Statutes Amendment Act 2019

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Commencement	see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Statutes Amendment Act 2019.

2 Commencement

(1) Sections 47 and 48 come into force on 1 July 2020.

(2) Part 39 comes into force on 1 July 2020.

(3) The rest of this Act comes into force on the day after the date of Royal assent.

Part 1
Anti-Money Laundering and Countering Financing of Terrorism Act 2009

3 Principal Act

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

4 Section 38 amended (Prohibition on false customer names and customer anonymity)

In section 38(2)(b), after "New Zealand Security Intelligence Service", insert "or for the Government Communications Security Bureau".

5 Section 140 amended (Power to use and disclose information supplied or obtained under other enactments for AML/CFT purposes)

After section 140(2)(h), insert:

(ha) the Financial Service Providers (Registration and Dispute Resolution) Act 2008:

Part 2
Armed Forces Discipline Act 1971

6 Principal Act

This Part amends the Armed Forces Discipline Act 1971 (the **principal Act**).

7 Section 2 amended (Interpretation)

(1) In section 2(1), repeal the definition of **Commonwealth force**.

(2) In section 2(1), replace the definition of **provost officer** with:

provost officer means an officer who—

(a) is not a midshipman, an officer cadet, or a chaplain; and

(b) is any of the following:

(i) a provost marshal appointed in writing by or on behalf of the Chief of Defence Force:

(ii) an assistant provost marshal appointed in writing by or on behalf of the Chief of Defence Force or by a provost marshal:

(iii) any other officer of the Navy, the Army, or the Air Force appointed in writing as a provost officer by or on behalf of the Chief of Defence Force or by a provost marshal or an assistant provost marshal:

(iv) a person attached or lent as a provost officer, with approval in writing by or on behalf of the Chief of Defence Force or by a provost marshal or an assistant provost marshal, to any part of the Armed Forces:

(v) a person seconded for service or appointed for duty as a provost officer, with approval in writing by or on behalf of the Chief of Defence Force or by a provost marshal or an assistant provost marshal, with any part of the Armed Forces

8 Section 200T replaced (Record of proceedings not to be disclosed)

Replace section 200T with:

200T Record of proceedings not to be disclosed

The record of proceedings of a court of inquiry must not be disclosed to—

(a) people who are not members of the Defence Force (within the meaning of section 2(1) of the Defence Act 1990), unless the disclosure is authorised by a superior commander of the service concerned; or

(b) members of the Defence Force unless—

(i) the members need to be aware of the contents of the record to enable them to perform their service or employment duties; or

(ii) the members are entitled to a copy of the record under the rules of procedure; or

(iii) the disclosure is authorised by a superior commander of the service concerned.

Part 3
Building Act 2004

9 Principal Act

This Part amends the Building Act 2004 (the **principal Act**).

10 Section 344 amended (Composition of Board)

Replace section 344(2) with:

(2) A member must be appointed by the Minister.

11 Section 345 amended (Criteria for appointment)

In section 345(1), replace "recommend a person for appointment" with "appoint a person".

12 Schedule 3 amended

(1) In Schedule 3, clause 1(1), replace "Governor-General" with "Minister".

(2) In Schedule 3, after clause 1(2), insert:

(3) When a member of the Board is appointed, the Minister must publish a notice in the *Gazette* confirming the appointment.

(3) In Schedule 3, clause 3(3)(c), replace "Governor-General" with "Minister".

(4) In Schedule 3, clause 7(1), replace "The Governor-General may, on the advice of the Minister given" with "The Minister may,".

(5) In Schedule 3, clause 7(1), replace "satisfaction of the Governor-General" with "satisfaction of the Minister".

(6) In Schedule 3, clause 7(2), replace "giving advice to the Governor-General" with "removing the member".

(7) In Schedule 3, clause 10(1), replace "Governor-General" with "Minister".

(8) In Schedule 3, replace clause 10(2) with:

(2) A member who is appointed under subclause (1) is appointed for a term determined by the Minister, not exceeding 3 years.

Part 4
Burial and Cremation Act 1964

13 Principal Act

This Part amends the Burial and Cremation Act 1964 (the **principal Act**).

