

Regulatory Systems (Transport) Amendment Bill

Government Bill

As reported from the Transport and Infrastructure Committee

Commentary

Recommendation

The Transport and Infrastructure Committee has examined the Regulatory Systems (Transport) Amendment Bill and recommends that it be passed. We recommend all amendments unanimously.

Introduction

The Regulatory Systems (Transport) Amendment Bill is an omnibus bill that would amend land transport, maritime, and aviation legislation. It seeks to modernise regulation of the transport system to maintain and improve its effectiveness and efficiency and reduce the chance of regulatory failure.

The bill is a vehicle to make small regulatory fixes in a timely and cost-effective way. By their nature, regulatory systems bills are designed to “make many necessary and varied amendments across a sector and in multiple Acts as long as there is broad support for them”.¹

The bill would amend the following 12 Acts:

- | | |
|---------------------------------------|---|
| • Government Rounding Powers Act 1989 | • Auckland Airport Act 1987 |
| • Land Transport Act 1998 | • Child Protection (Child Sex Offender Government Agency Registration) Act 2016 |
| • Land Transport Management Act 2003 | • Civil Aviation Act 2023 |
| • Maritime Transport Act 1994 | • Prostitution Reform Act 2003 |
| • Railways Act 2005 | • Transport Accident Investigation Commission Act 1990 |
| • Road User Charges Act 2012 | |

¹ *Parliamentary Practice in New Zealand 2023*, Chapter 34.12.6.

- Wellington Airport Act 1990

It would also make consequential amendments to several pieces of secondary legislation related to these Acts.

Our recommended amendments would also add consequential amendments to the Search and Surveillance Act 2012.

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. Explanations for these can be found in the departmental report, which is available on the Parliament website.

Land Transport Act

Part 2 of the bill would amend the Land Transport Act 1998.

Electronic driver licensing

Several clauses in the bill would amend the Act to enable the introduction of electronic driver licences. Transport agencies would work to develop the electronic licensing system once the enabling provisions took effect. We note that the intention is that electronic driver licences would provide an optional alternative to physical driver licences. We recognise that there are many reasons why individuals might prefer to continue using a physical driver licence. We consider it vital that use of an electronic driver licence remain optional, and that people remain equally free to use just a physical driver licence.

Clause 15 would amend section 28 of the Act to allow for multiple prescribed formats of driver licence. This recognises that electronic licences might be in a different form than physical licences while containing the same information. We recommend amending the wording in clause 15 to state that a licence must “include” the prescribed features rather than stating that those features must be “on” the licence. This would allow more flexibility in designing the format of electronic driver licences and reflect that not all information must be displayed simultaneously.

We note that how a person's status as a potential organ donor is shown on electronic driver licences will be considered during the implementation process. Whatever way the status is displayed, it will not change how donor information is accessed for clinical purposes.

Driver licences are not a globally accessible form of ID

We heard from disabled submitters that driver licences are the main form of government photo ID in New Zealand and that this restricts people who cannot drive from

participating in society. We were told that other current ID options are either expensive and impractical to carry around (such as passports), or industry-issued and not accepted by some institutions (such as the 18+ card). We note that introducing other forms of ID would be outside the scope of this bill. However, we acknowledge the submitters' concerns and draw attention to the gap they highlighted in current ID options.

Transfer of a transport service licence

As set out in clause 17, new section 30LA, any transfer of control of a licensed transport service from the licence holder to a new person would require the approval of the Director of Land Transport. The Director would need to be satisfied the new holder is a fit and proper person to hold the licence, in alignment with the requirements for granting a new licence under current section 30L. Clause 27, new section 79EA, sets out the penalties for breaching these requirements. We recommend amending section 79EA to specify breaching these requirements is an infringement offence and to ensure the penalties are appropriate and able to be operationalised.

Revocation of extension to land transport documents

Clause 56 would insert new sections 209B and 209C, empowering the Director of Land Transport to extend the terms of land transport documents in an emergency. Sections 209B(3), 209B(4), and 209B(5) set out the requirements for revoking such an extension. We consider that including a minimum notice period between the revocation and its commencement would improve both practicality and transparency. We therefore recommend amending 209B(4) to require that a revocation of an extension under these sections must take effect no sooner than five working days after notice is given.

Railways Act

Part 5 of the bill would amend the Railways Act 2005.

Investigative powers

Clause 110 would insert Part 2A in the Railways Act (new sections 72A to 72ZB) to give the New Zealand Transport Agency—Waka Kotahi reactive investigation powers in the case of a rail accident or incident. Currently NZTA has limited investigative powers and must rely on other agencies or the cooperation of those involved. The new powers granted by the bill would allow NZTA to respond more effectively and efficiently to any rail accidents or incidents. These powers are intended to align, where appropriate, with equivalent powers in the Civil Aviation Act 2023.

The policy intent is that all powers under proposed Part 2A would only be used for the purpose of conducting investigations of rail accidents and incidents. We recommend amending the wording of Part 2A to clarify this as needed.

We note that introducing these new powers would require consequential amendments to Schedule 2 of the Search and Surveillance Act 2012. We therefore recommend

inserting clauses 128A and 128B to amend that Act to reflect the investigatory powers in new sections 72E, 72G, and 72H.

Duties for rail inspection powers

The bill as introduced does not include offences or infringements for non-compliance with the investigatory powers in Part 2A, or for failing to comply with, or intentionally obstructing, an inspector. We consider that their absence would reduce the incentive to comply and could limit the effectiveness of the powers. We recommend amending sections 72IA, 72IB, 72M, 72Q, and 72V to include offences and penalties for specific actions or acts of non-compliance.

Powers to obtain information

Proposed new section 72C(1)(a) would empower an inspector to require a rail participant or rail personnel to provide their name, residential address, and date of birth. We note that equivalent powers in the Civil Aviation Act and Health and Safety at Work Act 2015 only apply where an individual is personally under investigation. We consider that the powers under the Railways Act should align with these other regimes. We therefore recommend removing 72C(1)(a) and inserting section 72IA that would empower an inspector to require a rail participant or personnel to provide these details only where an inspector finds or reasonably suspects that individual has committed an offence.

Powers of entry and inspection

New section 72D(2)(b) would permit an inspector to enter a vehicle, building, or place that was involved in, or relevant to, an accident or incident. We note that this power would be broader than equivalent powers under the Civil Aviation Act which are limited to “aviation places” and could apply to vehicles and buildings owned by private citizens. We recommend amending section 72D to specify that the power to enter vehicles, buildings, or places only applies to those owned by rail personnel or used in rail activities. We recommend removing the broader power proposed in section 72D(2)(b). We note that if an investigation required access to a private residence or vehicle, the inspector could apply for a warrant under section 72E.

Power to take samples and other objects and things

Proposed section 72G is intended to enable inspectors to take samples and other objects and things for the purposes of an investigation. As introduced, however, subsection (1) only provides the power to take samples. We recommend amending proposed section 72G(1) to also enable inspectors to take objects and things as intended.

Improvement notices and non-disturbance notices

Part 2A would establish frameworks for an inspector to issue improvement notices (section 72K) and non-disturbance notices (section 72O). We consider that the purpose of improvement notices may not be sufficiently clear. To avoid ambiguity, we recommend amending section 72K to clarify that improvement notices would be

issued to require improvements connected to the investigation of a rail accident or incident.

As introduced, the bill does not provide a review mechanism for improvement notices other than an appeal to the District Court. We consider that, within the Railways Act framework, the appropriate safeguard would be to classify the decision to issue an improvement notice as an “adverse decision”. This would make it subject to the safeguards set out in section 27 of the Act. We recommend inserting clause 105 that would amend section 27 of the Railways Act 2005 to classify the decision to issue an improvement notice as an adverse decision.

In contrast, we note that non-disturbance notices must be issued promptly to preserve evidence and ensure safety. For this reason we believe the adverse decision process, which requires a notice period, would not be an appropriate safeguard. Instead, we recommend amending proposed sections 72P and 72Q to clarify the scope of the power to issue non-disturbance notices and to align it, where possible, with comparable measures in the Civil Aviation Act.

Methods of issuing notices

Clause 111 would amend section 94 of the Railways Act to enable a notice or other document to be provided to a person by notifying them how it can be accessed electronically. We recommend amending clause 111 to additionally enable an improvement notice or non-disturbance notice to be issued by leaving it at the place that the notice relates to. This would further align the investigatory powers of the Railways Act with those in the Civil Aviation Act.

Maritime Transport Act

Part 4 of the bill would amend the Maritime Transport Act 1994.

Increasing maximum fines and infringement fees

Clause 91 would increase the maximum fines and infringement fees that may be prescribed in regulations for individuals under section 201 of the Act from \$1,000 to \$3,000. We note that sections 33M and 33O separately set out regional councils’ power to make navigation bylaws and enable regulations specifying infringement offences and fees. To maintain consistency across the Act we recommend amending clause 91 to increase the maximum fees under section 33O, in line with the amendments to section 201.

Body corporate infringement fees

Submitters told us that the maximum fee available to regional councils under section 33O has a limited disincentive effect for large commercial shipping operators. The Bay of Plenty Regional Council has recently sought the ability to apply a higher infringement fee to bodies corporate to deter large vessels from entering exclusion zones. Section 201 of the Act provides for separate infringement fees for individuals and in “any other case”, with a higher maximum fee of up to \$12,000 applying in the case of a body corporate or other non-individual. Duplication across sections 33O and

201 means that the availability of infringement fees for bodies corporate for breaching navigation bylaws is currently unclear. We recommend amending section 33O to clarify that the higher body corporate infringement fee can apply to breaches of navigation bylaws, and deleting the reference to navigation bylaws in section 201(1)(b) to remove overlap between the two provisions. We note that this bill would not increase the current maximum infringement fee for bodies corporate.

Maritime Transport Regulations

Clauses 191 to 220 would make consequential changes to several maritime regulation notices to reflect changes in the Maritime Transport Act that enable electronic service. Clauses 195 and 196 would amend the Maritime Transport (Infringement Fees for Offences—Gisborne District Navigation and Safety Bylaw 2012) Regulations 2015. We note that these regulations have been revoked and replaced by the Maritime Transport (Infringement Fees for Offences—Tairāwhiti Navigation Safety Bylaw 2024) Regulations 2025. We therefore recommend removing clauses 195 and 196 from the bill.

Appendix

Committee process

The Regulatory Systems (Transport) Amendment Bill was referred to this committee on 19 August 2025.

We called for submissions on the bill with a closing date of 2 October 2025. We received and considered submissions from 41 interested groups and individuals. We heard oral evidence from 7 submitters at hearings in Wellington and via videoconference.

Advice on the bill was provided by the Ministry of Transport, the New Zealand Transport Agency, and Maritime New Zealand. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Andy Foster (Chairperson)

Dan Bidois

Dr Carlos Cheung

Simon Court (from 18 November 2025)

Hon Julie Anne Genter (until 11 February 2026)

Mariameno Kapa-Kingi

Cameron Luxton (until 18 November 2025)

Dr Tracey McLellan

Tangi Utikere

Celia Wade-Brown (from 11 February 2026)

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 James Meager

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Regulatory Systems (Transport) Amendment Act **2025**.

2 Commencement

This Act comes into force on 1 April 2026.

5

Part 1

Amendments to Government Roding Powers Act 1989

3 Principal Act

This Part amends the Government Roding Powers Act 1989.

4 New section 61AA inserted (Agency may close State highways)

10

After section 61, insert:

61AA Agency may close State highways

(1) The Agency may—

- (a) stop, divert, or otherwise control traffic on a State highway; or
- (b) close a State highway (or any part of it) to traffic.
- (2) The Agency may only exercise the power under **subsection (1)** if the Agency considers it appropriate to do so for the protection and safety of the public.
- (3) The Agency must notify the New Zealand Police, Fire and Emergency New Zealand, and relevant ambulance services as soon as practicable of any action taken under **subsection (1)**. 5

5 Section 82 amended (Restrictions on use of motorways)

After section 82(1)(d), insert:

- (e) a pedestrian on infrastructure that is— 10
 - (i) designed for pedestrian use; and
 - (ii) located on the motorway.

Part 2 Amendments to Land Transport Act 1998

6 Principal Act 15

This Part amends the Land Transport Act 1998.

7 Section 2 amended (Interpretation)

- (1) In section 2(1), replace the definition of **driver licence** with:
 - driver licence** means a licence to drive that is issued or has effect under this Act, and includes— 20
 - (a) an electronic driver licence; and
 - (b) a physical driver licence; and
 - (c) an endorsement on a driver licence
- (2) In section 2(1), definition of **mobility device**, paragraph (a)(ii), after “maximum”, insert “continuous”. 25
- (3) In section 2(1), insert in their appropriate alphabetical order:
 - electronic driver licence** means a driver licence in electronic format
 - physical driver licence** means a driver licence in physical format, whether or not the licence contains an electronic element (such as a chip)

8 Section 6 amended (Vehicles to be safe and operated in compliance with rules) 30

- (1) Replace section 6(4) with:
- (4) Evidence of vehicle inspection must be—
 - (a) displayed on the vehicle to which it applies; or

	(b) electronically available in a manner prescribed by the regulations or rules.	
(2)	Replace section 6(5) with:	
(5)	A certificate of loading must, if required by the regulations or rules, be—	
	(a) displayed on the vehicle to which it applies; or	5
	(b) electronically available in a manner prescribed by the regulations or rules.	
9	Section 13 amended (Drivers and other road users to comply with directions of enforcement officers, etc)	
	In section 13(4)(b), after “the vehicle”, insert “or is electronically available in a manner prescribed by the regulations or rules”.	10
10	Section 19 replaced (Licences of certain persons subject to Mental Health (Compulsory Assessment and Treatment) Act 1992 to be suspended)	
	Replace section 19 with:	
19	Licences of certain persons subject to Mental Health (Compulsory Assessment and Treatment) Act 1992 to be suspended	15
(1)	If a person who holds a driver licence (a holder) becomes subject to a compulsory treatment order that is an inpatient order or becomes a special patient under the Mental Health (Compulsory Assessment and Treatment) Act 1992,—	
	(a) the person in charge of the hospital to which the holder is referred, or at which the holder is detained, must notify the Director of Land Transport of the making of the inpatient order or that the holder is a special patient (as the case may be); and	20
	(b) the licence is suspended while the holder is subject to the inpatient order or is a special patient.	25
	<i>Physical driver licence</i>	
(2)	If the holder has a physical driver licence, the person who has possession of the holder’s physical driver licence must, on the request of the person in charge of the hospital at which the holder is an inpatient, deliver the physical driver licence to the person in charge of the hospital, and the person in charge must forward the physical driver licence to the Director of Area Mental Health Services.	30
(3)	The Director of Area Mental Health Services must retain the holder’s physical driver licence until the holder ceases to be subject to an inpatient order or to be a special patient and then,—	35
	(a) in the case of a physical driver licence that applies to commercial vehicles, forward the physical driver licence to the Director of Land Transport; or	

- (b) in the case of any other physical driver licence, return the physical driver licence to the holder or to the person who had possession of the physical driver licence under **subsection (2)**.
- (4) In the case of a physical driver licence that applies to commercial vehicles, once the holder ceases to be subject to an inpatient order or to be a special patient, the Director of Land Transport must, as soon as practicable after the Director of Land Transport is satisfied that the holder is eligible to hold the licence, return the licence to the holder or to the person who had possession of the licence under **subsection (2)**. 5
- Electronic driver licence* 10
- (5) If the holder has an electronic driver licence, the Director of Land Transport may do either or both of the following:
- (a) prevent the holder's access to their electronic driver licence:
- (b) amend the electronic driver licence.
- (6) Once the holder ceases to be subject to an inpatient order or to be a special patient, the Director of Land Transport must restore the holder's access to their electronic driver licence if access was prevented and remove any amendments made to the electronic driver licence under this section as soon as practicable after the Director of Land Transport is satisfied that— 15
- (a) the holder is no longer subject to an inpatient order or a special patient; and 20
- (b) the holder is eligible to hold the electronic driver licence.
- Ongoing licence restrictions*
- (7) If a holder ceases to be subject to an inpatient order or to be a special patient and their responsible clinician considers the holder to be unfit to hold a driver licence,— 25
- (a) the responsible clinician must advise the Director of Area Mental Health Services of that opinion and the Director of Area Mental Health Services must give the Director of Land Transport a certificate to that effect; and
- (b) if the holder has a physical driver licence and the Director of Area Mental Health Services has possession of that licence, that Director must return the licence to the Director of Land Transport; and 30
- (c) if the holder has an electronic driver licence, the Director of Land Transport may do either or both of the following:
- (i) prevent the holder's access to their electronic driver licence: 35
- (ii) amend the electronic driver licence; and
- (d) the holder's driver licence has no effect unless, in accordance with **subsection (8)**,—
- (i) in the case of a physical driver licence, the licence is returned:

- (ii) in the case of an electronic driver licence, the holder's access to their licence is restored.
- (8) The holder may apply to the Director of Land Transport for the return of their driver licence and the Director of Land Transport must, if satisfied that the holder is fit to hold a driver licence,— 5
- (a) in respect of a physical driver licence that is held by the Director of Land Transport, return the licence to the holder:
- (b) in respect of an electronic driver licence, restore the holder's access to their licence if access was prevented and remove any amendments made to the licence under this section. 10
- Leave from hospital*
- (9) The driver licence of a holder who is subject to an inpatient order or is a special patient is not suspended while that holder is absent on leave from the hospital if—
- (a) that holder is, under any of sections 31, 50, and 52 of the Mental Health (Compulsory Assessment and Treatment) Act 1992, permitted to be absent on leave from a hospital under that Act; and 15
- (b) a responsible clinician certifies in writing that, in the clinician's opinion, that holder is fit to hold a driver licence.
- (10) If **subsection (9)** applies— 20
- (a) in respect of a physical driver licence, the Director of Area Mental Health Services must, if they hold the holder's physical driver licence, return the physical driver licence to the holder:
- (b) in respect of an electronic driver licence, the Director of Land Transport must, as soon as possible after receiving a certificate under **subsection (9)(b)**, restore the holder's access to their electronic driver licence if access was prevented and remove any amendments made to the licence under this section. 25
- 11 Section 22 amended (Driver's duties where accident occurs)**
- (1) After section 22(2)(aa), insert: 30
- (ab) the driver's or rider's mobile phone number (if the driver or rider has a mobile phone number); and
- (2) After section 22(2)(ba), insert:
- (bb) the owner's mobile phone number (if the owner has a mobile phone number); and 35
- (3) After section 22(4)(aa), insert:
- (ab) the driver's or rider's mobile phone number (if the driver or rider has a mobile phone number); and

12 Section 22AB amended (Road controlling authorities may make certain bylaws)

(1) After section 22AB(1)(o)(vii), insert:

- (viii) prescribing an infringement fee for any ~~parking infringement~~ offence involving parking in breach of a bylaw and in excess of a period fixed by a meter or otherwise ~~(a parking overstay fee)~~: 5

(2) After section 22AB(3B), insert:

(3C) For the purposes of **subsection (1)(o)(viii)**,—

- (a) the ~~parking overstay infringement~~ fee must not exceed the relevant fee prescribed by regulations, or must be within the range of fees prescribed if a range is prescribed; but 10
- (b) if the road controlling authority has not made a bylaw prescribing a ~~parking overstay~~ an infringement fee, the relevant fee is—
- (i) the fee prescribed by regulations, in the case of regulations prescribing a single fee; or 15
- (ii) the minimum fee prescribed by regulations, in the case of regulations prescribing a range of fees.

