scan of the signed document) to the administrator for the administrator to sign.

5

Part 31

Amendments to Privacy Act 2020

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124 Principal Act

This **Part** amends the Privacy Act 2020.

125 Section 22 amended (Information privacy principles)

In section 22, information privacy principle 12, replace subclause (1)(e) with:

- (e) A believes on reasonable grounds that B is subject to privacy laws of a prescribed country and the disclosure is not precluded by any limitation or qualification prescribed in respect of that country under section 214(3); or

15

126 Section 27 amended (Restricted application of IPPs to personal information collected or held for personal or domestic affairs)

20

Replace section 27(2)(b) with:

- (b) is holding personal information solely for the purposes of, or in connection with, the individual's personal or domestic affairs and the personal information was—
 - (i) collected by a lawful means; or
 - (ii) received by the individual unsolicited; or
 - (iii) created by the individual.

25

127 Section 44 amended (Responding to IPP 6 request)

Repeal section 44(2)(a).

128 Section 49 amended (Protection, etc, of individual as reason for refusing access to personal information)

30

In section 49(1)(b)(ii), replace “requestor” with “individual concerned”.

129 Section 53 amended (Other reasons for refusing access to personal information)

After section 53(a), insert:

35

(aa) the information is not held in a way that is readily retrievable; or

130 Section 74 amended (Commissioner may decide not to investigate complaint)

In section 74(2), after “unnecessary”, insert “or inappropriate”.

131 Section 91 amended (Procedure after completion of investigation relating to access to personal information) 5

- (1) In section 91(3), after “substance”, insert “and considers it appropriate to do so”.
- (2) In section 91(4), after “with”, insert “and considers it appropriate to do so”.
- (3) In section 91(5), delete “under subsection (3) or (4)”. 10

132 Section 94 amended (Procedure after completion of other investigations)

- (1) In section 94(2), after “substance”, insert “and considers it appropriate to do so”.
- (2) In section 94(3), after “with”, insert “and considers it appropriate to do so”.

132A Section 98 amended (Aggrieved individuals may commence proceedings in Tribunal) 15

- (1) After section 98(7), insert:

(7A) If there are 2 or more related complaints or matters, the period for commencing proceedings applying in respect of all of the complaints or matters is the latest of the periods determined under any of subsections (2) to (7) for each of the complaints or matters. 20

- (2) After section 98(8), insert:

(9) In **subsection (7A)**, **related complaints or matters** means complaints or matters that are related because—

- (a) the complaints or matters involve the same parties; and 25
- (b) the parties have been notified by the Commissioner or Director that the complaints or matters are being considered together.

133 Section 120 amended (Liability for actions of officers, employees, agents, and members of agencies)

After section 120(5), insert: 30

- (6) For the purposes of subsections (4) and (5), a person (A) is an **agent** of an agency (B) if A holds information for or on behalf of B (for example, as a representative or an agent of B, or for safe custody or processing on behalf of B).

134 Section 121 amended (Knowledge of officers, employees, agents, and members of agencies to be treated as knowledge of employers, principal agencies, and agencies)

After section 121(4), insert:

- (5) For the purposes of subsection (4), a person (A) is an **agent** of an agency (B) if A holds information for or on behalf of B (for example, as a representative or an agent of B, or for safe custody or processing on behalf of B).

Part 32

Amendments to Public Service Act 2020

135 Principal Act 10

This **Part** amends the Public Service Act 2020.

136 Section 27 amended (Responsibilities, powers, and working arrangements of interdepartmental executive boards)

In section 27(2), delete “, and clauses 2 to 4 of Schedule 6 apply to a delegation”.

15

137 Schedule 3 amended

- (1) In Schedule 3, clause 5(4), replace “section 17 or 18” with “section 17, 18, or 19”.

- (2) In Schedule 3, clause 16(1), replace “every 3 years” with “in every 3-year period after 7 August 2020”.