14 Section 29B replaced (Financial statements must be audited)

Replace section 29B with:

29B Audits

(1) Subsection (2) applies, for a financial year, to trustees of cemeteries that have total operating expenditure for the financial year of $1 million or more.

(2) Trustees must ensure that the financial statements for the financial year are audited.

(3) Trustees are public entities as defined in section 4 of the Public Audit Act 2001 and, in accordance with that Act, the Auditor-General is their auditor.

Part 5
Chartered Professional Engineers of New Zealand Act 2002

15 Principal Act

This Part amends the Chartered Professional Engineers of New Zealand Act 2002 (the **principal Act**).

16 Section 49 amended (Composition of board)

In section 49, delete "Governor-General on the recommendation of the".

17 Section 50 amended (Criteria for appointment)

(1) In section 50(1), replace "recommend for appointment" with "appoint".

(2) In section 50(1)(c) and (d), delete "nominated by the Minister".

(3) Replace section 50(2) with:

(2) The Minister—

(a) must only appoint as a member of the Council a person who, in the Minister's opinion, is qualified for appointment,—

(i) having regard to the functions, duties, and powers of the Council; and

(ii) because of that person's knowledge, experience, or expertise; and

(iii) having regard to the aim that the members collectively represent the range of engineering practices and disciplines; and

(b) must not appoint a person who is a member of the governing body of the Registration Authority or an employee of the Registration Authority.

18 Section 58 replaced (Council to publish reports)

Replace section 58 with:

58 Council to publish reports

As soon as practicable after giving a report to the Minister under section 53 or 57, the Council must make the report publicly available on an Internet site maintained by or on behalf of the Council.

19 Schedule 1 amended

(1) In Schedule 1, clause 1(1), replace "Governor-General" with "Minister".

(2) In Schedule 1, after clause 1(2), insert:

(3) When a member of the Council is appointed, the Minister must publish a notice in the *Gazette* confirming the appointment.

(3) In Schedule 1, clause 3(1)(c)(iii), replace "Governor-General" with "Minister".

(4) In Schedule 1, clause 7(1), replace "The Governor-General may, on the advice of the Minister given" with "The Minister may,".

(5) In Schedule 1, clause 7(1), replace "satisfaction of the Governor-General" with "satisfaction of the Minister".

(6) In Schedule 1, replace clause 7(2) with:

(2) Before removing the member, the Minister must give the member a reasonable opportunity to make written submissions or be heard on the proposed removal.

Part 6
Citizenship Act 1977

20 Principal Act

This Part amends the Citizenship Act 1977 (the **principal Act**).

21 Section 7 amended (Citizenship by descent)

In section 7(3), delete "signed by the Secretary, or by a person authorised for the purpose by the Secretary,".

Part 7
Companies Act 1993

22 Principal Act

This Part amends the Companies Act 1993 (the **principal Act**).

23 Section 3 amended (Public notice)

(1) Replace section 3(3) with:

(3) However, subsections (1) and (2) do not apply to the public notice required to be given—

(a) by the Registrar under sections 319(1)(c), 320(1), 328(3)(a), 341(4)(b), and 360A(2)(b); and

(b) by the Secretary to the Treasury under section 324(3).

(2) In section 3(4), replace "subsection (3)" with "subsection (3)(a)".

(3) After section 3(5), insert:

(6) The public notice required to be given by the Secretary to the Treasury under the provision referred to in subsection (3)(b) must be given by publishing the notice in at least 1 issue of the *Gazette*.

(7) The Secretary to the Treasury must ensure that a copy of the notice referred to in subsection (6) is available on an Internet site maintained by or on behalf of the Treasury, at all reasonable times, for a period of not less than 20 working days.

24 Section 324 amended (Property of company removed from register)

After section 324(3), insert:

(3A) However, subsection (3) does not apply to the extent that the property is rights under a security or charge and the Secretary to the Treasury is satisfied that all amounts and all other obligations secured by the security or charge are paid, performed, or otherwise discharged.

Part 8
Contract and Commercial Law Act 2017

25 Principal Act

This Part amends the Contract and Commercial Law Act 2017 (the **principal Act**).