13 Section 22C amended (Traction engine to be safe and operated in compliance with regulations and rules)

In section 22C(4), after “applies”, insert “or electronically available in a manner prescribed by the regulations or rules”. 20

14 Section 23 amended (Issue of driver licences)

After section 23(3)(b), insert:

- (c) extend, in accordance with **section 209B**, the term of a driver licence (including a driver licence that has been issued in accordance with paragraph (a) or further extended in accordance with paragraph (b)). 25

15 Section 28 amended (Photographic driver licence)

(1) ~~In section 28(1), replace “the prescribed form” with “a prescribed form”.~~

(1) In section 28(1), replace “be in the prescribed form and must have on it” with “, in the prescribed manner, include”. 30

(2) Replace section 28(1)(k) with:

- (k) any other features that may be specified in the regulations or rules—
- (i) for the purposes of verifying or protecting the integrity of the driver licence; or
- (ii) for the specific format of the driver licence. 35

(3) After section 28(1), insert:

(1A) Different prescribed forms may be prescribed for different types of driver licences, including different formats of driver licences.

16 Section 30 amended (Driver licences are property of Agency and are to be surrendered in certain circumstances)

(1) In the heading to section 30, after “**surrendered**”, insert “**or access is to be prevented**”. 5

(2) Replace section 30(1) with:

(1) Driver licences are the property of the Agency and,—
 (a) in the case of a physical driver licence, must be surrendered or forwarded to the Agency or the Director in accordance with subsections (2) to (4A), unless subsection (4B) or **section 19** applies: 10
 (b) in the case of an electronic driver licence, access to an electronic driver licence may be prevented or the electronic driver licence may be amended in accordance with **subsection (4C)**, unless **section 19** applies. 15

(3) After section 30(1), insert:

Surrender of physical driver licence

(1A) Subsections (2) to (4B) apply if a person holds a physical driver licence.

(4) In section 30(2), after “holder of a”, insert “physical”.

(5) In section 30(3), after “holder of a”, insert “physical”. 20

(6) In section 30(3A), replace “his or her licence” with “the physical driver licence”.

(7) In section 30(4), after “receives a”, insert “physical”.

(8) In section 30(4A), replace “driver licence” with “physical driver licence” in each place. 25

(9) In section 30(4B)(a) and (b), replace “his or her driver licence” with “the physical driver licence held by the person”.

(10) After section 30(4B), insert:

Prevention of electronic driver licence access

(4C) If any of the circumstances described in subsections (2) to (3A), (4A), and (4B) apply to a person who holds an electronic driver licence, the Director may do either or both of the following: 30

(a) prevent the holder’s access to their electronic driver licence:

(b) amend the electronic driver licence.

Issue of new licence 35

(11) In section 30(5)(a), after “person”, insert “, or restore access to the electronic driver licence and remove any amendments made to the electronic driver licence ~~made~~ under this section,”.

17 New section 30LA inserted (New person in control of licensed transport service must be fit and proper person)

After section 30L, insert:

30LA New person in control of licensed transport service must be fit and proper person

- (1) This section applies if, after the Director grants a transport service licence to a person (the **licence holder**), another person is proposed to have control of the licensed transport service (a **new person**). 5
- (2) However, this section does not apply if a new person is—
 - (a) an elected member of a local authority who is proposed to take control of the service in that capacity; or 10
 - (b) an officer or employee of any of the following entities who is proposed to take control of the service in that capacity, unless the Director, by notice to the licence holder, requires compliance with this section:
 - (i) the New Zealand Police: 15
 - (ii) a public service agency as defined in section 5 of the Public Service Act 2020:
 - (iii) a Crown entity as defined in section 7 of the Crown Entities Act 2004:
 - (iv) a local authority. 20
- (3) A new person must not have control of the licensed transport service unless approved by the Director.
- (4) The licence holder must not permit a new person to have control of the transport service unless approved by the Director.
- (5) A new person must apply to the Director to be approved to have control of the transport service. 25
- (6) The Director must not approve an application unless they are satisfied that the new person is a fit and proper person to have control of the transport service.
- (7) In determining whether a new person is a fit and proper person, the Director must consider the matters specified in subpart 2. 30
- (8) Subpart 5 applies to a decision under this section that a new person is not a fit and proper person.

18 Section 30N amended (Transfer, assignment, or lease of transport service licence prohibited)

- (1) In the heading to section 30N, delete “, **assignment, or lease**”. 35
- (2) Replace section 30N(1) with:
 - (1) A transport service licence must not be transferred to any person.
 - (3) After section 30N(2), insert:

- (3) In this section, **transfer** includes to assign, lease, sell, exchange, grant, loan, or confer, whether on a temporary or permanent basis.

19 Section 30S amended (When Director may revoke transport service licence)

After section 30S(1)(d), insert:

5

- (e) a new person has control of the transport service in contravention of **section 30LA**.

20 Section 30U amended (Suspension of transport service licence or imposition of conditions)

- (1) In section 30U(2), after “suspension”, insert “under this section”. 10
 (2) In section 30U(3), after “licence”, insert “under this section”.

21 New section 30UA inserted (Immediate suspension of transport service licence for significant health and safety reasons)

After section 30U, insert:

30UA Immediate suspension of transport service licence for significant health and safety reasons 15

- (1) The Director may immediately suspend a licence, by notice in writing to the holder of the licence (the **licence holder**), if the Director is satisfied that doing so is necessary for significant health and safety reasons.
- (2) In **subsection (1)**, **significant health and safety reasons** may include (but are not limited to) the following: 20
- (a) an unsafe motor vehicle is operated under the licence:
 - (b) a driver operating a vehicle under the licence fails to comply with—
 - (i) work time requirements set out in Part 4B or in the rules; or
 - (ii) requirements in the Act or the rules in respect of loading of vehicles; or 25
 - (iii) dimension requirements or mass limits in this Act or the rules:
 - (c) a driver with a significant impairment operates a vehicle under the licence.
- (3) A suspension under **subsection (1)** takes effect either immediately or from a date specified by the Director. 30
- (4) A suspension under **subsection (1)** immediately ceases if the Director is satisfied that **subsection (1)** no longer applies.
- (5) If the Director suspends a licence under **subsection (1)**, the notice must— 35
- (a) inform the licence holder of the grounds of the suspension; and
 - (b) advise the licence holder that—

	(i) the suspension has effect from the day on which the licence holder receives the notice, or any later date that is specified in the notice; and	
	(ii) the licence holder may make submissions on the matter to the Director; and	5
	(iii) the licence holder has a right of appeal under section 106.	
(6)	The Director must, as soon as practicable, consider any submissions made by the licence holder and notify the licence holder of the result of the consideration.	
(7)	Subpart 5 does not apply to a decision to immediately suspend a transport service licence under this section.	10
22	Section 30V amended (Interpretation)	
	In section 30V, definition of adverse decision , paragraph (a), after “subpart 2”, insert “or section 30LA ”.	
23	Section 31 amended (Contravention of section 5(1)(a) or (b) or (4) or 30(2), (3), (3A), (4A), or (4B))	15
	In section 31(1)(d), after “his or her”, insert “physical”.	
24	Section 34 amended (Contravention of section 6)	
	In section 34(1)(b), after “displaying”, insert “, or having electronically available (if the regulations or rules allow),”.	20
25	Section 36B amended (Contravention of section 22B or section 22C)	
	In section 36B(1)(c), after “displaying”, insert “, or having electronically available (if the regulations or rules allow),”.	
26	Section 52 amended (Contravening notices, requirements, etc, given or imposed by enforcement officers)	25
	In section 52(1)(b), after “displayed on,”, insert “or is electronically available (if the regulations or rules allow) for,”.	
27	New section 79EA inserted (Contravention of section 30LA)	
	After section 79E, insert:	
79EA	Contravention of section 30LA	30
(1)	A person commits an offence if the person has control of a transport service in contravention of section 30LA(3).	
(2)	A person commits an offence if the person permits another person to have control of a transport service in contravention of section 30LA(4).	
(3)	A person who commits an offence under subsection (1) or (2) is liable on conviction,—	35

- (a) ~~in the case of an individual, to a fine not exceeding \$30,000;~~
- (b) ~~in the case of a body corporate, to a fine not exceeding \$100,000.~~
- (1) A person who has control of a transport service in contravention of **section 30LA(3)** commits an infringement offence.
- (2) A person who permits another person to have control of a transport service in contravention of **section 30LA(4)** commits an infringement offence. 5
- (3) A person who commits an infringement offence under **subsection (1) or (2)** is liable to—
 - (a) an infringement fee of the amount prescribed in the regulations; or
 - (b) a fine imposed by a court not exceeding,— 10
 - (i) in the case of an individual, \$1,500;
 - (ii) in any other case, \$3,000.

28 New section 79FA inserted (Contravention of section 30N)

After section 79F, insert:

- 79FA Contravention of section 30N** 15
- (1) A person commits an offence if the person transfers a transport service licence to another person in contravention of section 30N.
 - (2) A person who commits an offence under **subsection (1)** is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$30,000; 20
 - (b) ~~in the case of a body corporate~~ any other case, to a fine not exceeding \$100,000.

29 Section 91B amended (Ways in which warning notice or driver licence stop order or details of related fines must be served)

- (1) After section 91B(1)(e), insert: 25
 - (f) by the chief executive of the Ministry of Justice sending an electronic notification to the defendant that states where the defendant can access the notice, order, or notice of details electronically (if the defendant has agreed to that method of electronic notification and access ~~be notified of electronic service in that way~~). 30
- (2) After section 91B(4), insert:
- (5) If a warning notice or driver licence stop order, or notice of details of the fines to which that order relates, is served in the way described in **subsection (1)(f)**, then, unless the contrary is shown,—
 - (a) the notice, order, or notice of details is served at the time the electronic communication containing the notification of the notice, order, or notice of details is listed as sent in the information system used to send the 35

	electronic communication first enters an information system outside the control of the originator; and	
	(b) in proving service, it is sufficient to prove that the electronic communication containing the notification was properly addressed and sent.	
30	Section 91E amended (Imposition of driver licence stop order)	5
(1)	In section 91E(3)(e), after “any”, insert “physical”.	
(2)	In section 91E(3)(f), after “any”, insert “physical”.	
31	Section 91F amended (Effect of driver licence stop order)	
	Replace section 91F(1)(b) with:	
	(b) if the order is served, but is not served personally, on a defendant who holds a physical driver licence and the defendant posts or delivers the physical driver licence to an employee or agent of the Ministry of Justice, immediately after that employee or agent receives the defendant’s physical driver licence:	10
	(c) if the order is served, but is not served personally, on a defendant who holds an electronic driver licence, immediately after the Director prevents access to, or amends the licence in accordance with section 30(4C) .	15
32	Section 91G amended (Cancellation of driver licence stop order)	
(1)	Replace section 91G(5) with:	20
(5)	When the Director receives notice of the cancellation,—	
	(a) in the case of the cancellation of a driver licence stop order relating to a physical driver licence, the Director must, if the defendant’s physical driver licence was surrendered and forwarded to the Director and the defendant is otherwise eligible to hold a current driver licence, replace the physical driver licence and send it by ordinary post to the defendant’s address recorded on the national register maintained under section 199; and	25
	(b) in the case of the cancellation of a driver licence stop order relating to an electronic driver licence, the Director must follow the process prescribed by the regulations or rules to reverse the stop order.	30
(2)	In section 91G(6), delete “photographic”.	
33	Section 91H amended (Termination of driver licence stop order if traffic fine paid or resolved)	
(1)	Replace section 91H(4) with:	35
(4)	When the Director receives notice of the termination,—	
	(a) in the case of the termination of a driver licence stop order relating to a physical driver licence, the Director must, if the defendant’s physical	

- driver licence was surrendered and forwarded to the Director and the defendant is otherwise eligible to hold a current driver licence, replace the physical driver licence and send it by ordinary post to the defendant's address recorded on the national register maintained under section 199; and 5
- (b) in the case of the termination of a driver licence stop order relating to an electronic driver licence, the Director must follow the process prescribed by the regulations or rules to reverse the stop order.
- (2) In section 91H(5), delete “photographic”.
- 34 Section 95 amended (Mandatory 28-day suspension of driver licence in certain circumstances)** 10
- In section 95(2)(c), after “any”, insert “physical”.
- 35 Section 96 amended (Vehicle seized and impounded for 28 days in certain circumstances)**
- (1) After section 96(2)(a)(ia), insert: 15
- (ib) the driver's mobile phone number (if the driver has a mobile phone number); and
- (2) Replace section 96(2AAA) with:
- (2AAA) For the purposes of subsection (2)(c), if the registered person is not present at the time of the seizure, the enforcement officer must, as soon as practicable, give the notice to the registered person in one of the following ways: 20
- (a) by sending a copy of the notice to the registered person by post addressed to that person at their last known place of residence or business, their last known postal address, or their address as recorded on the register of motor vehicles or any other register administered by the Agency; or 25
- (b) by sending a copy of the notice to the registered person by electronic means to—
- (i) an electronic address that the person has given to an enforcement authority; or 30
- (ii) if no electronic address is given, the person's last known electronic address; or
- (c) by sending an electronic notification to the registered person that states where they can access the notice electronically (if the registered person has agreed to that method of electronic notification and access to be notified of electronic notices in that way). 35
- (3) Replace section 96(2A)(a)(v) with:

- (v) mobile phone number (if the driver has a mobile phone number) or otherwise another phone number (if the driver has another phone number); and
- (4) Replace section 96(2A)(b)(v) with:
- (v) mobile phone number (if the registered person ~~driver~~ has a mobile phone number) or otherwise another phone number (if the registered person ~~driver~~ has another phone number). 5
- 36 Section 96A amended (Impoundment of vehicle used in transport service)**
- (1) After section 96A(2)(a)(ia), insert:
- (ib) the driver's mobile phone number (if the driver has a mobile phone number); and 10
- (2) After section 96A(2)(a)(iia), insert:
- (iib) the transport service operator's mobile phone number (if the transport service operator has a mobile phone number); and
- (3) Replace section 96A(2AAA) with: 15
- (2AAA) For the purposes of subsection (2)(c), if the registered person is not present at the time of the seizure, the enforcement officer must, as soon as practicable, give the notice to the registered person in one of the following ways:
- (a) by sending a copy of the notice to the registered person by post addressed to that person at their last known place of residence or business, their last known postal address, or their address as recorded on the register of motor vehicles or any other register administered by the Agency; or 20
- (b) by sending a copy of the notice to the registered person by electronic means to— 25
- (i) an electronic address that the person has given to an enforcement authority; or
- (ii) if no electronic address is given, the person's last known electronic address; or
- (c) by sending an electronic notification to the registered person that states where they can access the notice electronically (if the registered person has agreed to that method of electronic notification and access to be notified of electronic notices in that way). 30
- (4) Replace section 96A(2A)(a)(v) with:
- (v) mobile phone number (if the driver has a mobile phone number) or otherwise another phone number (if the driver has another phone number); and 35
- (5) Replace section 96A(2A)(b)(iv) with:

	(iv) mobile phone number (if the <u>transport service operator-driver</u> has a mobile phone number) or otherwise another phone number (if the <u>transport service operator-driver</u> has another phone number).	
37	Section 105 amended (Court may make order authorising grant of limited licence)	5
(1)	In section 105(8), replace “their photographic” with “any physical”.	
(2)	In section 105(8A), replace “his or her photographic” with “any physical”.	
38	Section 106 amended (General right of appeal to District Court)	
	After section 106(5)(b), insert:	
(c)	to any decision made in relation to the extension of a land transport document, or of a class or type of land transport document, under section 209B , including a decision to grant (or not to grant), to amend, to replace, or to revoke an extension.	10
39	Section 113 amended (Enforcement officers may enforce transport legislation)	15
	In section 113(2)(b)(ii), after “displayed”, insert “, electronically available (if the regulations or rules allow),”.	
40	Section 115 amended (Enforcement officers may give directions prohibiting driving of vehicles)	
(1)	In section 115(2)(c), after “displayed on that vehicle”, insert “or electronically available (if the regulations or rules allow)”.	20
(2)	In section 115(3)(b)(iii), after “displayed on that vehicle”, insert “or electronically available (if the regulations or rules allow)”.	
41	Section 118 amended (Requirement to give information as to identity of driver or passenger)	25
	Replace section 118(6) with:	
(6)	If the holder of a transport service licence employs a person to drive a vehicle under that licence, the licence holder, on being informed of any offence alleged to have been committed by that person or by a person driving a vehicle being used under the licence, and on being requested to do so by an enforcement officer, must supply in writing, the driver’s—	30
(a)	full name; and	
(b)	full address; and	
(c)	electronic address (if the driver has an electronic address); and	
(d)	mobile phone number (if the driver has a mobile phone number).	35

42 Section 128E amended (Powers of parking wardens)

Replace section 128E(1)(b)(i) and (ii) with:

- (i) provide the person's full name, full address, and electronic address (if the person has an electronic address):
- (ii) give any other particulars required as to the person's identity (for example, the person's date of birth, occupation, mobile phone number, or any other phone number): 5
- (iii) give any information that the person has that may lead to the identification of the driver or person in charge of any vehicle (for example, the full name, full address, electronic address, date of birth, occupation, mobile phone number, or any other phone number of the driver or person in charge of the vehicle): 10

43 Section 128F amended (Powers of enforcement officers in relation to public transport service fares)

Replace section 128F(2)(a) with:

- (a) direct the person to provide the person's— 15
 - (i) full name; and
 - (ii) full address; and
 - (iii) electronic address (if the person has an electronic address); and
 - (iv) mobile phone number (if the person has a mobile phone number) or otherwise another phone number (if the person has another phone number); and 20
 - (v) date of birth; and

44 Section 133 amended (Owner liability for moving vehicle offences and special vehicle lane offences)

In section 133(4)(c)(i)(B), replace “telephone number,” with “mobile phone number or any other phone number,”. 25

45 Section 133A amended (Owner liability for stationary vehicle offences)

In section 133A(4)(c)(i)(B), replace “telephone number,” with “mobile phone number or any other phone number,”. 30

46 Section 139 amended (Issue of infringement notice)

(1) Replace section 139(2)(c) with:

- (c) by sending to the person who appears to have committed the infringement offence—
 - (i) the infringement notice (or a copy of it) by post, addressed to the person at their last known place of residence or business or last known postal address; or 35

- (ii) the infringement notice (or a copy of it) to the person's electronic address; or
- (iii) an electronic notification that states where the person can access the infringement notice (or a copy of it) by electronic means (if the person has agreed to that method of electronic notification and access ~~be notified of electronic service in that way~~); or 5
- (2) Replace section 139(2)(d) with:
- (d) if the person is the holder of a land transport document, by sending to the person—
- (i) the infringement notice (or a copy of it) by post to the last address the person provided for the purposes of that land transport document; or 10
- (ii) the infringement notice (or a copy of it) to the person's electronic address; or
- (iii) an electronic notification that states where the person can access the infringement notice (or a copy of it) by electronic means (if the person has agreed to that method of electronic notification and access ~~be notified of electronic service in that way~~). 15
- (3) In section 139(3)(c), replace “electronically to a person” with “to an electronic address”. 20
- (4) After section 139(3)(c), insert:
- (d) is served in the way described in **subsection (2)(c)(iii) or (d)(iii)** must, unless the contrary is shown, be treated as having been sent to, or served on, the person at the time the electronic communication containing the notification of the infringement notice is listed as sent in the information system used to send the electronic communication ~~first enters an information system outside the control of the enforcement officer~~. 25
- (5) After section 139(3), insert:
- (4) For the purposes of subsection (3)(c) and **(d)**, in proving the sending of any electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent. 30
- (6) In section 139(6A), replace “subsection (2)(c)(ii) or (d)(ii)” with “subsection 2(c)(ii) or (iii) or (d)(ii) or (iii)”.
- 47 Section 154 amended (Rules concerning driver licensing)** 35
- (1) In section 154(1)(a), after “issue,”, insert “production,”.
- (2) In section 154(1)(a), replace “licences” with “driver licences”.

48 Section 155 amended (Rules concerning vehicles)

In section 155(1)(e), after “vehicles”, insert “, including the requirement for a vehicle or class of vehicles to present for inspection if a safety issue has been identified,”.

49 Section 161 amended (Procedure concerning ordinary rules)

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Replace section 161(2) with:

- (2) Before making an ordinary rule, the Minister must—
- (a) publish a notice of their proposal to make the rule, which must specify a reasonable time for interested persons to make submissions on the proposal; and
 - (b) consult any persons that the Minister considers appropriate, which may include—
 - (i) representative groups within the land transport system or elsewhere; and
 - (ii) government departments; and
 - (iii) Crown entities.

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50 Section 167 amended (Regulations)

- (1) In section 167(1)(d)(i), replace “\$10,000” with “\$15,000”.
- (2) ~~In section 167(1)(e), after “infringement fee”, insert “, maximum infringement fee, or range of infringement fees”.~~
- (2) In section 167(1)(e), after “paragraph (b)”, insert “and for infringement offences in this Act”.
- (3) In section 167(1)(e)(i), replace “\$2,000” with “\$3,000”.
- (3A) After section 167(1)(e), insert:

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(ea) setting an infringement fee, a maximum infringement fee, or a range of infringement fees, for an infringement offence involving parking in breach of a bylaw and in excess of a period fixed by a meter or otherwise:

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- (4) In section 167(1)(h)(i), replace “\$10,000” with “\$15,000”.

51 Section 168A amended (Agency may declare that vehicle is mobility device or is not motor vehicle)

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- (1) In section 168A(1), after “maximum”, insert “continuous”.
- (2) Replace section 168A(2) and (3) with:
 - (2) If a vehicle or type of vehicle is propelled by a motor that has a maximum continuous power output not exceeding 2,000 W, the Agency may, by notice, declare that the vehicle or type of vehicle is not a motor vehicle.
 - (3) Before making a declaration under **subsection (2)**, the Agency must—

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- (a) consider how the declaration would contribute to an effective, efficient, and safe land transport system in the public interest; and
- (b) publish a notice of its proposal to make the declaration, which must specify a reasonable time for interested persons to make submissions on the proposal; and 5
- (c) consult any person that the Agency considers appropriate.
- (3) In section 168A(4), replace “subsection (3)” with “**subsection (2)**”.
- (4) After section 168A(4), insert:
- (4A) In this section, **maximum continuous power output**, in relation to a motor, means the amount calculated using the following formula: 10
- $$W = V \times A$$
- where—
- W is the maximum continuous power output of the motor
- V is the motor’s rated voltage
- A is the motor’s rated maximum current. 15
- 52 Section 198 amended (Inspections and audits)**
- Replace section 198(1) with:
- (1) The Director may in writing require any of the following persons to undergo any inspections and audits that the Director reasonably considers necessary in the interests of land transport safety (including inspections and audits of vehicles operated by such persons): 20
- (a) a person who holds a land transport document that authorises the provision of a service in the land transport system:
- (b) a person who the Director has reasonable grounds to believe is carrying on a transport service specified in section 30J without holding a transport service licence. 25
- 53 Section 199 amended (Agency to maintain register of driver licences)**
- (1) In section 199(2)(a), after “(if they have an electronic address that is known to the Agency),”, insert “mobile phone number (if they have a mobile phone number that is known to the Agency),”. 30
- (2) After section 199(2), insert:
- (2A) The national register may show for each driver licence the format or formats of driver licence that are held by the holder.
- 54 Section 199A amended (Register of transport service licences)**
- (1) After section 199A(2)(ca), insert: 35
- (cb) the holder’s business or personal mobile phone number (if they have a mobile phone number that is known to the Agency):

(2) After section 199A(2)(da), insert:

- (db) the business or personal mobile phone number of any person in control (if they have a mobile phone number that is known to the Agency):

55 Section 200 amended (Restrictions on access to photographic images of driver licence holders)

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(1) In section 200(1A)(a), replace “(2), (3), and (4)” with “(2) to **(4B)**”.

(2) After section 200(4), insert:

(4A) A person whose photographic image is stored under section 28(5) may access the photographic image when accessing or using the person’s electronic driver licence, including in order to provide the photographic image to a third party for the purposes of identification or verification, or both.

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(4B) The Agency may, with the consent of the person to whom the photographic image relates, provide a third party with a copy of, or access to, a photographic image stored under section 28(5) for the purpose of creating or maintaining an electronic driver licence, or both.

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56 New sections 209B and 209C inserted

After section 209A, insert:

209B Director may extend term of land transport documents in emergency

(1) Despite this Act and any rules or regulations made under this Act relating to land transport documents, the Director may, in response to an emergency, extend the term of—

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- (a) a land transport document; or
(b) a class or type of land transport document.

(2) An extension—

- (a) may be granted before or after the expiry of the land transport document or the class or type of land transport document; and
(b) must be for a specified period; and
(c) may be amended, replaced, or revoked.

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(3) The Director must notify an extension ~~to a class or type of land transport document~~ granted under this section, and any amendment to, or replacement or revocation of, that extension, by,—

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(a) in the case of a particular land transport document, giving a notice to the holder of that land transport document;

(b) in the case of a class or type of land transport document, publishing a notice—

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(i) in the *Gazette*; and

(ii) on an Internet site maintained by the Agency.

- (a) ~~in the *Gazette*; and~~
- (b) ~~on an Internet site maintained by the Agency.~~
- (4) Any revocation of an extension to a land transport document or a class or type of land transport document must be notified in accordance with **subsection (3)** at least 5 working days before the revocation takes effect. 5
- (5) The notice must—
- (a) ~~identify the particular land transport document or~~ describe the class or type of land transport document that is extended; and
- (b) describe the emergency that has given rise to the extension; and
- (c) state the period of the extension or the amended or replaced period of extension, or that the extension has been revoked (whichever applies). 10
- (6) In this section,—
- class or type of land transport document** includes—
- (a) a land transport document held by a class of persons; and
- (b) land transport documents of a particular type, including those that share a particular feature 15
- emergency** means any of the following:
- (a) a state of emergency declared under the Civil Defence Emergency Management Act 2002;
- (b) an outbreak of disease that is the subject of an epidemic notice under the Epidemic Preparedness Act 2006; 20
- (c) any other event or circumstance that the Director and the Minister agree in writing may require a land transport document extension
- land transport document**—
- (a) has the meaning given in section 2(1); and 25
- (b) includes a driver licence or permit that is held by a person who is deemed to hold a New Zealand driver licence under any rule or regulation.
- 209C Effect of extension under section 209B**
- (1) A land transport document that is extended under **section 209B**, or that is in a class or of a type of land transport document that is extended under that section, is valid throughout the period of the extension, including any amended or replaced period of extension. 30
- (2) However, **subsection (1)** does not apply if—
- (a) the land transport document is invalid: 35
- (b) the land transport document is revoked, cancelled, superseded, or replaced:

- (c) the land transport document is suspended:
- (d) the holder of the land transport document is disqualified from holding that land transport document:
- (e) the holder of the land transport document is for any other reason prohibited under this Act from performing the actions that the land transport document authorises. 5
- (3) **Subsection (1)** does not limit or affect—
 - (a) any power or enforcement function under this Act, or any other Act, or regulations or rules, in relation to a land transport document; or
 - (b) the liability of the holder of a land transport document to pay any applicable fee, charge, or levy that is otherwise payable under this Act. 10
- (4) In this section,—

class or type of land transport document includes—

 - (a) a land transport document held by a class of persons; and
 - (b) land transport documents of a particular type, including those that share a particular feature 15

land transport document—

 - (a) has the meaning given in section 2(1); and
 - (b) includes a driver licence or permit that is held by a person who is deemed to hold a New Zealand driver licence under any rule or regulation. 20

57 Section 210 amended (How notices and requests are given, served, or made)

- (1) After section 210(2)(c), insert:
 - (d) sending an electronic notification to the person that states where they can access the notice or request electronically (if the person has agreed to that method of electronic notification and access to be notified of electronic notices and requests in that way). 25
- (2) In section 210(3)(b), after “electronic means”, insert “to the person’s electronic address under subsection (2)(c)(ii)”. 30
- (3) After section 210(3)(b), insert:
 - (e) in the way described in **subsection (2)(d)** must, unless the contrary is shown, be treated as having been given, sent, served, or made at the time the electronic communication containing the notification of the notice or request first enters an information system outside the control of the person giving the notice or making the request and, in proving the sending, it is sufficient to prove that the electronic communication containing the notification was properly addressed and sent. 35
- (2) Replace section 210(3) with:

- (3) A notice or request that is sent to a person—
- (a) by post under subsection (2)(c)(i) must, unless the contrary is shown, be treated as having been given, sent, served, or made when it would have been delivered in the ordinary course of post and, in proving the delivery, it is sufficient to prove that the letter was properly addressed and posted: 5
 - (b) at that person’s electronic address under subsection (2)(c)(ii) must, unless the contrary is shown, be treated as having been given, sent, served, or made at the time the electronic communication first enters an information system that is outside the control of the person giving or serving the notice or making the request and, in proving the sending, it is sufficient to prove that the electronic communication was properly addressed and sent: 10
 - (c) in the way described in **subsection (2)(d)** must, unless the contrary is shown, be treated as having been given, sent, served, or made at the time the electronic communication containing the notification of the notice or request is listed as sent in the information system used to send the electronic communication and, in proving the sending, it is sufficient to prove that the electronic communication was properly addressed and sent. 15
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58 Section 233 amended (Interpretation matters applying to this Part)

In section 233(1), definition of **personal information**, after paragraph (c), insert:

- (ca) a mobile phone number that the person has given to an enforcement authority (or, otherwise, the person’s last known mobile phone number): 25

59 Section 242 amended (Motor vehicles must be registered and licensed)

Replace section 242(1)(c) with:

- (c) has a current licence issued for it and appropriate for its use under section 244 that is—
 - (i) displayed in the manner prescribed by regulations or rules made under this Part; or 30
 - (ii) electronically available in the manner prescribed by the regulations or rules.

60 Section 249 amended (Circumstances when motor vehicle may be seized and impounded) 35

After section 249(2)(b)(ia), insert:

- (ib) the mobile phone number of the driver (if the driver has a mobile phone number); and

Part 3

Amendments to Land Transport Management Act 2003

61 Principal Act

This Part amends the Land Transport Management Act 2003.

62 Section 5 amended (Interpretation)

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In section 5(1), replace the definition of **road** with:

road—

(a) means—

- (i) any land that is laid out by, or vested in, the Crown as a road:
- (ii) a road as defined in section 2(1) of the Government Roding Powers Act 1989:
- (iii) a motorway as defined in section 2(1) of the Government Roding Powers Act 1989 (despite the definition of road in that section); and

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(b) includes toll booths and other toll-related infrastructure on a road

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63 Section 52 amended (Who is liable to pay toll)

(1) Replace section 52(3)(a) with:

- (a) the driver's name, address, and electronic address (if the driver has an electronic address); or
- (aa) any particulars within the knowledge of the registered person that may lead to the identification of the person who was in charge or control of the vehicle at the relevant time; or

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(2) Replace section 52(3A)(b) with:

- (b) sending it to the registered person's electronic address; or
- (c) sending an electronic notification to the registered person that states where they can access the notice electronically (if the registered person has agreed to that method of electronic notification and access to be notified of electronic notices in that way). ~~to be notified of electronic notices in that way~~.

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(3) Replace section 52(3B) with:

(3B) Unless the contrary is shown, a notice given under subsection (3) that is delivered—

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- (a) by ordinary post under subsection (3A)(a) is treated as having been delivered 5 working days after the date on which it was posted:
- (b) to an electronic address under **subsection (3A)(b)** is treated as having been delivered at the time the electronic communication containing the notice first enters an information system that is outside the control of the person sending it:

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- (c) in the way described in **subsection (3A)(c)** is treated as having been delivered at the time the electronic communication containing the notification of the notice is listed as sent in the information system used to send the electronic communication ~~first enters an information system outside the control of the person sending it.~~ 5
- (4) After section 52(3B), insert:
- (3C) For the purposes of **subsection (3B)(b) and (c)**, in proving the sending of an electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent.
- 64 New section 103A inserted (Validation of declarations)** 10
After section 103, insert:
- 103A Validation of declarations**
- (1) This section applies to—
- (a) a declaration under section 103 that a road is a State highway, that was made on or after 1 August 2008 and before the commencement of the Regulatory Systems (Transport) Amendment Act **2025**; and 15
- (b) any action taken to enforce a declaration referred to in **paragraph (a)**.
- (2) A declaration, and any action taken to enforce it, is valid and remains in force, despite the road not meeting the definition of road in section 5(1) when the declaration was made. 20
- (3) **Subsection (2)** applies only to the extent that—
- (a) the Agency was otherwise acting lawfully in making the declaration or taking action to enforce it; and
- (b) in the case of a declaration, the declaration has not expired or been revoked on the date on which this section comes into force; and 25
- (c) in the case of action taken to enforce a declaration, the declaration had not expired or been revoked when the action was taken.