20

138 Schedule 6 amended

- (1) In Schedule 6, clause 8(1), replace “every 3 years” with “in every 3-year period after 7 August 2020”.

- (2) In Schedule 6, clause 8(7), before “Minister”, insert “appropriate”.

139 Schedule 8 amended 25

In Schedule 8, replace clause 3(1) with:

- (1) An appointment to an office or a position in a department or an interdepartmental venture must be made, confirmed, or approved by the chief executive of that department or the board of that interdepartmental venture.

Part 33

30

Amendments to Racing Industry Act 2020

140 Principal Act

This **Part** amends the Racing Industry Act 2020.

141 Section 112 amended (Penalty for using New Zealand racing and sporting information in contravention of section 110)

In section 112(5), after “in the prescribed manner”, insert “(if any)”.

142 Section 116 amended (Penalties relating to consumption charges)

In section 116(5), after “in the prescribed manner”, insert “(if any)”.

5

Part 34**Amendments to Radiocommunications Act 1989****143 Principal Act**

This **Part** amends the Radiocommunications Act 1989.

144 Section 28 amended (Register to be open for search)

10

In section 28(1), after “prescribed fee”, insert “(if any)”.

145 Section 29 amended (Registrar to issue search copies)

In section 29(1), after “prescribed fee”, insert “(if any)”.

146 Section 30 amended (Certified copies of register to be evidence)

In section 30(1), after “prescribed fee”, insert “(if any)”.

15

147 Section 128B amended (Infringement notices)

(1) After section 128B(2)(c), insert:

(d) by sending it to an electronic address of the person in any case where the person does not have a known place of residence or business in New Zealand.

20

(2) Replace section 128B(3) with:

(3) For the purposes of the Summary Proceedings Act 1957, unless the contrary is shown,—

(a) an infringement notice sent to a person by post under subsection (2)(c) is to be treated as having been served on the person when it would have been delivered in the ordinary course of post; and

25

(b) an infringement notice sent to a valid electronic address under **subsection (2)(d)** is to be treated as having been served at the time the electronic communication first enters an information system that is outside the control of the Secretary or the authorised person.

30

Part 35

Amendments to Real Estate Agents Act 2008

148 Principal Act

This **Part** amends the Real Estate Agents Act 2008.

149 Section 74 amended (Complaints about licensees)

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Replace section 74(3)(a) with:

- (a) the complaint is not sufficiently serious to warrant further action, and for that reason need not be pursued:

150 New section 105A inserted (Manner of giving documents to Tribunal)

After section 105, insert:

10

105A Manner of giving documents to Tribunal

Any notice or other document required under the following sections to be given to the Tribunal by written notice may be given electronically if it is transmitted to an electronic address provided by the Tribunal:

- (a) section 91:
- (b) section 111:
- (c) section 112:
- (d) section 115.

15

Part 36

Amendment to Search and Surveillance Act 2012

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151 Principal Act

This **Part** amends the Search and Surveillance Act 2012.

152 Section 160A amended (Disposal of weapons)

In section 160A(2)(a)(ii), replace “does not within 30 days consent” with “does not within 30 days object”.

25

Part 37

Amendments to Secondhand Dealers and Pawnbrokers Act 2004

153 Principal Act

This **Part** amends the Secondhand Dealers and Pawnbrokers Act 2004.

154 Section 8 amended (Application for licence)

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- (1) In section 8(3), replace “prescribed manner” with “required manner”.

(2) After section 8(4), insert:

(5) In subsection (3), **required manner** means the manner required under **section 77AA**.