26 Section 336 amended (Wharf owner or warehouse owner may sell goods by public auction after 90 days)

In section 336(3)(b)(i), delete "(being the person appointed under section 210 of the Insurance (Prudential Supervision) Act 2010)".

Part 9
Court Martial Act 2007

27 Principal Act

This Part amends the Court Martial Act 2007 (the **principal Act**).

28 Section 49 amended (Judge may grant bail pending trial)

In section 49(4)(a), replace "section 8(1) and (3) of the Bail Act 2000" with "section 8(1) and (4) of the Bail Act 2000".

29 Section 82 amended (Registrar may delegate functions, duties, or powers to clerk or other officer of Court Martial)

Repeal section 82(2)(a).

Part 10
Criminal Procedure Act 2011

30 Principal Act

This Part amends the Criminal Procedure Act 2011 (the **principal Act**).

31 Section 215 amended (Right of appeal by prosecutor or defendant against certain pre-trial evidential decisions in Judge-alone case)

After section 215(2)(c), insert:

(ca) making or refusing to make a pre-trial witness anonymity order under section 110 of the Evidence Act 2006:

32 Section 375 amended (Conviction not to be recorded for infringement offences)

(1) In section 375(1)(b), replace "on convicting the defendant of that offence" with "as if the court were able to convict a defendant of the offence".

(2) After section 375(3), insert:

(3A) This section applies to every infringement offence whether or not there is an express reference to a conviction in the infringement offence provision or in any provision specifying the penalty for the infringement offence.

Part 11
Criminal Proceeds (Recovery) Act 2009

33 Principal Act

This Part amends the Criminal Proceeds (Recovery) Act 2009 (the **principal Act**).

34 Section 82 amended (Discharge of assets forfeiture order by Official Assignee)

In section 82(1)(b), replace "Secretary for Justice" with "Legal Services Commissioner".

35 Section 83 amended (Discharge of profit forfeiture order by Official Assignee)

In section 83(1)(b), replace "Secretary for Justice" with "Legal Services Commissioner".

36 Section 85 amended (Discharge of instrument forfeiture order by Official Assignee)

In section 85(b), replace "Secretary for Justice" with "Legal Services Commissioner".

Part 12
Crown Entities Act 2004

37 Principal Act

This Part amends the Crown Entities Act 2004 (the **principal Act**).

38 Section 182 repealed (Existing members exempt from qualification requirements)

Repeal section 182.

39 Section 183 repealed (Term of office of existing members other than ex officio members)

Repeal section 183.

40 Section 184 repealed (Term of office of existing ex officio members)

Repeal section 184.

41 Section 186 amended (Continuation of existing board committees)

In section 186(2), replace "an ex officio member" with "a member who holds office because the person is a representative of any part of the Public Service".

42 Section 195 repealed (Existing bank accounts)

Repeal section 195.

43 Section 196 repealed (Existing law on securities, borrowing, guarantees, indemnities, and derivative transactions continues to apply until 1 April 2005)

Repeal section 196.

Part 13
Disputes Tribunal Act 1988

44 Principal Act

This Part amends the Disputes Tribunal Act 1988 (the **principal Act**).

45 Section 49 amended (Rehearings)

In section 49(3), replace "28 days" with "20 working days".

Part 14
District Court Act 2016

46 Principal Act

This Part amends the District Court Act 2016 (the **principal Act**).

47 Section 34 replaced (Remuneration of Chief District Court Judge, principal Judges, and permanent Judges)

Replace section 34 with:

34 Remuneration of Judges

(1) A Judge must be paid, out of public money, without further appropriation than this section,—

(a) a salary at the rate determined by the Remuneration Authority; and

(b) allowances (if any) as determined by the Remuneration Authority; and

(c) any additional allowances, such as travelling allowances or other incidental or minor allowances, as the Governor-General determines.

(2) In this section, **Judge** means—

(a) the Chief District Court Judge:

(b) each principal Judge:

(c) the Principal Environment Judge:

(d) each permanent Judge (including each permanent Judge authorised to sit on a part-time basis):

(e) each acting Judge.

48 Section 35 amended (Remuneration of part-time or acting Judge)

(1) Replace the heading to section 35 with "**Salary and allowances of part-time or acting Judge**".