Part 4

Amendments to Maritime Transport Act 1994

- 65 Principal Act** 30
This Part amends the Maritime Transport Act 1994.
- 66 Section 2 amended (Interpretation)**
- (1) In section 2(1), repeal the definition of **Articles of Agreement**.
- (2) In section 2(1), replace the definition of **conventions** with:

- convention**, in relation to this Part and Parts 3 to 15,—
- (a) means a convention, protocol, or agreement declared for the purposes of any of those Parts by Order in Council under **subsection (2)**; and
 - (b) includes every amendment to, or revision of, those instruments, being an amendment or a revision to which New Zealand is a party
- (3) In section 2(1), definition of **unit of account**, delete “, the calculation of which, in New Zealand currency, is in accordance with section 88”.
- (4) In section 2(1), insert in their appropriate alphabetical order:
- electronic address** includes an email address
- information system** means a system for producing, sending, receiving, storing, displaying, or otherwise processing electronic communications
- seafarer recruitment and placement service** means a person engaged in—
- (a) recruiting a person as a seafarer on behalf of an owner of a ship; or
 - (b) placing a person as a seafarer with an owner of a ship
- (5) Replace section 2(2) with:
- (2) The Governor-General may from time to time, by Order in Council, declare a specified international convention, protocol, or agreement to be a convention, protocol, or agreement for the purposes of 1 or more specified provisions of this Part and Parts 3 to 15 only if—
- (a) the convention, protocol, or agreement relates to maritime transport; and
 - (b) New Zealand is a party to the convention, protocol, or agreement.
- 67 New section 21A inserted (Owner’s duty to enter into seafarer employment agreement)**
- Before section 22, insert:
- 21A Owner’s duty to enter into seafarer employment agreement**
- (1) The owner of a New Zealand ship (other than a pleasure craft) must, before the ship departs on a voyage, enter into an employment agreement with every seafarer employed to work on the voyage (a **seafarer employment agreement**).
 - (2) The seafarer employment agreement must—
 - (a) be in a form approved by the Director as meeting the requirements of the relevant convention; and
 - (b) state how the agreement may be terminated, including the reasons set out in **subsection (4)(a) to (c)**.
 - (3) The seafarer employment agreement must be displayed in a place on the ship that is easily accessible from the seafarers’ quarters.
 - (4) A seafarer employment agreement terminates—
 - (a) by the mutual consent of the owner and the seafarer:

- (b) on the death of the seafarer:
 - (c) on the loss or unseaworthiness of the ship:
 - (d) in any other circumstance that is specified in the agreement as a circumstance in respect of which the agreement terminates.
- (5) The owner must ensure that any termination of a seafarer employment agreement under **subsection (4)(d)** is by notice in writing. 5

68 Section 22 replaced (Employer's duties in relation to seafarers of New Zealand ships on overseas voyages)

Replace section 22 with:

- 22 Owner's duties in relation to returning seafarer of New Zealand ship on overseas voyage** 10
- (1) This section applies in respect of an overseas voyage of a New Zealand ship (other than a pleasure craft) if—
- (a) the voyage is terminated; or
 - (b) a seafarer is left behind by the ship due to— 15
 - (i) an injury sustained during the seafarer's employment or work on the ship; or
 - (ii) a shipwreck; or
 - (iii) an illness that is not due to the seafarer's own wilful act or default; or 20
 - (iv) being discharged for any cause for which the seafarer cannot be held responsible.
- (2) The owner of the ship must arrange for the seafarer to return to—
- (a) the seafarer's own country; or
 - (b) the port where the seafarer began employment or work; or 25
 - (c) the port where the voyage commenced; or
 - (d) any other place that is agreed between the owner and the seafarer.
- (3) The owner of the ship may comply with **subsection (2)** by providing the seafarer with suitable employment or work on board a ship proceeding to any of the destinations specified in **subsection (2)(a) to (d)**. 30
- (4) If the owner does not comply with **subsection (2)** and the seafarer makes their own arrangements to return to a destination specified in **subsection (2)(a) to (c)**, the owner must reimburse the seafarer for reasonable expenses incurred by the seafarer in returning to that destination.
- (5) In this section,— 35
- overseas voyage** means a voyage to a port outside New Zealand

reasonable expenses—	
(a) means all reasonable transportation, accommodation, and food expenses, in respect of the period commencing when the seafarer is left behind and ending with the end of the return journey; and	
(b) includes maintenance in respect of the period commencing when the seafarer is left behind and ending with the departure time fixed for the seafarer's return journey.	5
69 Section 23 amended (Employer's duties in relation to seafarers on New Zealand ships)	
(1) In the heading to section 23, replace " Employer's " with " Owner's ".	10
(2) In section 23(1), replace "Every employer of seafarers on" with "An owner of".	
(3) In section 23(1)(a), after "provide", insert "seafarers on board with".	
(4) In section 23(1)(b), replace "employer's" with "owner's".	
(5) In section 23(1)(d), replace "that employer" with "the owner".	
(6) In section 23(1)(d), after "in a form prescribed", insert "by maritime rules".	15
70 Section 26 amended (Provisions relating to crewing of New Zealand ships and young persons)	
(1) In section 26(2)(a), replace "of an age that requires that person to be enrolled at a school" with "under the age of 16 years".	
(2) In section 26(2)(b), replace "as a trimmer or stoker" with "to undertake work that is likely to jeopardise the health or safety of the person".	20
(3) Repeal section 26(3) and (4).	
71 Section 27 replaced (Prohibition on receiving remuneration for placing seafarers in employment)	
Replace section 27 with:	25
27 Restrictions on charging seafarers for recruitment and placement services	
(1) A seafarer recruitment and placement service or an owner of a ship must not directly or indirectly charge a person a fee for—	
(a) recruiting or placing that person into employment or work as a seafarer (whether directly or on behalf of an owner); or	30
(b) providing that person with employment or work as a seafarer.	
(2) However, a seafarer recruitment and placement service or an owner of a ship may charge a person for the cost of obtaining, for the purposes of that person's employment or work as a seafarer, 1 or more of the following:	
(a) a medical certificate of fitness (as required by maritime rules):	35
(b) a book of records of the seafarer's qualifications:	

- (c) a passport:
 - (d) any personal travel documents (other than a visa) that are necessary for the person to undertake their duties as a seafarer.
- (3) If a seafarer requires a visa in the course of their employment or work on a ship, the owner of that ship must pay the cost of the visa. 5
- (4) A seafarer recruitment and placement service or an owner of a ship who contravenes this section commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000:
 - (b) in the case of a body corporate, to a fine not exceeding \$30,000:
 - (c) in either case, to an additional penalty under section 409. 10
- 72 Section 33F amended (Harbourmasters' general powers)**

In section 33F(1)(g) and (h), replace “his or her name and address” with “their name, address, and electronic address”.
- 72A Section 33O amended (Infringement offences relating to navigation bylaws)** 15

In section 33O(1)(b), replace “\$1,000” with “\$3,000 for an individual or \$12,000 in any other case”.
- 73 Section 33P amended (Infringement notices)**
 - (1) Replace section 33P(2) with:
 - (2) An infringement notice is served if it, or a copy of it, is— 20
 - (a) delivered personally to the person alleged to have committed the offence; or
 - (b) posted to the last known place of residence or business of the person alleged to have committed the offence; or
 - (c) sent by electronic means to the electronic address of the person alleged to have committed the offence. 25
 - (2A) An infringement notice, or a copy of it, is treated as served for the purposes of the Summary Proceedings Act 1957,—
 - (a) if **subsection (2)(b)** applies, when the notice (or copy) would have been delivered in the ordinary course of post; or 30
 - (b) if **subsection (2)(c)** applies, when the electronic communication containing the notice (or copy) first enters an information system that is outside the control of the person who served the notice under subsection (1).
 - (2) Replace section 33P(3)(c) with: 35
 - (c) how the infringement fee may be paid; and
 - (3) After section 33P(4), insert:

- (5) Despite section 24(1)(e) of the Summary Proceedings Act 1957, a reminder notice may be served on a person for the purposes of section 21(2) of that Act by serving the notice in accordance with **subsection (2)(c)** in addition to the other methods of service set out in section 24(1) of that Act and without otherwise limiting or affecting the operation of section 24 of that Act. 5
- (6) ~~For the purpose of serving a notice by electronic means under this section, the electronic address to which the notice is sent must be~~In this section, unless the context otherwise requires, **electronic address**, in relation to a person, means— 10
- (a) an electronic address that the person ~~being served with the notice~~ has given to a harbourmaster, enforcement officer, or constable; or
- (b) otherwise, the last known electronic address of the person ~~being served with the notice~~. 10
- 74 New section 33Y inserted (Minister of Conservation's powers and responsibilities in relation to specified areas)** 15
- After section 33X, insert:
- 33Y Minister of Conservation's powers and responsibilities in relation to specified areas**
- (1) In respect of the specified areas, the Minister of Conservation has the powers, duties, and responsibilities that a regional council would have under this Part. 20
- (2) The Minister of Conservation may exercise the powers, duties, and responsibilities under this Part—
- (a) as if the Minister of Conservation were a regional council that had the specified areas within its region; and
- (b) in the same manner, subject to the same restrictions, and with the same effect as if those powers, duties, and responsibilities had been conferred on them directly by those provisions. 25
- (3) In this section, **specified areas** means—
- (a) the Kermadec Islands and Sub-Antarctic Islands (which include the Antipodes Island Group, the Auckland Islands, the Bounty Islands, Campbell Island/Motu Ihupuku and the islands adjacent to Campbell Island/Motu Ihupuku, and the Snares Islands/Tini Heke); and 30
- (b) the New Zealand waters surrounding and within the islands specified in **paragraph (a)**. 30
- 75 Section 34 amended (Maritime rules relating to maritime documents)** 35
- After section 34(1)(f), insert:
- (fa) seafarer recruitment and placement services:

76 Section 35 replaced (Application for maritime document)

Replace section 35 with:

35 Requirements related to holders of, and applications for, maritime documents

- (1) The following applications must be made to the Director in the prescribed form or, if there is no prescribed form, in any form that the Director requires:
 - (a) an application for the grant or renewal of a maritime document:
 - (b) an application for the recognition of a document as a maritime document.
- (2) An application must include the applicant's address for service in New Zealand and, if applicable,—
 - (a) a phone number; and
 - (b) a fax number; and
 - (c) an electronic address.
- (3) The holder of a maritime document must, as soon as practicable, notify the Director of any change to the information provided under **subsection (2)**.
- (4) The Director must ensure that a record of all information provided under this section is maintained at the Maritime Registry.
- (5) Any notice, notification, or other document served under this Act on the holder of, or an applicant for, a maritime document is treated as served on that person if the notice, notification, or document is served at the address or electronic address last provided by that person.

77 Section 36 amended (Maritime rules relating to other matters)

- (1) After section 36(1)(p), insert:
 - (pa) standards or requirements for seafarer recruitment and placement services:
- (2) Replace section 36(1)(u)(ii) with:
 - (ii) to implement any international practices or standards relating to maritime transport or maritime labour that may, from time to time, be recommended by the International Maritime Organization or the International Labour Organization:

78 New section 54AA inserted (Inspections and audits of seafarer recruitment and placement services)

After section 54, insert:

54AA Inspections and audits of seafarer recruitment and placement services

- (1) The Director may, in writing, require a seafarer recruitment and placement service to undergo an inspection or audit if the Director considers it necessary—

- (a) in the interests of maritime safety; or
 (b) in the interests of the health and safety of seafarers; or
 (c) for the purposes of any of Parts 1 to 15.
- (2) The Director may carry out the inspection or audit as the Director considers necessary. 5
- (3) For the purpose of carrying out the inspection or audit, the Director may, in writing, require the seafarer recruitment and placement service to provide any information the Director considers relevant to the inspection or audit.
- 79 Section 54A amended (Power of Director to investigate holder of maritime document)** 10
- Replace section 54A(1)(b)(i) with:
- (i) has reasonable grounds to suspect that the maritime document holder has failed to comply with any of the requirements in section 17; or
- 80 Section 58 amended (Powers of investigation of Director)** 15
- Replace section 58(3) with:
- (3) A summons under this section may be served—
- (a) in the same manner as a summons served under section 5 of the Commissions of Inquiry Act 1908, and that section applies accordingly with any necessary modifications; or 20
- (b) by electronic means at the last known electronic address of the person summoned.
- (3A) For the purposes of **subsection (3)(b)**,—
- (a) a summons is treated as served when the electronic communication containing the summons first enters an information system that is outside the control of the person who served the summons; and 25
- (b) a summons must be served at least 5 days before the person's attendance is required under subsection (1)(b).
- 81 Section 64 amended (Unnecessary danger caused by holder of maritime document)** 30
- (1) In section 64(2)(a), replace “\$10,000” with “\$150,000”.
- (2) In section 64(2)(b), replace “\$100,000” with “\$1,500,000”.
- 82 Section 65 amended (Dangerous activity involving ships or maritime products)**
- (1) In section 65(3)(a), replace “\$10,000” with “\$50,000”. 35
- (2) In section 65(3)(b), replace “\$100,000” with “\$1,500,000”.

83	Section 65A amended (Proceeding without pilot contrary to maritime rules or direction given under section 60A)	
(1)	In section 65A(1)(a), replace “\$10,000” with “\$150,000”.	
(2)	In section 65A(1)(b), replace “\$100,000” with “\$1,500,000”.	
84	Section 67 amended (Communicating false information affecting safety)	5
(1)	In section 67(2)(a), replace “\$10,000” with “\$50,000”.	
(2)	In section 67(2)(b), replace “\$100,000” with “\$1,500,000”.	
85	Section 67A amended (Offence for submerged load lines)	
(1)	In section 67A(3)(a), replace “\$10,000” with “\$150,000”.	
(2)	In section 67A(3)(b), replace “\$100,000” with “\$1,500,000”.	10
86	Section 67B amended (Other offences)	
(1)	In section 67B(2)(a), replace “\$10,000” with “\$50,000”.	
(2)	In section 67B(2)(b), replace “\$100,000” with “\$1,500,000”.	
87	Section 88 replaced (Units of account)	
	Replace section 88 with:	15
88	Certification of units of account for purposes of this Part	
(1)	For the purposes of paragraph 1 of Article 8 of the LLMC Convention (as amended by the LLMC Protocol), a certificate given by or on behalf of the Secretary to the Treasury must, in any proceedings, be received in evidence and, in the absence of proof to the contrary, be sufficient evidence of the value of the New Zealand currency.	20
(2)	A certificate given under subsection (1) must state—	
(a)	that a particular sum in New Zealand currency has been fixed as the equivalent of 1 unit of account for a particular date; or	
(b)	that no sum has been fixed for that date, and that a particular sum has been fixed for the date most recently preceding the particular date.	25
88	Section 189 amended (Maritime Registry)	
	In section 189(2)(f), after “service”, insert “(including the electronic address for service)”.	
89	Section 191 amended (Maritime levies)	30
(1)	In section 191(1), after “ships”, insert “and floating production, storage, and offloading units”.	
(2)	In section 191(3), replace “ship” with “ship or floating production, storage, and offloading unit” in each place.	

90 Section 200B amended (Special enforcement powers may be exercised when this section applies)

In section 200B(2)(e), replace “his or her name and address” with “their name, address, and electronic address”.

91 Section 201 amended (Regulations)

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(1AAA) In section 201(1)(b), delete “, or breaches of navigation bylaws,”.

(1) In section 201(1)(c)(i), replace “\$10,000” with “\$15,000”.

(2) In section 201(1)(d)(i), replace “\$2,000” with “\$3,000”.

92 Section 222 amended (Interpretation)

(1) In section 222(1), replace the definition of **marine protection convention** with: 10

marine protection convention, in relation to this Part and Parts 19 to 27,—

(a) means any international convention, protocol, or agreement declared for the purposes of any of those Parts by Order in Council under **subsection (4)**; and 15

(b) includes every amendment to, or revision of, those instruments, being an amendment or a revision to which New Zealand is a party

(2) Replace section 222(4) with:

(4) The Governor-General may from time to time, by Order in Council, declare a specified international convention, protocol, or agreement to be a marine protection convention for the purposes of 1 or more specified provisions of this Part and Parts 19 to 27 only if— 20

(a) the convention, protocol, or agreement relates to protecting the marine environment from pollution; and

(b) New Zealand is a party to the convention, protocol, or agreement. 25

93 Section 235 amended (Powers of investigation of Director)

Replace section 235(4) with:

(4) A summons under this section may be served—

(a) in the same manner as a summons served under section 5 of the Commissions of Inquiry Act 1908, and that section applies accordingly with any necessary modifications; or 30

(b) by electronic means at the last known electronic address of the person summoned.

(4A) For the purposes of **subsection (4)(b)**,—

(a) a summons is treated as served when the electronic communication containing the summons first enters an information system that is outside the control of the person who served the summons; and 35

- (b) a summons must be served at least 5 days before the person's attendance is required under subsection (2)(b).

94 Section 246E amended (Director's powers)

Replace section 246E(4) with:

- (4) A summons under this section may be served— 5
- (a) in the same manner as a summons served under section 5 of the Commissions of Inquiry Act 1908, and that section applies accordingly with any necessary modifications; or
 - (b) by electronic means at the last known electronic address of the person summoned. 10
- (4A) For the purposes of **subsection (4)(b)**,—
- (a) a summons is treated as served when the electronic communication containing the summons first enters an information system that is outside the control of the person who served the summons; and
 - (b) a summons must be served at least 5 days before the person's attendance is required under subsection (2)(b)(i). 15

95 Section 269 replaced (Application for marine protection document)

Replace section 269 with:

- 269 Requirements related to holders of, and applications for, marine protection documents** 20
- (1) The following applications must be made to the Director in the prescribed form or, if there is no prescribed form, in any form that the Director requires:
- (a) an application for the grant or renewal of a marine protection document:
 - (b) an application for the recognition of a document as a marine protection document. 25
- (2) An application must include the applicant's address for service in New Zealand and, if applicable,—
- (a) a phone number; and
 - (b) a fax number; and
 - (c) an electronic address. 30
- (3) The holder of a marine protection document must, as soon as practicable, notify the Director of any change to the information provided under **subsection (2)**.
- (4) The Director must ensure that a record of all information provided under this section is maintained at the Maritime Registry. 35
- (5) Any notice, notification, or other document served under this Act on the holder of, or an applicant for, a marine protection document is treated as served on

that person if the notice, notification, or document is served at the address or electronic address last provided by that person.

96 Section 347 amended (Limits of liability of CLC shipowners for oil pollution damage)

After section 347(2), insert:

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(2A) For the purposes of subsection (2) and any order made under that subsection, in any proceedings a certificate given by or on behalf of the Secretary to the Treasury—

(a) must be received in evidence; and

(b) in the absence of proof to the contrary, is sufficient evidence of the value of the New Zealand currency for the purposes of paragraph 9(a) of Article V of the Civil Liability Convention.

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(2B) A certificate given under **subsection (2A)** must state—

(a) that a particular sum in New Zealand currency has been fixed as the equivalent of 1 unit of account for a particular date; or

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(b) that no sum has been fixed for that date, and that a particular sum has been fixed for the date most recently preceding the particular date.

97 Section 394 amended (Regulations)

(1) In section 394(1)(f)(i), replace “\$10,000” with “\$15,000”.

(2) In section 394(1)(g)(i), replace “\$2,000” with “\$3,000”.

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98 Section 409 amended (Additional penalty for offence involving commercial gain)

In section 409(1), after “offence against section”, insert “**27**,”.

99 Section 423 amended (Infringement notices)

(1) Replace section 423(2)(c) with:

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(c) by sending it by electronic means to that person at their electronic address; or

(d) if the person being served with the notice is a holder of a maritime document or marine protection document,—

(i) by serving it by post on that person at their last address for service provided under **section 35 or 269**; or

30

(ii) by sending it by electronic means to that person at their last electronic address for service provided under **section 35 or 269**.