155 Section 21 amended (Application for certificate)

In section 21(1)(b), replace “prescribed manner” with “manner required under **section 77AA**”. 5

156 New section 77AA inserted (Authentication of photographs)

After section 77A, insert:

77AA Authentication of photographs

All Licensing Authorities acting together must set requirements as to the manner in which photographs required to accompany applications under sections 8 and 21 must be authenticated. 10

157 Section 84 amended (Regulations)

In section 84(1)(g), delete “, and prescribing the manner in which it is to be authenticated”. 15

Consequential amendments to Secondhand Dealers and Pawnbrokers Regulations 2005

158 Principal regulations

Sections 159 and 160 amend the Secondhand Dealers and Pawnbrokers Regulations 2005. 20

159 Regulation 6 amended (Photograph accompanying applications for licences and certificates)

Revoke regulation 6(2).

160 Regulation 7 revoked (Authentication of photographs)

Revoke regulation 7. 25

Part 38

Amendments to Serious Fraud Office Act 1990

161 Principal Act

This **Part** amends the Serious Fraud Office Act 1990.

162 Section 29 repealed (Responsible Minister)

30

Repeal section 29.

163 Section 30 amended (Independence in matters relating to investigations)

- (1) In section 30(1), replace “Notwithstanding section 29, in” with “In”.
- (2) In section 30(1), replace “the Attorney-General” with “any Minister of the Crown”.

Part 39

5

Amendment to Taxation Review Authorities Act 1994**164 Principal Act**

This **Part** amends the Taxation Review Authorities Act 1994.

165 Section 22 amended (Power to order costs in certain cases)

In section 22(1)(b), replace “strikes out a proceeding under sections 21 and 21A” with “dismisses a proceeding under section 21, or strikes out a proceeding under section 21A”. 10

Part 40**Amendment to Wages Protection Act 1983****166 Principal Act**

15

This **Part** amends the Wages Protection Act 1983.

167 Section 11 amended (Recovery of wages)

After section 11(1)(a)(ii), insert:

- (iii) the making of that deduction was in accordance with a general deductions clause in that worker’s employment agreement but that worker was not consulted before that deduction was made; or
- (iv) that deduction was unreasonable: 20

Part 41**Amendments to Water Services Act 2021****168 Principal Act**

25

This **Part** amends the Water Services Act 2021.

169 Section 25 amended (Duty to provide sufficient quantity of drinking water)

- (1) In section 25(3)(a), replace “the drinking water supply” with “a drinking water supply”. 30
- (2) In section 25(3), examples, first paragraph, replace “the supply” with “supply”.

170 Section 98 amended (Appointment of compliance officers)

In section 98(1)(b) and (c), replace “State Sector Act 1988” with “Public Service Act 2020”.

171 Section 120 amended (Power to issue compliance order)

In the heading to section 120, replace “issue” with “serve”.

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172 Section 170 amended (Liability of elected officials)

(1) In section 170(1)(b),—

(a) replace “trustee” with “board member”;

(b) replace “Education Act 1989” with “Education and Training Act 2020”.

(2) In section 170(2), replace the definition of **board** and **trustee** with:

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board and **board member**, in relation to a school, have the same meanings as in section 10(1) of the Education and Training Act 2020

173 Section 200 amended (Regulations)

In section 200(2)(c), replace “changes” with “charges”.

Part 42

15

Amendments to Wildlife Act 1953**174 Principal Act**

This **Part** amends the Wildlife Act 1953.

175 Section 15 amended (Open season for game)

In section 15(5), replace “during” with “before or during”.

20

176 Section 66A amended (Offenders to give identifying information)

Replace section 66A(3) with:

(3) A person commits an offence and is liable on conviction to the penalty set out in section 67F(5) if the person—

(a) contravenes subsection (2); or

25

(b) wilfully gives false information or provides false evidence under subsection (2).