(2) In section 35(2), replace "section 34(a) and (c)" with "section 34(1)(a) and (c)".

49 Section 60 amended (Remuneration of Chief Community Magistrate and Community Magistrates)

After section 60(2), insert:

(2A) An Order in Council made under subsection (1)(b) or (2), or a provision of any such order, may be made so as to come into force on a specified date that is—

(a) the date on which the order is made; or

(b) any other date, whether that date is before or after the date on which the order is made.

(2B) If no date is specified under subsection (2A) for the coming into force of an Order in Council or a provision of any such order, the order or provision comes into force on the date on which the order is made.

50 Section 187 amended (Charging order in respect of land expires after 2 years)

(1) Replace the heading to section 187 with "**Expiry of charging order in respect of land**".

(2) Repeal section 187(1).

(3) In section 187(3), replace "subsection (1)" with "subsection (2)(a)".

51 Section 214 amended (Grounds for making section 213 order)

In section 214(2), delete "2 or more of".

Part 15
Electricity Act 1992

52 Principal Act

This Part amends the Electricity Act 1992 (the **principal Act**).

53 Schedule 2 amended

(1) In Schedule 2, clause 4(6), replace "the residue of the term for which the vacating member was appointed" with "a term determined by the Minister, not exceeding 3 years".

(2) In Schedule 2, clause 16(2), replace "6 sitting days" with "10 sitting days".

Part 16
Engineering Associates Act 1961

54 Principal Act

This Part amends the Engineering Associates Act 1961 (the **principal Act**).

55 Section 3 amended (Constitution of Board)

After section 3(3), insert:

(3A) A member continues in office despite the expiry of the member's term of office until—

(a) a successor is appointed; or

(b) the member is reappointed.

(3B) When a member of the Board is appointed, the Minister must publish a notice in the *Gazette* confirming the appointment.

56 Section 10 amended (Extraordinary vacancies on Board and Committee)

In section 10(3), replace "the residue of the term for which his predecessor was appointed" with "a term determined by the Minister, not exceeding 2 years".

57 New sections 10A to 10E and cross-heading inserted

After section 10, insert:

Reporting by Board

10A Board to prepare annual report

The Board must prepare an annual report on its operations for each period ending with 31 March in each year.

10B Form and content of annual report

(1) An annual report must include all the information that is necessary to enable an informed assessment to be made of the Board's performance during the year.

(2) An annual report must be in writing, and be dated and signed on behalf of the Board by 2 members.

10C Board to give annual report to Minister

The Board must give the annual report to the Minister as soon as practicable after 31 March in each year.

10D Board to publish reports

As soon as practicable after giving a report to the Minister, the Board must make the report publicly available on an Internet site maintained by or on behalf of the Board.

10E Annual reports to be presented to House of Representatives

The Minister must present a copy of the annual report to the House of Representatives no later than 10 sitting days after the date on which the Minister receives the report.

Part 17
Flags, Emblems, and Names Protection Act 1981

58 Principal Act

This Part amends the Flags, Emblems, and Names Protection Act 1981 (the **principal Act**).

59 Section 26A repealed (Power to amend Schedule 2A)

Repeal section 26A.

Part 18
Food Act 2014

60 Principal Act

This Part amends the Food Act 2014 (the **principal Act**).

61 Section 289 amended (Publish privileged statements)

Repeal section 289(4).

Part 19
Government Superannuation Fund Act 1956

62 Principal Act

This Part amends the Government Superannuation Fund Act 1956 (the **principal Act**).

63 Section 95 amended (Annual subsidies up to 1 July 1991 from Government and from funds or accounts out of which contributors' salaries are paid)

Repeal section 95(4).

Part 20
Immigration Act 2009

64 Principal Act

This Part amends the Immigration Act 2009 (the **principal Act**).

65 Section 4 amended (Interpretation)

In section 4, replace the definition of **deportation order** with:

deportation order means—

(a) an order that contains the information described in section 176 and that, when served on a person in accordance with section 175, authorises the person's deportation to be executed:

(b) an Order in Council made under section 163:

(c) a copy of the order specified in paragraph (a) or (b)

66 Section 172 amended (Minister may cancel or suspend liability for deportation)

(1) In section 172(2), after "written notice", insert "(a **suspension notice**)".