(2) Replace section 423(3) with:

(3) An infringement notice is treated as served on a person under subsection (2),—

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- (a) if sent by post under subsection (2)(b) or **(d)(i)**, when it would have been delivered in the ordinary course of post; or
- (b) if sent by electronic means under **subsection (2)(c) or (d)(ii)**, when the electronic communication containing the notice first enters an information system that is outside the control of the person who issued the notice under subsection (1). 5
- (3) Replace section 423(4)(c) with:
- (c) how the infringement fee may be paid:
- (4) After section 423(6), insert:
- (7) Despite section 24(1)(e) of the Summary Proceedings Act 1957, a reminder notice may be served on a person for the purposes of section 21(2) of that Act by serving the notice in accordance with **subsection (2)(c) or (d)(ii)** in addition to the other methods of service set out in section 24(1) of that Act and without otherwise limiting or affecting the operation of section 24 of that Act. 10
- (8) ~~For the purpose of serving a notice by electronic means under this section, the electronic address to which the notice is sent must be~~In this section, unless the context otherwise requires, **electronic address**, in relation to a person, means— 15
- (a) an electronic address that the person ~~being served with the notice~~ has given to the relevant issuer of the notice; or 20
- (b) otherwise, the last known electronic address of the person ~~being served with the notice~~.

100 Section 446 replaced (Procedure for making of rules by Minister)

Replace section 446 with:

- 446 Procedure for Minister to make rules** 25
- Before making any rule under this Act, the Minister must—
- (a) publish a notice of their proposal to make the rule, which must specify a reasonable time for interested persons to make submissions on the proposal; and
- (b) consult any persons the Minister considers appropriate, which may include— 30
- (i) representative groups within the maritime industry or elsewhere; and
- (ii) government departments; and
- (iii) Crown entities; and 35
- (iv) ~~in respect of rules relating to pilotage or harbourmasters made under Part 4, regional councils or other local authorities.~~

(iv)	<u>regional councils or other local authorities in respect of rules made under—</u>	
(A)	<u>Part 4, to the extent that the rules relate to pilotage or harbourmasters; or</u>	
(B)	<u>Part 27.</u>	5
101	Section 458 amended (Service of documents)	
(1)	Replace section 458(a) with:	
(a)	in any case,—	
(i)	by delivering a copy personally to the person concerned; or	
(ii)	by leaving a copy at their last known place of residence; or	10
(iii)	by sending a copy by electronic means to their electronic address; or	
(2)	In section 458, insert as subsection (2):	
(2)	For the purposes of sending a document, notice, notification, or instructions (a document) by electronic means under this section, the electronic address must be—	15
(a)	an electronic address that the person being sent the document has given to the relevant issuer of the document; or	
(b)	otherwise, the last known electronic address of the person being sent the document.	20

Part 5

Amendments to Railways Act 2005

102	Principal Act	
	This Part amends the Railways Act 2005.	
103	Section 4 amended (Interpretation)	25
	In section 4(1), insert in their appropriate alphabetical order:	
	inspector means a person appointed under section 72X	
	issuing officer has the same meaning as in section 3(1) of the Search and Surveillance Act 2012	
	State services has the same meaning as in section 5 of the Public Service Act 2020	30
104	Section 20 amended (Register of licences)	
	After section 20(2)(b), insert:	
	(ba) the holder's electronic address (if the holder has an electronic address):	

105 Section 21 amended (Conditions of licences)

In section 21(3)(d) and (4)(d), replace “full name and address” with “full name, address, and electronic address (if any)”.

105A Section 27 amended (Rights of persons affected in relation to adverse decisions)

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(1) After section 27(5), insert:

(5A) If the adverse decision in question is a decision to issue an improvement notice under **section 72K**, references to the Director in this section are to be treated as references to the person who issues or proposes to issue an improvement notice under **section 72K**.

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(2) In section 27(6), definition of **adverse decision**, after paragraph (f), insert:

(g) to issue an improvement notice under **section 72K**

106 Section 35 amended (Procedure for replacement or variation of approved safety case)

After section 35(2), insert:

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(2A) The Director may require further information from the licence holder if the information is reasonably necessary in order to make a decision under subsection (2)(a).

(2B) If the Director requires and receives further information from the licence holder, any working days that fall between the day on which the Director requires the information and the day on which the Director receives the information are excluded from the 20-working-day time frames specified in subsections (1) and (2).

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107 Section 36 amended (Safety improvement plans)

After section 36(1), insert:

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(1A) The Director may require a rail participant to prepare a safety improvement plan under subsection (1) despite an inspector also issuing an improvement notice also being issued to the rail participant under **section 72K**.

108 Section 37 amended (Ordinary and special safety assessments)

After section 37(2)(h), insert:

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(ha) the result of any investigation into an accident or incident under **Part 2A**:

109 Section 68 amended (Appeal to District Court)

(1) Replace section 68(1) with:

(1) A person may appeal to the District Court against a decision relating to that person that is made by any of the following, if dissatisfied with that decision:

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(a) the Agency:

- (b) the Director:
 - (c) ~~an inspector a person~~ issuing a notice under **section 72K or 72O**.
- (2) In section 68(2), replace “the Agency or the Director” with “the Agency, the Director, or an inspector”.

110 New Part 2A inserted

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After section 72, insert:

Part 2A	
Investigating accidents and incidents	
<u>Subpart 1—Powers to enter, inspect, and obtain information</u>	
<i>Powers relating to investigation of accidents and incidents</i>	
72A Powers in this Part are subject to section 14(3) of Transport Accident Investigation Commission Act 1990	10
The powers specified in this Part are subject to the limitations set out in section 14(3) of the Transport Accident Investigation Commission Act 1990.	
72B Director and other persons investigating accident or incident must co-ordinate investigations	15
(1) This section applies if an accident or incident is being investigated by an inspector and 1 or more of the following investigators (specified investigators):	
(a) the Commission:	20
(b) the New Zealand Police:	
(c) the regulator, an inspector, or any other person authorised under the Health and Safety at Work Act 2015 (in accordance with the memorandum of understanding specified in section 8(2) of this Act).	
(2) The Director and the specified investigator or specified investigators must take reasonable steps to co-ordinate their respective investigations.	25
72C Powers to obtain information	
(1) <u>For the purpose</u> In the course of investigating an accident or incident, an inspector may, at any reasonable time, require a rail participant or rail personnel to do <u>either or both</u> 1 or more of the following:	30
(a) provide their name, residential address, and date of birth:	
(b) answer questions that relate to the accident or incident or the investigation of it:	

- (c) provide all other information that the inspector may reasonably require for the purposes of the investigation.
- (2) ~~If requiring a rail participant or rail personnel to provide their name, residential address, and date of birth, the inspector must tell the rail participant or rail personnel the reason for the requirement.~~ 5
- (3) ~~If the inspector reasonably believes that the name, residential address, or date of birth a rail participant or rail personnel provides is false, the inspector may require the rail participant or rail personnel to give evidence of its correctness.~~
- (4) Nothing in this section affects the application of section 60 of the Evidence Act 2006. 10
- 72D Powers of entry and inspection**
- (1) ~~This section applies to an inspector who is in the course of investigating an accident or incident.~~
- (2) ~~The inspector may, at any reasonable time, enter the following for 1 or more of the purposes specified in **subsection (3)**:~~ 15
- (a) ~~a vehicle, building, or place that belongs to, or is used by, a rail participant or rail personnel;~~
- (b) ~~a vehicle, building, or place that was involved in, or relevant to, an accident or incident.~~
- (2) For the purpose of investigating an accident or incident, an inspector may, at any reasonable time, enter a vehicle, building, or place that— 20
- (a) belongs to a rail participant or rail personnel; or
- (b) is used by a rail participant or rail personnel in that participant's or personnel's rail activities.
- (3) The purposes are—On entering the vehicle, building, or place, the inspector may, for the purposes of the investigation,— 25
- (a) ~~to~~ conduct examinations, tests, inquiries, and inspections:
- (b) ~~to~~ be accompanied and assisted by any other person, and bring into the vehicle, building, or place any equipment necessary to investigate the accident or incident: 30
- (c) ~~to~~ take photographs and measurements and make sketches and recordings:
- (d) ~~to~~ require the rail participant or a person who is or appears to be in charge of the vehicle, building, or place to ensure that the vehicle, building, or place, or anything inside it, is not disturbed for a reasonable period pending examination, testing, inquiry, or inspection: 35
- (e) require the person who is or appears to be in charge of the vehicle, building, or place to—

- (i) produce information relating to the vehicle, building, or place, the activities carried out there, or any person who carries out any or all of those activities; and
- (ii) produce information relating to the rail participant's or rail personnel's compliance with this Act or with any rules or regulations; and 5
- (iii) permit the inspector to examine and make copies of, or take extracts from, the information.
- (4) ~~The inspector may, at any reasonable time, enter a vehicle, building, or place that belongs to, or is used by, a rail participant or rail personnel to require the rail participant, the rail personnel, or a person who is or appears to be in charge of the vehicle, building, or place to—~~ 10
- (a) ~~produce information relating to the vehicle, building, or place, the activities carried out there, or the people who carry out those activities; and~~
- (b) ~~produce information relating to the rail participant's or rail personnel's compliance with this Act; and~~ 15
- (c) ~~permit the inspector to examine and make copies of, or take extracts from, the information.~~
- (5) An inspector may do any of the things referred to in **subsections (2) and (4)** **subsection (3)** whether or not— 20
- (a) the inspector or the person the inspector is dealing with is in the vehicle, building, or place; or
- (b) the information is—
- (i) in the vehicle, building, or place; or
- (ii) in the place where the inspector is; or 25
- (iii) in another place.
- (6) Nothing in this section affects the application of section 60 of the Evidence Act 2006.
- (7) For the purposes of this section, if the inspector considers it necessary to enter any other building or land in order to get to the vehicle, building, or place, the inspector may do so after taking any steps that the inspector considers reasonable in the circumstances to obtain the consent of the occupier of the building or land place. 30
- (8) In this section, **information** includes any document. 35
- Compare: 2023 No 10 s 284; 2015 No 70 s 168
- 72E Power to enter homes or marae**
- (1) Despite **section 72D**, an inspector must not, except with the consent of an occupier or pursuant to a warrant issued under **subsection (2)**, enter a vehicle, building, or place referred to in **section 72D(2)**—

	(a) enter a vehicle, building, or place referred to in section 72D(2) or (4) that is, or is within, a home, a marae, or a building associated with a marae; or (b) enter the vehicle, building, or place by going through a home, a marae, or a building associated with a marae.	5
(2)	An issuing officer may, on an application made by an inspector in the manner provided in subpart 3 of Part 4 of the Search and Surveillance Act 2012, issue a warrant to enter a home (or part of a home), a marae (or part of a marae), or a building associated with a marae (or part of a building associated with a marae) if the issuing officer is satisfied that there are reasonable grounds to believe that the home, marae, or building associated with a marae—	10
	(a) is, or has inside it, a vehicle, building, or place referred to in section 72D(2) or (4); or (b) is the only practicable means through which the inspector may enter the <u>a vehicle, building, or place referred to in section 72D(2)</u>.	15
(3)	A warrant issued under subsection (2) authorises an inspector to enter the home, marae, or building associated with a marae only to exercise the powers specified in section 72D.	
	Compare: 2023 No 10 s 285; 2015 No 70 s 169	
72F	Notice of entry	20
	If an inspector enters a vehicle, building, or place under section 72D or 72E and is unable, despite reasonable efforts, to find any person in charge of a vehicle, building, or place, the inspector must, before leaving <u>the vehicle, building, or place</u>, leave a written notice stating—	
	(a) the inspector's identity; and (b) the inspector's contact information <u>electronic address and any other contact information the inspector wishes to provide</u>; and (c) the date and time of entry; and (d) the inspector's reasons for entering.	25
(2)	In this section, contact information includes—	30
	(a) the name of the inspector; and (b) 1 or more of the following: (i) phone number; (ii) email address; (iii) physical or postal address.	35
	Compare: 2023 No 10 s 286; 2015 No 70 s 171	

72G Power to take samples and other objects and things

- (1) An inspector exercising a power under **section 72D or 72E** to enter a vehicle, building, or place referred to in **section 72D(2)** that belongs to, or is used by, a rail participant or rail personnel may, for the purpose of investigating the accident or incident, take or remove from that vehicle, building, or place a sample of any material, substance, or thing for analysis, or seize and retain any material, substance, or thing, in order to including for the purpose of— 5
- (a) determining the cause of the accident or incident; or
 - (b) monitor monitoring activities being carried out in that vehicle, building, or place; or 10
 - (c) determine determining the nature of any material or substance in that vehicle, building, or place; or
 - (d) determine determining whether this Act or any rules or regulations have been, or are being, contravened has been, is being, or is likely to be complied with. 15
- (2) This section does not allow an inspector to take a sample from a person's body unless the inspector has the person's informed consent to take the sample.
- (3) If an inspector removes or retains any sample, material, substance, or thing under **subsection (1)**, the inspector must,—
- (a) when the inspector removes or retains the sample, material, substance, or thing or as soon as practicable after doing so, give the rail participant or rail personnel written notice of— 20
 - (i) what has been (or is being) removed or retained; and
 - (ii) why it has been (or is being) removed or retained; and
 - (iii) where it will be kept in the meantime; and 25
 - (b) subject to **subsections (4) and (5)**, within 5 working days of removing or retaining any sample, material, substance, or thing, give the rail participant or rail personnel written notice of whether the inspector intends to return it or destroy it.
- (4) If it is practicable to do so, the inspector must return the sample, material, substance, or thing to its owner— 30
- (a) when it is no longer required for any purpose under this Act or any other legislation; or
 - (b) if a court orders its earlier return.
- (5) The inspector may destroy any removed or retained sample, material, substance, or thing if— 35
- (a) it is perishable and has become rotten or has otherwise deteriorated; or
 - (b) it is perishable and is likely to become rotten or perish before it can be dealt with under **subsection (4)**; or

- (c) it is likely to pose a risk to public health.
- (6) In addition, sections 154, 155, and 159 of the Search and Surveillance Act 2012 apply in relation to any sample, material, substance, or thing removed or retained.
- (7) The provisions of the Search and Surveillance Act 2012 referred to in **subsection (6)** apply as if— 5
- (a) the reference in section 159(1) of that Act to a person described in section 156(2) were to—
- (i) any person from whom the sample, material, substance, or thing was seized: 10
- (ii) the owner:
- (iii) any other person who, in the opinion of the inspector, may be affected by the forfeiture of the sample, material, substance, or thing; and
- (b) references to a thing were to any sample, material, substance, or thing; and 15
- (c) references to seized or produced were to removed or retained; and
- (d) references to the person in whose custody the thing is were to the inspector; and
- (e) all other necessary modifications were made. 20
- (8) Any sample, material, substance, or thing forfeited to the Crown may be destroyed or otherwise disposed of as the inspector directs.
- Compare: 2023 No 10 s 287; 2015 No 70 s 172
- 72H Power of entry (by consent or under warrant) if Director suspects contravention** 25
- (1) The Director may authorise a specified person to enter and search a vehicle, building, or place for the purpose of ascertaining whether an accident or incident was caused by a person engaging in conduct that contravenes or may contravene a provision of this Act or any rules or regulations.
- (2) **Subsection (1)** applies only if the Director is satisfied that there are reasonable grounds— 30
- (a) to suspect that the person has engaged in or is engaging in conduct that constitutes or may constitute such a contravention; and
- (b) to suspect that the contravention has caused the accident or incident; and
- (c) to believe that the search will find evidential material in or on any part of the vehicle, building, or place. 35
- (3) A specified person authorised under **subsection (1)** may enter and search the vehicle, building, or place if—

- (a) the occupier or person in charge of the vehicle, building, or place consents; or
- (b) the specified person obtains a warrant under **subsection (4)**.
- (4) An issuing officer may issue a search warrant in relation to a vehicle, building, or place on an application made in the manner provided by subpart 3 of Part 4 of the Search and Surveillance Act 2012 by a specified person authorised under **subsection (1)**, if the issuing officer is satisfied that there are reasonable grounds—
- (a) to suspect that a person has engaged in or is engaging in conduct that contravenes or may contravene a provision of this Act or any rules or regulations; and
- (b) to suspect that the contravention has caused the accident or incident; and
- (c) to believe that the search will find evidential material in or on any part of the vehicle, building, or place.
- (5) In this section, **specified person** means—
- (a) an inspector; or
- (b) a constable; or
- (c) an employee of the Agency; or
- (d) any other person who the Director is satisfied is suitably qualified and trained, or belongs to a class of persons who are suitably qualified and trained, to act under this section.
- (6) Despite **subsection (5)**, a constable may apply for a warrant to be issued under **subsection (4)** without an authorisation from the Director under **subsection (1)**.
- (7) Subpart 2 of Part 3 and Part 4 of the Search and Surveillance Act 2012 apply, with any necessary modifications, to any search under this section.
- (8) Despite **subsection (7)**, sections 118 and 119 of the Search and Surveillance Act 2012 apply only in respect of a constable.
- Compare: 2023 No 10 s 288; 2015 No 70 s 173
- 72I Continuation of powers of entry and inspection without search warrants**
- An inspector who, in the course of exercising a power under **section 72D or 72E**, finds evidence of a contravention of this Act (or any rules or regulations) that caused an accident or incident is not required to obtain a search warrant under **section 72H** to continue exercising powers under **section 72D or 72E**.
- Compare: 2023 No 10 s 289; 2015 No 70 s 174
- 72IA Power to require name, address, and date of birth**
- (1) For the purpose of investigating an accident or incident, an inspector may require a rail participant or rail personnel to provide the rail participant's or rail

	personnel's name, residential address, and date of birth if the inspector finds the participant or personnel—	
	(a) committing an offence against this Act or any rules or regulations; or	
	(b) in circumstances that lead, or with information that leads, the inspector to reasonably suspect that the rail participant or rail personnel has committed an offence against this Act or against any rules or regulations.	5
(2)	When requiring a rail participant or rail personnel to provide their name, residential address, and date of birth, the inspector must—	
	(a) tell the rail participant or rail personnel the reason for the requirement; and	10
	(b) warn the rail participant or rail personnel that it is an offence to fail to provide their name, residential address, and date of birth unless the rail participant or rail personnel has a reasonable excuse.	
(3)	If the inspector reasonably believes that the name, residential address, or date of birth that a rail participant or rail personnel provides is false, the inspector may require the rail participant or rail personnel to give evidence of its correctness.	15
(4)	A rail participant or rail personnel must not, without reasonable excuse, refuse or fail to comply with a requirement under subsection (1) or (3) .	
(5)	A rail participant or rail personnel who breaches subsection (4) commits an offence and is liable on conviction to a fine not exceeding \$10,000.	20
72IB	Offence to fail to comply with or assist, or to intentionally obstruct, inspector	
(1)	A rail participant or rail personnel must give all reasonable assistance to enable an inspector to enter, inspect, examine, inquire, or exercise any other power under this Act.	25
(2)	A person commits an offence if they—	
	(a) breach subsection (1) ; or	
	(b) refuse or fail to comply with a requirement of an inspector under this Act; or	30
	(c) intentionally obstruct or intentionally impede an inspector exercising their powers under this Act.	
(3)	A person who commits an offence against this section is liable on conviction,—	
	(a) in the case of an individual, to a fine not exceeding \$10,000;	35
	(b) in any other case, to a fine not exceeding \$50,000.	