Schedule 1

Consequential amendments relating to amendments to Crown Entities Act 2004

s 57

Income Tax Act 2007 (2007 No 97)	5
In section CW 13(3)(b)(i), 5(b), and 6(a)(ii), replace “the Venture Investment Fund” with “New Zealand Growth Capital Partners Limited” in each place.	
In section EX 37B(b)(ii), replace “the Venture Investment Fund” with “New Zealand Growth Capital Partners Limited” in each place.	
In section YA 1, repeal the definition of Venture Investment Fund .	10
In section YA 1, insert in its appropriate alphabetical order:	
New Zealand Growth Capital Partners Limited means the company called New Zealand Growth Capital Partners Limited that is listed in Schedule 2 of the Crown Entities Act 2004	
Ombudsmen Act 1975 (1975 No 9)	15
In Schedule 1, Part 2, repeal the item relating to the New Zealand Venture Investment Fund Limited.	
In Schedule 1, Part 2, insert in its appropriate alphabetical order:	
New Zealand Growth Capital Partners Limited	
Venture Capital Fund Act 2019 (2019 No 76)	20
In Schedule 1, Part 1, replace the heading to clause 1 with “ Guardians and New Zealand Growth Capital Partners Limited must make reasonable efforts to ensure contract or other arrangement is entered into ”.	
In Schedule 1, Part 1, clauses 1(1), 2(1), 3(2), 4(1), and 5(2), replace “NZVIF” with “NZGCP” in each place.	25
In Schedule 1, Part 1, replace clause 1(5) with:	
(5) In this schedule, NZGCP means New Zealand Growth Capital Partners Limited.	

Schedule 2

Consequential amendments relating to amendments to Defence Act 1990

s 65

Part 1

Amendments to Acts

5

Armed Forces Discipline Act 1971 (1971 No 53)

In section 2(1), repeal the definitions of **airman** and **leading aircraftman**.

In section 2(1), insert in their appropriate alphabetical order:

aviator has the meaning given by section 2(1) of the Defence Act 1990

leading aviator classification includes an aviator classification, a general service hand, and an air force cadet

10

In section 6(3)(b), (c), and (d), replace “airmen” with “aviators”.

In the following provisions, replace “airman” with “aviator” in each place:

- (a) section 16(1) and (3): 15
- (b) section 19(c):
- (c) section 82(2):
- (d) section 88(2)(a)(i) and (b)(i) and (ii):
- (e) Schedule 4, clause 4.

In the following provisions, replace “aircraftman” with “aviator classification”: 20

- (a) section 10(2)(b):
- (b) section 11(2)(b):
- (c) section 19(c):
- (d) section 117ZJ(1)(b) and (2):
- (e) Schedule 4, item 4. 25

In section 168(3)(c), replace “airman” with “an aviator”.

Court Martial Act 2007 (2007 No 101)

In the following sections, replace “airman” with “aviator”:

- (a) section 24(2):
- (b) section 72(2). 30

Part 2
Amendments to secondary legislation

Armed Forces Discipline Regulations 2008 (SR 2008/236)

In regulation 3, revoke the definition of **leading aircraftman**.

In regulation 3, insert in its appropriate alphabetical order: 5

leading aviator classification, in relation to the Air Force, excludes an aviator classification and an Air Force cadet

In regulation 4(4),—

- (a) replace “airman” with “aviator” in each place; and
- (b) replace “airman’s” with “aviator’s”; and 10
- (c) replace “aircraftman” with “aviator classification”.

New Zealand Defence Force Long Service Awards Regulations 2020 (LI 2020/238)

In regulation 4(1), revoke the definition of **airman, officer, rating, regular forces, soldier, and territorial forces**. 15

In regulation 4(1), insert in its appropriate alphabetical order:

aviator, officer, rating, regular forces, soldier, and territorial forces have the meanings given by section 2(1) of the Defence Act 1990

In regulation 7(2), item relating to service as an airman or airwoman in the Regular Air Force, replace “airman or airwoman” with “aviator”. 20

In regulation 7(2), item relating to service as an officer, airman, or airwoman in the Territorial Air Force or the Air Force Reserve, replace “officer, airman, or airwoman” with “officer or aviator”.

Legislative history

23 September 2024
17 October 2024

Introduction (Bill 80–1)
First reading and referral to Governance and Administration
Committee