(2) In section 172(3), replace "notice under subsection (2)" with "suspension notice".

(3) In section 172(3)(a), after "notice", insert "(a **reactivation notice**)".

(4) Replace section 172(3)(b) with:

(b) subject to section 175A(4), the person has 28 days from the date on which the reactivation notice is served to—

(i) lodge an appeal with the Tribunal on the grounds specified in section 155, 156, 158, 159, 160, 161, or 162, if the person deferred lodging an appeal under section 173A(2); or

(ii) leave New Zealand.

67 New section 173A inserted (Person may defer lodging appeal against liability for deportation)

After section 173, insert:

173A Person may defer lodging appeal against liability for deportation

(1) This section applies to a residence class visa holder who is—

(a) liable for deportation under section 155, 156, 158, 159, 160, 161, or 162; and

(b) entitled to appeal to the Tribunal on the grounds specified in any one of those provisions; and

(c) served with a suspension notice under section 172(2).

(2) The person may defer lodging an appeal with the Tribunal against their liability for deportation until the person is served with a reactivation notice under section 172(3).

(3) If the person chooses to lodge an appeal with the Tribunal after being served with a reactivation notice, the time periods specified in sections 155(4), 156(3), 158(3), 159(2), 160(3), 161(2), and 162(2) do not apply to that person.

68 Section 214 amended (Effect of suspension on appeal)

(1) In section 214(4), replace "deportation liability" with "reactivation".

(2) Repeal section 214(5).

69 Section 236 amended (Appeals against deportation liability where person serving prison sentence)

In section 236(1),—

(a) replace "close" with "soon"; and

(b) replace "to the date of" with "after the appeal is lodged but before"; and

(c) replace "sentence)" with "sentence) before the person's".

Part 21
Immigration Advisers Licensing Act 2007

70 Principal Act

This Part amends the Immigration Advisers Licensing Act 2007 (the **principal Act**).

71 Section 53 amended (Suspension of licence pending outcome of complaint)

In section 53(3)(a), replace "(1)(d)" with "(2)(d)".

Part 22
Intelligence and Security Act 2017

72 Principal Act

This Part amends the Intelligence and Security Act 2017 (the **principal Act**).

73 Schedule 3 amended

(1) In Schedule 3, after clause 3(1)(b), insert:

(c) in respect of time spent travelling in the performance of the Commissioner's functions, travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951.

(2) In Schedule 3, replace clause 3(3) with:

(3) The Fees and Travelling Allowances Act 1951 applies as if a Commissioner were a member of a statutory board and the travelling were in the service of a statutory board.

Part 23
Legal Services Act 2011

74 Principal Act

This Part amends the Legal Services Act 2011 (the **principal Act**).

75 Section 4 (Interpretation)

(1) In section 4(1), definition of **capital**, delete paragraph (b).

(2) In section 4(1), definition of **disposable capital**, delete paragraph (b).

(3) In section 4(1), definition of **income**, delete paragraph (b).

(4) In section 4(1), repeal the definition of **prescribed offence**.

76 Section 9 repealed (Prescribed offences)

Repeal section 9.

77 Section 18 (Conditions on grant of legal aid)

Repeal section 18(7)(e).

78 Section 21 amended (Amount of repayment payable)

Repeal section 21(7).

79 Section 114 amended (Regulations)

Repeal section 114(1)(s), (t), and (u).

Part 24
Motor Vehicle Sales Act 2003

80 Principal Act

This Part amends the Motor Vehicle Sales Act 2003 (the **principal Act**).

81 Section 6 amended (Interpretation)

In section 6(1), repeal the definitions of **existing licence application** and **transitional period**.

82 Section 24 amended (Persons disqualified from registration: individuals)

Repeal section 24(d), (e), and (g).

83 Section 25 amended (Persons disqualified from registration: companies)

Repeal section 25(b) and (c).

84 Sections 148 to 156 and cross-headings repealed

Repeal sections 148 to 156 and the cross-headings above sections 148, 152, 154, and 156.

85 Sections 158 to 161 repealed

Repeal sections 158 to 161.