72J Immunity of inspectors and persons assisting inspectors or Director

(1) An inspector is immune from civil and criminal liability for any act done in good faith in the exercise, or intended exercise, of any of the inspector's powers under this Act if—

- (a) the inspector exercises the power in a reasonable manner; and 5
- (b) the inspector believes on reasonable grounds that the preconditions for the exercise of that power have been satisfied.

(2) A person is immune from civil and criminal liability for any act done in good faith and in a reasonable manner when assisting an inspector or the Director to exercise the inspector's or the Director's powers under this Act. 10

(3) In any civil proceeding in which a person asserts that the person has an immunity under this section, the onus is on that person to prove the facts necessary to establish the basis of that claim.

Compare: 2023 No 10 s 294; 2015 No 70 s 177

Subpart 2—Improvement notices and non-disturbance notices 15*Improvement notices and non-disturbance notices***72K Power to issue improvement notices**

(1) This section applies if, in the course of investigating an accident or incident, an inspector reasonably believes that a rail participant or rail personnel—

- (a) has contravened ~~is contravening~~ a provision of this Act or any rules or regulations; and 20
- (b) that contravention has—
 - (i) caused the ~~an~~ accident or incident; or
 - (ii) made the ~~an~~ accident or incident more likely to happen.

(2) The inspector may issue an improvement notice requiring the rail participant or rail personnel to— 25

- (a) remedy the contravention; or
- (b) remedy the things or activities that caused, or are causing, ~~causing~~ the contravention; or
- (c) protect against a future contravention. 30

(3) A decision to issue an improvement notice may be appealed under section 68.

Compare: 2023 No 10 s 298; 2015 No 70 s 101

72L Content of improvement notices

(1) An improvement notice must state—

- (a) that the inspector believes that— 35

- (i) the rail participant or rail personnel has contravened this Act (or a rule or regulation) ~~person is contravening this Act~~; and
- (ii) the contravention has, in relation to an accident or incident,—
 - (A) caused the an accident or incident; or
 - (B) made the an accident or incident more likely to happen; and
- (b) the provision of ~~this Act~~ that the inspector believes has been ~~is being~~ contravened; and
- (c) briefly, how that provision has been ~~is being~~ contravened; and
- (d) a reasonable period within which the rail participant or rail personnel must—
 - (i) remedy the contravention; or
 - (ii) remedy the things or activities that caused, or are causing, ~~causing~~ the contravention; or
 - (iii) prevent a future contravention.
- (2) An improvement notice may include recommendations concerning—
 - (a) the measures that the rail participant or rail personnel could take ~~be taken~~ to remedy the contravention or prevent a future contravention to which the notice relates;
 - (b) the things or activities causing the contravention to which the notice relates.

Compare: 2023 No 10 s 299; 2015 No 70 s 102

72M Compliance with improvement notice

- (1) A rail participant or rail personnel ~~person~~ who has been issued with an improvement notice must comply with the notice within the period specified in the notice.
- (2) A rail participant or rail personnel who breaches **subsection (1)** commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$50,000;
 - (b) in any other case, to a fine not exceeding \$250,000.
- (3) To avoid doubt, a failure to comply with a recommendation under **section 72L(2)** is not, in itself, an offence.

Compare: 2023 No 10 s 300; 2015 No 70 s 103

72N Extension of time for compliance with improvement notices

- (1) This section applies if a rail participant or rail personnel has been issued with an improvement notice.
- (2) An inspector may, by written notice given to the rail participant or rail personnel, extend the compliance period for the improvement notice.

- (3) However, the inspector may extend the compliance period only if the period has not ended.
- (4) In this section, **compliance period**—
- (a) means the period stated in the improvement notice; and
 - (b) includes any extension of that period under this section.
- Compare: 2023 No 10 s 301; 2015 No 70 s 104

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Non-disturbance notices

72O Power to issue non-disturbance notice

- (1) An inspector may issue a non-disturbance notice to a rail participant or rail personnel in respect of a vehicle, building, or place that ~~belongs to, or is used by, the rail participant or rail personnel.~~
- (a) belongs to the rail participant or rail personnel; or
 - (b) is used by the rail participant or rail personnel in that participant's or personnel's rail activities.
- (2) An inspector may only issue a non-disturbance notice under **subsection (1)** if the inspector reasonably believes that it is necessary to do so to facilitate the inspector's investigation into an accident or incident under this Part ~~the performance or exercise of the inspector's function or powers.~~
- (3) A decision to issue a non-disturbance notice may be appealed under section 68.
- Compare: 2023 No 10 s 302; 2015 No 70 s 108

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72P Content of non-disturbance notice

- (1) A non-disturbance notice may require ~~a person~~ the person to whom the notice was issued to preserve, or prevent the disturbance of, a vehicle, building, or place specified in **section 72O(1)** for a specified period.
- (2) A non-disturbance notice must specify the period (not exceeding 7 days) for which it applies and set out—
- (a) the obligations of the person to whom the notice is issued; and
 - (b) the measures to be taken to preserve a vehicle, building, or place or prevent the disturbance of a vehicle, building, or place; and
 - (c) the penalty for refusing or failing to comply with the notice.
- (3) A non-disturbance notice does not prevent any action—
- (a) to assist an injured person; or
 - (b) to remove a deceased person; or
 - (c) that is essential to make the vehicle, building, or place safe or to prevent an accident or incident; or
 - (d) that is done by, or under the direction of, a constable acting in the execution of the constable's duties; or

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(e) for which an inspector or the Director has given permission. (4) A non-disturbance notice does not apply to the site of any accident or incident being investigated by the Commission. Compare: 2023 No 10 s 303; 2015 No 70 s 109	
72Q Compliance with non-disturbance notice (1) A rail participant or rail personnel person must not, without reasonable excuse, refuse or fail to comply with a non-disturbance notice issued to them the person. (2) A rail participant or rail personnel who breaches subsection (1) commits an offence and is liable on conviction,— (a) in the case of an individual, to a fine not exceeding \$50,000; (b) in any other case, to a fine not exceeding \$250,000. Compare: 2023 No 10 s 304; 2015 No 70 s 110	5 10
72R Issue of subsequent non-disturbance notices (1) If an inspector considers it necessary to do so, the inspector may issue 1 or more subsequent non-disturbance notices to a rail participant or rail personnel person, whether before or after the expiry of the previous notice. (2) A subsequent non-disturbance notice issued under subsection (1) must comply with sections 72O and 72P. Compare: 2023 No 10 s 305; 2015 No 70 s 111	15 20
<i>General provisions relating to improvement notices and non-disturbance notices</i>	
72S Improvement notices and non-disturbance notices must be in writing and may be addressed in certain way (1) An improvement notice or a non-disturbance notice must be in writing. (2) The notice may be addressed to the rail participant or rail personnel under that participant's or personnel's any person under the person's legal name or usual business name or style. Compare: 2023 No 10 s 306; 2015 No 70 s 112	25
72T Inspector may vary or cancel improvement notice or non-disturbance notice An inspector may vary or cancel an improvement notice or a non-disturbance notice. Compare: 2023 No 10 s 308; 2015 No 70 s 114	30

72U Formal irregularities or defects in improvement notice or non-disturbance notice

An improvement notice or a non-disturbance notice is not invalid merely because of—

- (a) any defect, irregularity, omission, or want of form in the notice unless it causes or is likely to cause a miscarriage of justice; or
- (b) a failure to use the correct name of the person to whom the notice is issued if the notice sufficiently identifies the person and is issued to the person in accordance with **section 72S**.

Compare: 2023 No 10 s 309; 2015 No 70 s 115

72V Display of notice by person issued with improvement notice or non-disturbance notice

- (1) Unless an inspector permits otherwise, a rail participant or rail personnel ~~person~~ to whom an improvement notice or a non-disturbance notice is issued must, as soon as practicable, display a copy of the notice in a prominent position at or near the vehicle, building, or place, or part of a vehicle, building, or place, at which activity is being carried out that is affected by the notice.

- (2) If a notice is displayed under **subsection (1)** and is in force, no person may intentionally—

- (a) remove or destroy the notice; or
- (b) damage or deface the notice.

- (3) A person who breaches **subsection (1) or (2)** commits an offence and is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding \$5,000;

(b) in any other case, to a fine not exceeding \$25,000.

Compare: 2023 No 10 s 311; 2015 No 70 s 117

72W Inspector may display improvement notice or non-disturbance notice

An inspector who issues an improvement notice or a non-disturbance notice may, before or after issuing the notice, display a copy of the notice in a prominent place at or near the vehicle, building, or place at which activity is being carried out that is affected by the notice.

Compare: 2023 No 10 s 312; 2015 No 70 s 118

Subpart 3—Inspectors*Inspectors***72X Appointment of inspectors**

- (1) The Director may, by notice in writing, appoint any person as an inspector, including—

- (a) an employee of the State services;
- (b) a statutory officer (including a safety assessor and an enforcement officer);
- (c) an employee or a contractor of the Agency.
- (2) The Director must not appoint a person as an inspector unless the Director is satisfied that the person has appropriate experience, technical competence, and qualifications relevant to the ~~function and powers~~ proposed to be ~~carried out~~ and exercised by an inspector under this Act. 5
- (3) An inspector may exercise the powers of an inspector under this Act that the Director specifies in the notice of the inspector's appointment. 10
- (4) An inspector's powers are subject to any conditions or limitations specified in the notice of the inspector's appointment.
- (5) However, the exercise of the power by an inspector is not invalid merely because it did not comply with the conditions specified in the notice of the inspector's appointment. 15
- Compare: 2023 No 10 s 331; 2015 No 70 s 163
- 72Y Identity cards**
- (1) The Director must give each inspector an identity card that—
- (a) states the person's name and appointment as an inspector; and
- (b) includes any other matter prescribed by regulations or rules. 20
- (2) An inspector must, when ~~performing or exercising their function and powers~~ under this Act, produce their identity card for inspection on request.
- (3) A person who ceases to be an inspector must as soon as practicable return their identity card to the Director. 25
- Compare: 2023 No 10 s 333; 2015 No 70 s 164
- 72Z Suspension and ending of appointment of inspectors**
- (1) The Director may suspend or end the appointment of an inspector at any time.
- (2) To avoid doubt, a person's appointment as an inspector ends when the person ceases to be eligible for appointment as an inspector. 30
- Compare: 2023 No 10 s 334; 2015 No 70 s 165
- 72ZA Inspectors subject to Director's directions**
- (1) An inspector (whether or not an employee) is subject to directions from the Director in the ~~performance or exercise of the inspector's function and powers~~.
- (2) A direction under **subsection (1)** may be of a general nature or may relate to a specified matter or specified class of matter. 35

- (3) A failure to comply with a direction under **subsection (1)** does not invalidate the exercise of an inspector's power.

Compare: 2023 No 10 s 335; 2015 No 70 s 166

72ZB Director has powers of inspector

The Director has ~~the function of an inspector, and~~ all the powers that an inspector has, under this Act.

Compare: 2023 No 10 s 336; 2015 No 70 s 167

111 Section 94 amended (Notices)

- (1) After section 94(1)(b), insert:

- (ba) sent to the person's usual or last known electronic address; or
- (bb) given by sending an electronic notification to that person that states where they can access the notice electronically (if the person has agreed to that method of electronic notification and access ~~be notified of electronic notices in that way~~); or

- (1A) After section 94(1), insert:

- (1A) In addition to the methods specified in subsection (1), an improvement notice or non-disturbance notice issued under **section 72K or 72O** may be issued to a rail participant or rail personnel—

- (a) by leaving it for the rail participant or rail personnel at the vehicle, building, or place to which the notice relates with a person who is or appears to be in charge of that vehicle, building, or place; or
- (b) by leaving it for the rail participant or rail personnel at their usual or last known place of residence or business with a person who appears to be 16 years of age or over and who appears to reside or work there; or
- (c) if the rail participant holds a licence, by delivering the notice to the rail participant's address shown in the register under section 20.

- (2) Replace section 94(2) and (3) with:

- (2) A notice (including an improvement notice or a non-disturbance notice) or other document sent—

- (a) by post is, unless the contrary is shown, treated as being given, served, or received 7 days after the date on which it was posted:
- (b) to a person's electronic address ~~under **subsection (1)(ba)**~~ is, unless the contrary is shown, treated as being given, served, or received at the time the electronic communication containing the notice first enters an information system that is outside the control of the person giving or serving the notice or document:
- (c) in the way described in **subsection (1)(bb)** is, unless the contrary is shown, treated as being given, served, or received at the time the electronic communication containing the notification of the notice is listed as

~~sent in the information system used to send the electronic communication first enters an information system outside the control of the person sending the notification.~~

- (3) For the purposes of **subsection (2)(b) and (c)**, in proving the sending of an electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent. 5
- (4) ~~In this section, **electronic address**, in relation to a person, means—~~
- ~~(a) an electronic address that the person has given to an enforcement authority; or~~
 - ~~(b) if no electronic address is given, the person's last known electronic address.~~ 10

112 Section 99 amended (Issue of infringement notice)

- (1) After section 99(2)(b), insert:
- (ba) by sending it, or a copy of it, to that person's usual or last known electronic address; or 15
 - (bb) by sending an electronic notification to that person that states where they can access the notice, or a copy of it, electronically (if the person has agreed to that method of electronic notification and access ~~be notified of electronic service in that way~~); or
- (2) Replace section 99(3) with: 20
- (3) An infringement notice sent—
- (a) to a person by post under subsection (2)(b) or (c) is, unless the contrary is shown, treated as having been served on the person 7 days after the date on which it was posted:
 - (b) to a person's electronic address under **subsection (2)(ba)** is, unless the contrary is shown, treated as having been served on the person at the time the electronic communication containing the infringement notice first enters an information system that is outside the control of the person serving the notice: 25
 - (c) in the way described in **subsection (2)(bb)** is, unless the contrary is shown, treated as having been served on the person at the time the electronic communication containing the notification of the infringement notice is listed as sent in the information system used to send the electronic communication ~~first enters an information system outside the control of the person sending the notification.~~ 30 35
- (4) For the purposes of **subsection (3)(b) and (c)**, in proving the sending of an electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent.

Service of reminder notice

- (5) Despite section 24(1)(e) of the Summary Proceedings Act 1957, a reminder notice may be served on a person for the purposes of section 21(2) of that Act by serving the notice in accordance with **subsection (2)(ba) or (bb)** in addition to the other modes of service set out in section 24(1) of that Act and without otherwise limiting or affecting the operation of section 24 of that Act.

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Part 6**Amendments to Road User Charges Act 2012****113 Principal Act**

This Part amends the Road User Charges Act 2012.

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114 Section 55 amended (Review of assessment)

Replace section 55(2)(b) with:

- (b) include the applicant's full name, address, and any mobile phone number, other phone number, and electronic address that the applicant has; and

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115 Schedule 2 amended

- (1) In Schedule 2, replace clause 1(3)(c) with:

- (c) by sending the notice to the person's electronic address:
 (ca) by sending an electronic notification to the person that states where they can access the notice electronically (if the person has agreed to that method of electronic notification and access to be notified of electronic notices in that way):

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- (2) In Schedule 2, replace clause 1(4) with:

- (4) For the purposes of subclause (3), a notice given sent—

- (a) by post is, unless the contrary is shown, treated as having been given at the time the notice would have been delivered in the ordinary course of the post: 25
 (b) to an electronic address under **subclause (3)(c)** is, unless the contrary is shown, treated as having been delivered at the time the electronic communication containing the notice first enters an information system that is outside the control of the person giving the notice: 30
 (c) in the way described in **subclause (3)(ca)** is, unless the contrary is shown, treated as having been delivered at the time the electronic communication containing the notification of the notice is listed as sent in the information system used to send the electronic communication first enters an information system outside the control of the person sending the notification. 35

- (5) For the purposes of **subclause (4)(b) and (c)**, in proving the sending of an electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent.
- (6) In this clause, **electronic address**, in relation to a person, means—
- (a) an electronic address that the person has given to the RUC collector; or 5
 - (b) if no electronic address is given, the person's last known electronic address.
- (3) In Schedule 2, replace clause 2(3)(b) with:
- (b) by sending the notice to a designated electronic address; or
- (4) In Schedule 2, replace clause 2(4) with: 10
- (4) For the purposes of subclause (3), a notice given—
- (a) by post is, unless the contrary is shown, treated as having been given at the time the notice would have been delivered in the ordinary course of the post:
 - (b) to an electronic address under **subclause (3)(b)** is, unless the contrary 15
is shown, treated as having been delivered at the time the electronic communication containing the notice first enters an information system that is outside the control of the person giving the notice and, in proving the sending, it is sufficient to prove that the electronic communication was properly addressed and sent. 20

Part 7

Miscellaneous amendments and related amendments to other legislation

Subpart 1—Miscellaneous amendments and related amendments to other Acts 25

Amendments to Auckland Airport Act 1987

116 Principal Act

Sections 117 to 121 amend the Auckland Airport Act 1987.

117 Section 2 amended (Interpretation)

- (1) In section 2, definition of **constituent authority**, replace “the Schedule” with “Schedule 2”. 30
- (2) In section 2, definition of **contributing percentage**, replace “the Schedule” with “Schedule 2”.
- (3) In section 2, definition of **shareholding percentage**, replace “the Schedule” with “Schedule 2”. 35

118 New section 2A inserted (Transitional, savings, and related provisions)

After section 2, insert:

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms.

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119 Section 4 amended (Incorporation of company to own and operate Auckland International Airport)

In section 4(7), replace “1955, section 3A of the Airport Authorities Act 1966, or sections 228 to 230 of the Civil Aviation Act 2023” with “1955 or section 3A of the Airport Authorities Act 1966”.

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120 New Schedule 1 inserted

Insert the **Schedule 1** set out in **Schedule 1** of this Act as the first schedule to appear after the last section of the principal Act.

121 Schedule amended

In the Schedule heading, replace “**Schedule**” with “**Schedule 2**”.

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Amendment to Child Protection (Child Sex Offender Government Agency Registration) Act 2016

122 Principal Act

Section 123 amends the Child Protection (Child Sex Offender Government Agency Registration) Act 2016.

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123 Section 28 amended (Additional matters to be provided)

Replace section 28(1)(a) and (b) with:

(a) present for inspection—

- (i) the registrable offender’s physical driver licence (if any); or
- (ii) the registrable offender’s electronic driver licence in a manner that accords with the Land Transport Act 1998 and any regulations or rules made under that Act; or
- (iii) any other document or form of identification reasonably required by the constable or authorised person receiving the report to verify or support details in the report; and

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(b) if not the registrable offender, present for inspection—

- (i) the person’s physical driver licence (if any); or
- (ii) the person’s electronic driver licence in a manner that accords with the Land Transport Act 1998 and any regulations or rules made under that Act; or

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- (iii) any other document or form of identification reasonably required by the constable or authorised person receiving the report.

Amendments to Civil Aviation Act 2023

124 Principal Act

Sections 125 and 126 amend the Civil Aviation Act 2023. 5

125 Section 252 amended (Sale of alcohol at international airports)

In section 252(3)(a), replace “subsection (1)(a) or (b) (as the case requires)” with “subsection (1)”.

126 Section 418 amended (Governor-General may impose levies)

After section 418(5), insert: 10

- (5A) Regulations made under this section must not impose a levy in respect of the costs that are otherwise recovered or otherwise to be recovered under the Airports (Cost Recovery for Processing of International Travellers) Act 2014.

Amendments to Prostitution Reform Act 2003

127 Principal Act

Section 128 amends the Prostitution Reform Act 2003. 15

128 Section 35 amended (Application for, and grant of, certificates)

- (1) In section 35(4)(d), after “manner”, insert “, or verification of identity by presenting an electronic driver licence in a manner that accords with the Land Transport Act 1998 and any regulations or rules made under that Act”. 20
- (2) In section 35(5)(a), replace “photocopy and photographs” with “photographs and provides the required photocopy or presents an electronic driver licence”.

Amendment to Search and Surveillance Act 2012

128A Principal Act

Section 128B amends the Search and Surveillance Act 2012. 25

128B Schedule 2 amended

In Schedule 2, after the item relating to section 120 of the Radiocommunications Act 1989, insert:

<u>Railways Act 2005</u>	72E	<u>Inspector may obtain and execute search warrant to enter home or marae to exercise powers in section 72D</u>	<u>Subpart 3</u>
	72G	<u>Inspector who has entered a vehicle, building, or place under section 72D or 72E may take or remove sample of any material, substance,</u>	<u>Sections 154, 155, and 159</u>

	<u>or thing for analysis, or seize and retain any material, substance, or thing for specified purposes</u>	
<u>72H</u>	<u>Specified person may obtain and execute search warrant in relation to vehicle, building, or place to search for evidence of contravention of the Railways Act 2005 that is suspected to have caused an accident or incident</u>	<u>All (except that sections 118 and 119 apply to constables only)</u>

Amendments to Transport Accident Investigation Commission Act 1990

129 Principal Act

Section 130 amends the Transport Accident Investigation Commission Act 1990.

130 Section 13 amended (Accidents to be investigated) 5

- (1) In the heading to section 13, after “**Accidents**”, insert “**and incidents**”.
- (2) In section 13(6)(b), after “accident”, insert “or incident” in each place.

Amendments to Wellington Airport Act 1990

131 Principal Act

Sections 132 to 134 amend the Wellington Airport Act 1990. 10

132 New section 2A inserted (Transitional, savings, and related provisions)

After section 2, insert:

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms. 15

133 Section 4 amended (Incorporation of company to own and operate Wellington International Airport)

In section 4(8), replace “, section 3A of the Airport Authorities Act 1966, or sections 228 to 230 of the Civil Aviation Act 2023” with “or section 3A of the Airport Authorities Act 1966”. 20

134 New Schedule 1 inserted

Insert the **Schedule 1** set out in **Schedule 2** of this Act as the first schedule to appear after the last section of the principal Act.

Subpart 2—Miscellaneous amendments and related amendments to secondary legislation

Amendments to Land Transport (Driver Licensing) Rule 1999

135 Principal rule

Sections 136 to 138 amend the Land Transport (Driver Licensing) Rule 1999. 5

136 Clause 10 amended (Content of application)

After clause 10(b), insert:

- (ba) the applicant’s electronic address (if the applicant has an electronic address); and 10
- (bb) the applicant’s mobile phone number (if the applicant has a mobile phone number); and

137 New clause 14A inserted (Change of address)

After clause 14, insert:

14A Change of address 15

If the residential, postal, or electronic address of a person who holds a licence under Part 4 changes, that person must notify the Agency of the new address as soon as practicable.

138 Clause 19C amended (Form of application)

After clause 19C(2)(a), insert: 20

- (aa) the applicant’s electronic address (if the applicant has an electronic address):
- (ab) the applicant’s mobile phone number (if the applicant has a mobile phone number):

Amendments to Land Transport (Infringement and Reminder Notices) Regulations 2012 25

139 Principal regulations

Sections 140 to 148 amend the Land Transport (Infringement and Reminder Notices) Regulations 2012.

140 Schedule 1 amended 30

- (1) In Schedule 1, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”.
- (2) In Schedule 1, under the heading “**To user of vehicle**”, after “Electronic address”, insert “(if applicable)”.

- (3) In Schedule 1, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

141 Schedule 1A amended

- (1) In Schedule 1A, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 5
- (2) In Schedule 1A, under the heading “**To:**”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 1A, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

142 Schedule 2 amended 10

- (1) In Schedule 2, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”.
- (2) In Schedule 2, under the heading “**To**”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 2, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”. 15

143 Schedule 3 amended

- (1) In Schedule 3, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”.
- (2) In Schedule 3, under the heading “**To heavy motor vehicle user**”, after “Electronic address”, insert “(if applicable)”. 20
- (3) In Schedule 3, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

144 Schedule 4 amended

- (1) In Schedule 4, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 25
- (2) In Schedule 4, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

145 Schedule 5 amended

- (1) In Schedule 5, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 30
- (2) In Schedule 5, under the heading “**To defendant**”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 5, under the heading “**Service details**”, delete “(if permitted)” in each place. 35

- (4) In Schedule 5, under the heading “**Defences relating to moving vehicle offences and special vehicle lane offences**”, paragraph 8(c)(i), replace “and telephone number” with “mobile phone number, and any other phone number”.
- (5) In Schedule 5, under the heading “**Defences relating to stationary vehicle offences**”, paragraph 12(c)(i), replace “and telephone number” with “mobile phone number, and any other phone number”. 5
- (6) In Schedule 5, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

146 Schedule 6 amended

- (1) In Schedule 6, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 10
- (2) In Schedule 6, under the heading “**To driver of vehicle/registered person of the vehicle***”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 6, under the heading “**Procedures for payment of infringement fee**”, replace “*Earliest date notice delivered personally or posted*” with “*Earliest date notice delivered personally, by post, or by electronic means*”. 15
- (4) In Schedule 6, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

147 Schedule 7 amended

- (1) In Schedule 7, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 20
- (2) In Schedule 7, under the heading “**To defendant**”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 7, under the heading “**Service details**”, delete “(if permitted)” in each place. 25
- (4) In Schedule 7, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

148 Schedule 8 amended

- (1) In Schedule 8, replace “Address for correspondence and payment” with “Address or method for correspondence and payment”. 30
- (2) In Schedule 8, under the heading “**To user of vehicle**”, after “Electronic address”, insert “(if applicable)”.
- (3) In Schedule 8, under the heading “**Defences relating to special vehicle lane offences**”, paragraph 8(c)(i), replace “and telephone number” with “mobile phone number, and any other phone number”. 35
- (4) In Schedule 8, under the heading “**Next steps**”, replace “address for replies” with “electronic or physical address for replies”.

*Amendments to Land Transport (Motor Vehicle Registration and Licensing)
Regulations 2011*

149 Principal regulations

Sections 150 to 163 amend the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011.

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150 Regulation 3 amended (Interpretation)

In regulation 3, insert in their appropriate alphabetical order:

electronic licence, in relation to a motor vehicle, means a licence in electronic format

licence, in relation to a motor vehicle, means a licence that is issued for the motor vehicle under Part 17 of the Act and includes—

10

(a) an electronic licence; and

(b) a physical licence

physical licence, in relation to a motor vehicle, means a licence in physical format

15

151 Regulation 4 amended (Application for registration of motor vehicle)

After regulation 4(1)(d), insert:

(da) provide the electronic address of that person (if they have an electronic address); and

152 Regulation 11 amended (Application for licence)

20

After regulation 11(1)(d), insert:

(da) provide the electronic address of the registered person (if they have an electronic address); and

153 Regulation 15 amended (Form of licence)

(1) In the heading to regulation 15, after “of”, insert “**physical**”.

25

(2) In regulation 15, replace “The licence” with “A physical licence”.

154 Regulation 16 amended (Display of licences)

(1) In the heading to regulation 16, after “of”, insert “**physical**”.

(2) In regulation 16(1), replace “The licence” with “A physical licence”.

155 Regulation 17 amended (Change of use of motor vehicle)

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Replace regulation 17(2)(a) with:

(a) surrender or proof of destruction of an existing physical licence (if any);
and

156 Regulation 18 amended (Change of address)

In regulation 18, insert as subclause (2):

- (2) An address under **subclause (1)** includes an electronic address.

157 Regulation 24 amended (Application for trade plates)

After regulation 24(1)(d), insert:

5

- (da) provide the electronic address of that person (if they have an electronic address); and

158 Regulation 28 amended (Application for supplementary plates)

After regulation 28(1)(d), insert:

- (da) provide the electronic address of the registered person (if they have an electronic address); and 10

159 Regulation 46 amended (Notice by person who sells motor vehicle)

- (1) Replace regulation 46(1)(b) with:

- (b) the full name of the person selling the motor vehicle and— 15
- (i) the electronic address of that person (if they have an electronic address); and
 - (ii) the mobile phone number of that person (if they have a mobile phone number); and
 - (iii) at the Registrar's discretion,— 20
 - (A) that person's full residential or business address within New Zealand (as provided by that person); and
 - (B) if it differs from the address provided under **subsubparagraph (A)**, the full postal address of that person (as provided by that person); and

- (2) Replace regulation 46(1)(c) with: 25

- (c) the full name of the person to be registered in respect of the motor vehicle and—
- (i) the electronic address of that person (if they have an electronic address); and
 - (ii) the mobile phone number of that person (if they have a mobile phone number); and 30
 - (iii) that person's full residential or business address within New Zealand (as provided by that person); and
 - (iv) if it differs from the address provided under **subparagraph (iii)**, the full postal address of that person (as provided by that person); and 35

160 Regulation 48 amended (Notice by person who acquires motor vehicle)

After section 48(1)(c), insert:

- (ca) the electronic address of that person (if they have an electronic address); and

161 Regulation 49 amended (Recording change of particulars of registered person) 5

Replace regulation 49(1)(a) with:

- (a) record on the register of motor vehicles—
 - (i) the full name of the person who is to be registered in respect of the motor vehicle; and 10
 - (ii) that person's full address; and
 - (iii) that person's electronic address (if they have an electronic address); and

162 Regulation 60 amended (Replacement certificates and licences, and duplicate and replacement plates) 15

After regulation 60(1)(c), insert:

- (ca) the electronic address of the registered person (if they have an electronic address); and

163 Schedule 1 amended 20

In the Schedule 1 heading, after “**of**”, insert “**physical**”.

*Amendments to Land Transport (Offences and Penalties) Regulations 1999***164 Principal regulations**

Sections 165 to 169 amend the Land Transport (Offences and Penalties) Regulations 1999.

165 Regulation 4 amended (Infringement offences) 25

Replace regulation 4(2) with:

- (2) The infringement fee for an offence referred to in subclause (1) is,—
 - (a) in the case of an individual,—
 - (i) the infringement fee specified in relation to that offence in the fifth column of Schedule 1; or 30
 - (ii) if Schedule 1 directs,—
 - (A) the amount determined by the relevant scale set out in Schedule 1B; or

- (B) if a road controlling authority has made a bylaw in accordance with **section 22AB(1)(o)(viii)** of the Act prescribing an infringement fee for a lesser amount, the lesser amount:
- (b) in the case of a body corporate,—
- (i) the infringement fee specified in relation to that offence in the sixth column of Schedule 1; or
- (ii) if Schedule 1 directs,—
- (A) the amount determined by the relevant scale set out in Schedule 1B; or
- (B) if a road controlling authority has made a bylaw in accordance with **section 22AB(1)(o)(viii)** of the Act prescribing an infringement fee for a lesser amount, the lesser amount.

166 Schedule 1 amended

- (1) In Schedule 1, first item relating to section 34(1)(b) of the Land Transport Act 1998, second column, after “displaying”, insert “or having electronically available”. 15
- (2) In Schedule 1, second item relating to section 34(1)(b) of the Land Transport Act 1998, second column, after “displaying”, insert “or having electronically available”.
- (3) In Schedule 1, after the item relating to section ~~57C(4)~~ 60A(1)(b) of the Land Transport Act 1998, insert: 20

79EA(1) or (2)	Having control, or permitting a person to have control, of a licensed transport service without the approval of the Director of Land Transport	1,000 =	2,000 =	500	1,000
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166A Schedule 1B amended

In Schedule 1B, Part 1, replace item 1 with:

1	Any breach of rule 6.4(1) of the Land Transport (Road User) Rule 2004 involving parking on a road in breach of a local authority bylaw, <u>in excess of a period fixed by a meter or otherwise, where the excess time is—</u>	
	<u>not more than 30 minutes</u>	<u>20 or such lesser amount as is fixed by the local authority</u>
	<u>more than 30 minutes but not more than 1 hour</u>	<u>25 or such lesser amount as is fixed by the local authority</u>
	<u>more than 1 hour but not more than 2 hours</u>	<u>36 or such lesser amount as is fixed by the local authority</u>

<u>more than 2 hours but not more than 4 hours</u>	<u>51 or such lesser amount as is fixed by the local authority</u>
<u>more than 4 hours but not more than 6 hours</u>	<u>71 or such lesser amount as is fixed by the local authority</u>
<u>more than 6 hours</u>	<u>97 or such lesser amount as is fixed by the local authority</u>

167 Schedule 3 amended

- (1) In Schedule 3, Part 1, paragraph 2, after “surrender your”, insert “physical”.
- (2) In Schedule 3, Part 2, paragraph 8, after “circumstances your”, insert “physical driver”.

168 Schedule 6 amended

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- (1) In Schedule 6, Parts 1 and 2, replace “Of [*full address*]” with “Full address”.
- (2) In Schedule 6, Parts 1 and 2, after the item relating to full address, insert:
Electronic address (if applicable):

169 Schedule 7 amended

In Schedule 7, item relating to section 34(1)(b) of the Land Transport Act 1998, second column, after “displaying”, insert “or having electronically available”.

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*Amendments to Land Transport (Regulatory Fees) Regulations 2023***170 Principal regulations**

Section 171 amends the Land Transport (Regulatory Fees) Regulations 2023.

15

171 Regulation 17 amended (Fees relating to transport service licence)

- (1) Replace regulation 17(2)(b) with:
 - (b) if a person is applying to the Director to have control of a licensed transport service under **section 30LA** of the Act, the holder of the transport service licence.
- (2) Replace regulation 17(4)(b) with:
 - (b) a person specified in an application under **section 30LA** of the Act to be approved to have control of a transport service.

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*Amendments to Land Transport Rule: Operator Licensing 2017***172 Principal rule**

Sections 173 and 174 amend the Land Transport Rule: Operator Licensing 2017.

173 Clause 2.2 amended (Application for transport service licence) 5

(1) After clause 2.2(c), insert:

(ca) the applicant's electronic address (if the applicant has an electronic address); and

(2) Replace clause 2.2(e) with:

(e) the full name of any person who is to have control of the service and that person's residential address and electronic address (if they have an electronic address); and 10

174 Clause 2.4 amended (Transport service licence holder to notify Director of certain changes)

(1) Revoke clause 2.4(1)(b) and (2)(a). 15

(2) In clause 2.4(1)(c), replace "business or residential" with "business, residential, or electronic".

(3) In clause 2.4(2)(b), replace "that person or persons" with "the natural person or persons (not being bodies corporate) who, in fact, have control of that body corporate". 20

(4) After clause 2.4(2)(c), insert:

(ca) a change in the electronic address of that person or those persons:

(5) In clause 2.4(5), delete "or 2.4(2)(a)".

*Amendments to Land Transport Rule: Vehicle Standards Compliance 2002***175 Principal rule 25**

Sections 176 to 178 amend the Land Transport Rule: Vehicle Standards Compliance 2002.