86 Section 163 and cross-heading repealed

Repeal section 163 and the cross-heading above section 163.

87 Consequential amendments to Motor Vehicle Sales Regulations 2003

(1) This section amends the Motor Vehicle Sales Regulations 2003.

(2) Revoke—

(a) regulation 7; and

(b) Part 3 of Schedule 1.

88 Consequential revocation

The Motor Vehicle Sales (Abolition of Motor Vehicle Dealers Licensing Board) Order 2004 (SR 2004/409) is revoked.

Part 25
New Zealand Film Commission Act 1978

89 Principal Act

This Part amends the New Zealand Film Commission Act 1978 (the **principal Act**).

90 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 1AA have effect according to their terms.

91 Section 19 amended (General powers of Commission)

Repeal section 19(3).

92 Section 35 amended (Application of other enactments)

In section 35, replace “the Schedule” with “Schedule 1”.

93 New Schedule 1AA inserted

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

94 Schedule amended

In the Schedule heading, replace "**Schedule**" with "**Schedule 1**".

Part 26
New Zealand Government Property Corporation Act 1953

95 Principal Act

This Part amends the New Zealand Government Property Corporation Act 1953 (the **principal Act**).

96 Section 11 amended (Execution of documents by attorney)

In section 11(1), delete "in any place outside New Zealand".

Part 27
New Zealand Superannuation and Retirement Income Act 2001

97 Principal Act

This Part amends the New Zealand Superannuation and Retirement Income Act 2001 (the **principal Act**).

98 New section 59B inserted (Fund investment vehicles not required to prepare statements or annual reports)

After section 59A, insert:

59B Fund investment vehicles not required to prepare statements or annual reports

(1) A Fund investment vehicle is not required to do either of the following:

- (a) prepare financial statements or group financial statements that are separate from those prepared for the Fund under section 66:
- (b) have financial statements or group financial statements audited.

(2) If a Fund investment vehicle is a company, the board of the company is not required to prepare an annual report.

(3) Subsections (1) and (2) apply despite anything to the contrary in the Companies Act 1993, the Limited Partnerships Act 2008, or the Public Audit Act 2001.

(4) This section does not limit sections 59A(3) and 66 to 68.

(5) In this section, **annual report** and **board** have the meanings given in section 2(1) of the Companies Act 1993.

Part 28
Official Information Act 1982

99 Principal Act

This Part amends the Official Information Act 1982 (the **principal Act**).

100 Section 22 amended (Right of access to internal rules affecting decisions)

(1) Replace section 22(1) with:

(1) On a request made under this section, a person has a right to, and must be given access to, any document (including a manual) that—

(a) is held by a department, a Minister of the Crown, or an organisation; and

(b) contains policies, principles, rules, or guidelines in accordance with which decisions or recommendations are made in respect of any person or body of persons in their personal capacity.

(1A) Subsection (1) is subject to—

(a) subsection (2):

(b) subsection (6):

(c) section 6(a) to (d):

(d) section 7:

(e) section 9(2)(a), (b), (ba), (i), and (j) (to the extent that there is no countervailing public interest in making the information available):

(f) section 10.

(2) Replace section 22(4) with:

(4) If there is good reason under subsection (1A)(c), (d), or (e) for withholding some of the information contained in a document referred to in subsection (1), the department, Minister of the Crown, or organisation must, unless it is impracticable to do so,—

(a) make a copy of that document available with any deletions or alterations that are necessary; or

(b) provide another document stating the substance and effect of the document except as it relates to the information withheld.

Part 29
Ombudsmen Act 1975

101 Principal Act

This Part amends the Ombudsmen Act 1975 (the **principal Act**).

102 Schedule 1 amended

(1) In Schedule 1, Part 1,—

(a) repeal the item relating to the Māori Trustee:

(b) in the item relating to the Ministry of Maori Development, replace "Maori" with "Māori":

(c) repeal the item relating to the National Provident Fund Department:

(d) repeal the item relating to the Office of the State Services Commission:

(e) insert in its appropriate alphabetical order:
State Services Commission

(2) In Schedule 1, Part 2,—

(a) repeal the item relating to the Agricultural Pests Destruction Council:

(b) in the item relating to the Board of Maori Affairs, replace "Maori" with "Māori":

(c) in the item relating to the Maori Heritage Council, replace "Maori" with "Māori":

(d) in the item relating to the Maori Purposes Fund Board, replace "Maori" with "Māori":

(e) in the item relating to the New Zealand Maori Arts and Crafts Institute, replace "Maori" with "Māori":

(f) repeal the item relating to the South Pacific Arts Committee:

(g) repeal the item relating to the State Services Commission.