176 Clause 11.3 amended (Revocation of evidence of vehicle inspection, conditional permits, certificates of loading, and records of determination)

(1) In clause 11.3(1), replace "a vehicle's operator" with "the registered person or the operator of a vehicle". 30

(2) After clause 11.3(1), insert:

11.3(1A) The Director may revoke, by giving written notice to the registered persons or the operators of relevant vehicles, evidence of vehicle inspection or a conditional permit or a record of determination issued under this rule for a class of vehicles if the Director is satisfied, on reasonable grounds, that— 35

	(a) the revocation is necessary to address a safety issue that has been identified in relation to vehicles of that class; and	
	(b) the safety issue has the potential to cause injury or death to any person or damage to property.	
11.3(1B)	As soon as practicable after giving notice under 11.3(1A) , the Director must notify the chief executive of the Ministry of the notice and the reasons for giving it.	5
(3)	In clause 11.3(2), replace “a vehicle’s operator” with “the registered person or the operator of a vehicle”.	
177	New clause 11.9 inserted (Director may require further inspection of registered-motor vehicle)	10
	After clause 11.8, insert:	
11.9	Director may require further inspection of registered-motor vehicle	
(1)	The Director may, if satisfied that it is necessary to address a safety issue that has been identified, require a person referred to in 11.9(2) to present their vehicle for—	15
	(a) warrant of fitness inspection and certification; or	
	(b) certificate of fitness inspection and certification.	
(2)	The persons are—	
	(a) the registered person for a-motor vehicle:	20
	(b) all registered persons for a class of-motor vehicles:	
	(c) the operator of a-motor vehicle:	
	(d) all operators of a class of-motor vehicles.	
(3)	The Director must notify a person of the requirement under 11.9(1) , including the time frame within which the requirement must be complied with.	25
(4)	If a requirement applies to a class of-motor vehicles, the Director must also notify the requirement—	
	(a) in the <i>Gazette</i> ; and	
	(b) on an internet site maintained by the Agency.	
(5)	The registered person or operator must comply with a requirement under 11.9(1) even if the vehicle has a current warrant of fitness or certificate of fitness.	30
(6)	If a registered person or operator does not comply with a requirement under 11.9(1) , the Director may revoke the current warrant of fitness or certificate of fitness.	35
(7)	In this section, class , in relation to a vehicle, means a class or type of vehicle including a group of vehicles sharing a particular characteristic <u>or having been subject to shared or materially similar circumstances</u> .	

178 Part 2 amended

In Part 2, insert in its appropriate alphabetical order:

registered person has the same meaning as in *section 233(1) of the Land Transport Act 1998*

Amendments to Local Government (Infringement Fees for Offences: Southland Regional Council Navigation Safety Bylaws 2009) Regulations 2009 5

179 Principal regulations

Section 180 amends the Local Government (Infringement Fees for Offences: Southland Regional Council Navigation Safety Bylaws 2009) Regulations 2009. 10

180 Schedule 2 amended

- (1) In Schedule 2, under the heading “**To**”, after the item relating to full address, insert:

Email address (if known):

- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 15
- (3) In Schedule 2, under the heading “**Method of payment**”, replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”.

Amendments to Marine Protection (Offences) Regulations 1998 20

181 Principal regulations

Sections 182 and 183 amend the Marine Protection (Offences) Regulations 1998.

182 Schedule 2 amended

- (1) In Schedule 2, after the item relating to full address, insert: 25
- Email address (if known):
- (2) In Schedule 2, under the heading “**Payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.
- (3) In Schedule 2, under the heading “**Do not detach**”, replace “both copies of this notice” with “both copies of this notice, or cite the infringement notice number at the top of this notice,”. 30

183 Schedule 3 amended

- (1) In Schedule 3, item relating to person to whom infringement notice issued, after the item relating to telephone number, insert: 35
- Email address (if known):
- (2) In Schedule 3, under the heading “**payment of infringement fee**”,—

- (a) replace “*delivered personally or posted*” with “*served*” in each place; and
- (b) replace “return this notice” with “return this notice, or cite the reminder notice number at the top of this notice,”.

Amendments to Maritime (Offences) Regulations 1998

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184 Principal regulations

Sections 185 and 186 amend the Maritime (Offences) Regulations 1998.

185 Schedule 2 amended

- (1) In Schedule 2, after the Schedule 2 heading, insert:
Notice No: 10
- (2) In Schedule 2, after the item relating to full address, insert:
Email address (if known):
- (3) In Schedule 2, under the heading “**Payment of infringement fee(s)**”, replace “delivered personally, or served by post” with “served”.
- (4) In Schedule 2, under the heading “**Do not detach**”, replace “both copies of this notice” with “both copies of this notice, or cite the infringement notice number at the top of this notice,”. 15

186 Schedule 3 amended

- (1) In Schedule 3, item relating to person to whom infringement notice issued, after the item relating to telephone number, insert:
Email address (if known): 20
- (2) In Schedule 3, under the heading “**Payment of infringement fee**”,—
 - (a) replace “*delivered personally or posted*” with “*served*” in each place; and
 - (b) replace “return this notice” with “return this notice, or cite the reminder notice number at the top of this notice,”. 25

Amendments to Maritime Transport Act (Conventions) Order 1994

187 Principal order

Sections 188 to 190 amend the Maritime Transport Act (Conventions) Order 1994. 30

188 New clause 1A inserted (Transitional, savings, and related provisions)

After clause 1, insert:

1A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms. 35

189 Clause 2 amended (Specified international conventions and specified amendments declared to be conventions for purposes of Parts 1 to 15 of Maritime Transport Act 1994)

- (1) In the heading to clause 2, delete “**and specified amendments**”.
- (2) In clause 2(1), replace “the Schedule” with “**Schedule 2**”. 5
- (3) Revoke clause 2(2).

190 Schedule replaced

Replace the Schedule with the **Schedules 1 and 2** set out in **Schedule 3** of this Act.

Amendments to Maritime Transport (Infringement Fees for Offences—Auckland Council Navigation Bylaw 2021) Regulations 2021 10

191 Principal regulations

Section 192 amends the Maritime Transport (Infringement Fees for Offences—Auckland Council Navigation Bylaw 2021) Regulations 2021.

192 Schedule 2 amended 15

- (1) In Schedule 2, under the heading “**Details of person infringement notice served on**”, after the item relating to telephone number, insert:

*Email address:

- (2) In Schedule 2, under the heading “**Payment of infringement fee(s)**”,—
 - (a) replace “*delivered personally, or served by post*” with “*served*”; and 20
 - (b) replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”.

Amendments to Maritime Transport (Infringement Fees for Offences—Bay of Plenty Regional Navigation Safety Bylaw 2017) Regulations 2017

193 Principal regulations 25

Section 194 amends the Maritime Transport (Infringement Fees for Offences—Bay of Plenty Regional Navigation Safety Bylaw 2017) Regulations 2017.

194 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to telephone number(s), insert: 30
Email address (if known):
- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.

*Amendments to Maritime Transport (Infringement Fees for Offences—
Gisborne District Navigation and Safety Bylaw 2012) Regulations 2015*

195 Principal regulations

Section 196 amends the Maritime Transport (Infringement Fees for Offences—Gisborne District Navigation and Safety Bylaw 2012) Regulations 2015. 5

196 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to full address, insert:
Email address (if known): 10
- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.
- (3) In Schedule 2, under the heading “**Method of payment**”, replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”. 15

*Amendment to Maritime Transport (Infringement Fees for Offences—Hawke’s
Bay Regional Council Navigation and Safety Bylaw 2018) Regulations 2019*

197 Principal regulations

Section 198 amends the Maritime Transport (Infringement Fees for Offences—Hawke’s Bay Regional Council Navigation and Safety Bylaw 2018) Regulations 2019. 20

198 Schedule 2 amended

In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.

*Amendments to Maritime Transport (Infringement Fees for Offences—Kai Iwi
Lakes Navigation Safety Bylaw 2017) Regulations 2019* 25

199 Principal regulations

Section 200 amends the Maritime Transport (Infringement Fees for Offences—Kai Iwi Lakes Navigation Safety Bylaw 2017) Regulations 2019.

200 Schedule 2 amended 30

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to telephone number(s), insert:
Email address (if known):
- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 35

Amendment to Maritime Transport (Infringement Fees for Offences—Lake Taupō Navigation Safety Bylaw 2017) Regulations 2017

201 Principal regulations

Section 202 amends Maritime Transport (Infringement Fees for Offences—Lake Taupō Navigation Safety Bylaw 2017) Regulations 2017. 5

202 Schedule 2 amended

In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.

Amendments to Maritime Transport (Infringement Fees for Offences—Manawatū River and Tributaries Navigation Safety Bylaw 2022) Regulations 2023 10

203 Principal regulations

Section 204 amends the Maritime Transport (Infringement Fees for Offences—Manawatū River and Tributaries Navigation Safety Bylaw 2022) Regulations 2023. 15

204 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Details of person infringement notice issued to**”, after the item relating to telephone number, insert:

*Email address:

- (2) In Schedule 2, under the heading “**Payment of infringement fee**”,— 20
- (a) replace “*delivered personally, or served by post*” with “*served*”; and
 - (b) replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice.”.

Amendments to Maritime Transport (Infringement Fees for Offences—Nelson City Council Navigation Safety Bylaw 2012) Regulations 2015 25

205 Principal regulations

Section 206 amends the Maritime Transport (Infringement Fees for Offences—Nelson City Council Navigation Safety Bylaw 2012) Regulations 2015.

206 Schedule 2 amended 30

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to address, insert:

Email address (if known):

- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 35

- (3) In Schedule 2, under the heading “**Method of payment**”, replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”.

Amendments to Maritime Transport (Infringement Fees for Offences—Northland Regional Navigation Safety Bylaw 2017) Regulations 2018 5

207 Principal regulations

Section 208 amends the Maritime Transport (Infringement Fees for Offences—Northland Regional Navigation Safety Bylaw 2017) Regulations 2018.

208 Schedule 2 amended 10

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to telephone number(s), insert:

Email address (if known):

- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 15

Amendments to Maritime Transport (Infringement Fees for Offences—Otago Regional Council Navigation Safety Bylaw 2020) Regulations 2023

209 Principal regulations

Section 210 amends the Maritime Transport (Infringement Fees for Offences—Otago Regional Council Navigation Safety Bylaw 2020) Regulations 2023. 20

210 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Details of person infringement notice issued to**”, after the item relating to telephone number, insert:

*Email address:

- (2) In Schedule 2, under the heading “**Payment of infringement fee**”, replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”. 25

Amendment to Maritime Transport (Infringement Fees for Offences—Queenstown Lakes District Council Navigation Safety Bylaw 2018) Regulations 2019 30

211 Principal regulations

Section 212 amends the Maritime Transport (Infringement Fees for Offences—Queenstown Lakes District Council Navigation Safety Bylaw 2018) Regulations 2019. 35

212 Schedule 2 amended

In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.

Amendments to Maritime Transport (Infringement Fees for Offences—Queenstown Lakes District Council Shotover River Bylaw 2021) Regulations 2021 5

213 Principal regulations

Section 214 amends the Maritime Transport (Infringement Fees for Offences—Queenstown Lakes District Council Shotover River Bylaw 2021) Regulations 2021. 10

214 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Details of person infringement notice issued to**”, after the item relating to telephone number, insert:

Email address (if known):

- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 15

Amendments to Maritime Transport (Infringement Fees for Offences Relating to Major Maritime Events) Regulations 1999

215 Principal regulations

Section 216 amends the Maritime Transport (Infringement Fees for Offences Relating to Major Maritime Events) Regulations 1999. 20

216 Schedule amended

- (1) In the Schedule, under the heading “**Enforcement authority**”, after the item relating to full address, insert:

Email address (if known):

- (2) In the Schedule, under the heading “**Payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 25

- (3) In the Schedule, replace “both copies of this notice” with “both copies of this notice, or cite the infringement notice number at the top of this notice,”.

Amendments to Maritime Transport (Infringement Fees for Offences—Tasman District Council Consolidated Bylaw, Chapter 5: Navigation Safety Bylaw 2015) Regulations 2016

217 Principal regulations

Section 218 amends the Maritime Transport (Infringement Fees for Offences—Tasman District Council Consolidated Bylaw, Chapter 5: Navigation Safety Bylaw 2015) Regulations 2016. 5

218 Schedule 2 amended

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to telephone number, insert: 10
Email address (if known):
- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”.

Amendments to Maritime Transport (Infringement Fees for Offences—Waikato Regional Council Navigation Safety Bylaw 2013) Regulations 2015 15

219 Principal regulations

Section 220 amends the Maritime Transport (Infringement Fees for Offences—Waikato Regional Council Navigation Safety Bylaw 2013) Regulations 2015.

220 Schedule 2 amended 20

- (1) In Schedule 2, under the heading “**Person served**”, after the item relating to full address, insert: 20
Email address (if known):
- (2) In Schedule 2, under the heading “**Time for payment of infringement fee(s)**”, replace “*delivered personally, or served by post*” with “*served*”. 25
- (3) In Schedule 2, under the heading “**Method of payment**”, replace “notice, or a copy of this notice,” with “notice or a copy of this notice, or cite the infringement notice number at the top of this notice,”.

Amendments to Maritime Transport (Marine Protection Conventions) Order 1999 30

221 Principal order

Sections 222 to 224 amend the Maritime Transport (Marine Protection Conventions) Order 1999.

222 New clause 2A inserted (Transitional, savings, and related provisions)

After clause 2, insert: 35

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in **Schedule 1** have effect according to their terms.

223 Clause 3 amended (Specified international conventions and specified amendments declared to be marine protection conventions)

5

- (1) In the heading to clause 3, delete “**and specified amendments**”.
- (2) In clause 3(1), replace “the Schedule” with “**Schedule 2**”.
- (3) Revoke clause 3(2).

224 Schedule replaced

Replace the Schedule with the **Schedules 1 and 2** set out in **Schedule 4** of this Act. 10

*Amendments to Prostitution (Operator Certificate) Regulations 2003***225 Principal regulations**

Section 226 amends the Prostitution (Operator Certificate) Regulations 2003.

226 Regulation 6 amended (Photocopy of official identification)

15

- (1) In the heading to regulation 6, replace “**Photocopy**” with “**Presentation**”.
- (2) Replace regulation 6(1) with:
 - (1) An application in form 1 must be—
 - (a) accompanied by a photocopy of a form of official identification that contains a photograph of the applicant, such as a passport or driver licence; or
 - (b) accompanied by the presentation of an electronic driver licence under the Land Transport Act 1998 and any regulations or rules made under that Act.

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- (3) In regulation 6(2), replace “The photocopy” with “A photocopy provided under **subclause (1)(a)**”. 25

*Revocations of secondary legislation***227 Revocations of secondary legislation**

The following regulations are revoked:

- (a) Local Government (Infringement Fees for Offences—Environment Canterbury Navigation Safety Bylaws 2010) Regulations 2011 (SR 2011/328): 30
- (b) Local Government (Infringement Fees for Offences—Marlborough District Council Navigation Bylaw 2009) Regulations 2011 (SR 2011/330):

- (c) Local Government (Infringement Fees for Offences—Navigation Bylaws for Port Taranaki and its Approaches 2009) Regulations 2012 (SR 2012/274):
- (d) Local Government (Infringement Fees for Offences: Wellington Regional Navigation and Safety Bylaws) Regulations 2006 5 (SR 2006/69).

Schedule 1
New Schedule 1 of Auckland Airport Act 1987 inserted

s 120

Schedule 1
Transitional, savings, and related provisions

5

s 2A

Part 1
Provisions relating to Regulatory Systems (Transport) Amendment Act 2025

- 1 Commencement of amendment to section 4(7) by amendment Act** 10
- (1) The amendment to section 4(7) of this Act made by **section 119** of the amendment Act is treated as having come into force on 5 April 2025.
- (2) In this clause, **amendment Act** means the Regulatory Systems (Transport) Amendment Act **2025**.

Schedule 2
New Schedule 1 of Wellington Airport Act 1990 inserted

s 134

Schedule 1
Transitional, savings, and related provisions

5

s 2A

Part 1
Provisions relating to Regulatory Systems (Transport) Amendment Act 2025

- 1 Commencement of amendment to section 4(8) by amendment Act**
- (1) The amendment to section 4(8) of this Act made by **section 133** of the amendment Act is treated as having come into force on 5 April 2025.
- (2) In this clause, **amendment Act** means the Regulatory Systems (Transport) Amendment Act **2025**.

10

Schedule 3
Schedule of Maritime Transport Act (Conventions) Order 1994
replaced

s 190

Schedule 1
Transitional, savings, and related provisions

5

cl 1A

Part 1
Provisions relating to Regulatory Systems (Transport) Amendment
Act 2025

10

- 1 Existing conventions include amendments to those conventions**
- (1) A convention, protocol, or agreement specified in **Schedule 2** as inserted by the amendment Act includes any amendment to, or revision of, that convention, protocol, or agreement—
- (a) if New Zealand is a party to the amendment or revision; and
- (b) whether New Zealand became a party to the amendment or revision before, on, or after the date that the amendment Act came into force.
- (2) In this clause, **amendment Act** means the Regulatory Systems (Transport) Amendment Act **2025**.

15

Schedule 2 Conventions declared for purposes of Parts 1 to 15 of Maritime Transport Act 1994	
	cl 2
Convention on the International Maritime Organization, 1948	5
Convention on Facilitation of International Maritime Traffic, 1965	
International Convention on Load Lines, 1966	
Protocol of 1988 relating to the International Convention on Load Lines, 1966	
International Convention on Tonnage Measurement of Ships, 1969	
International Convention for Safe Containers, 1972	10
Convention on the International Regulations for Preventing Collisions at Sea, 1972	
International Convention for the Safety of Life at Sea, 1974	
Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974	
Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974	15
Convention on the International Mobile Satellite Organization, 1976	
International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978	
International Convention on Maritime Search and Rescue, 1979	20
International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995	
Maritime Labour Convention, 2006	

Schedule 4
Schedule of Maritime Transport (Marine Protection Conventions)
Order 1999 replaced

s 224

Schedule 1
Transitional, savings, and related provisions

5

cl 2A

Part 1
Provisions relating to Regulatory Systems (Transport) Amendment
Act 2025

10

- 1 Existing marine protection conventions include amendments to those conventions**
- (1) A convention, protocol, or agreement specified in **Schedule 2** as inserted by the amendment Act includes any amendment to, or revision of, that convention, protocol, or agreement—
- (a) if New Zealand is a party to the amendment or revision; and
- (b) whether New Zealand became a party to the amendment or revision before, on, or after the date that the amendment Act came into force.
- (2) In this clause, **amendment Act** means the Regulatory Systems (Transport) Amendment Act **2025**.

15

20

Schedule 2

Marine protection conventions

cl 3

International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969	5
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended	
Protocol R relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973	
International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto	10
• Annex I—Regulations for the Prevention of Pollution by Oil • Annex II—Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk • Annex III—Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form • Annex V—Prevention of Pollution by Garbage from Ships • Annex VI—Prevention of Air Pollution from Ships	15
Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto	20
United Nations Convention on the Law of the Sea, 1982	
International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990	
Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969	25
Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971	
1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972	
International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001	30
Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992	
International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004	

Regulatory Systems (Transport) Amendment Bill

Legislative history

14 August 2025

19 August 2025

Introduction (Bill 194–1)

First reading and referral to Transport and Infrastructure
Committee