Part 30
Parliamentary Service Act 2000

103 Principal Act

This Part amends the Parliamentary Service Act 2000 (the **principal Act**).

104 Section 10 amended (General Manager of Parliamentary Service)

(1) In the heading to section 10, replace "**General Manager**" with "**Chief Executive**".

(2) In section 10, replace "General Manager" with "Chief Executive".

105 Consequential amendments to instruments

If an instrument or other thing refers to the General Manager of the Parliamentary Service and that reference is no longer appropriate because the name of that office has changed, the reference must be read as a reference to the Chief Executive of the Parliamentary Service.

106 Consequential amendments to legislation

Amend the enactments specified in Schedule 1 as set out in that schedule.

Part 31
Plumbers, Gasfitters, and Drainlayers Act 2006

107 Principal Act

This Part amends the Plumbers, Gasfitters, and Drainlayers Act 2006 (the **principal Act**).

108 Section 135 amended (Term of office)

After section 135(2), insert:

(3) A member continues in office despite the expiry of his or her term of office until—

(a) a successor is appointed; or

(b) the member is reappointed.

109 Section 153 replaced (Board to publish reports)

Replace section 153 with:

153 Board to publish reports

As soon as practicable after giving a report to the Minister under section 152, the Board must make the report publicly available on an Internet site maintained by or on behalf of the Board.

110 Section 154 amended (Annual reports to be presented to House of Representatives)

In section 154, replace "12 sitting days" with "10 sitting days".

Part 32
Prisoners' and Victims' Claims Act 2005

111 Principal Act

This Part amends the Prisoners' and Victims' Claims Act 2005 (the **principal Act**).

112 Section 18 amended (Secretary deducts money for legal aid, reparation, and earlier orders, then pays surplus into account)

In section 18(1)(a)(i), replace "Secretary for Justice" with "Legal Services Commissioner".

Part 33
Public Finance Act 1989

113 Principal Act

This Part amends the Public Finance Act 1989 (the **principal Act**).

114 Section 15C amended (End-of-year performance information requirements)

Replace section 15C(2)(a) with:

(a) for a multi-category appropriation,—

(i) by a Crown entity, a Schedule 4 organisation (but not including a Reserves Board (as described in Schedule 4)), or a Schedule 4A company if the resources from that appropriation are used by that entity, organisation, or company only; or

(ii) by a department if, in accordance with a direction under section 7C(2)(c)(i), the resources from that appropriation are used by that department only; or

(iii) by the appropriation administrator, in any other case; and

115 New subpart 1A of Part 5 inserted

After subpart 1 of Part 5, insert:

Subpart 1A—Special requirements for end-of-year performance information

45LA End-of-year performance information for newly established performance reporters

(1) The Minister may (at the Minister's discretion) exempt a performance reporter from the obligation to provide end-of-year performance information under section 19A if the performance reporter—

(a) was established during the last 4 months of a financial year; and

(b) is identified in the supporting information for an Appropriation Act as providing end-of-year performance information on an appropriation for the financial year.

(2) A performance reporter that is exempted under subsection (1) must, after the end of the performance reporter's first full financial year, provide the end-of-year performance information required by section 19C in respect of the period—

(a) starting from the date on which the performance reporter is established; and

(b) ending at the end of the performance reporter's first full financial year.

(3) In this section, **performance reporter** has the meaning given in section 19A(1).

116 Section 45O amended (Special provisions relating to Reserves Boards)

In section 45O(1), replace "section 45M(2)" with "section 45M(1A)".

117 Schedule 4 amended

(1) In Schedule 4, after the column relating to section 139 of the Crown Entities Act 2004, insert a column with the heading "**SPE 149C**".

(2) In Schedule 4, item relating to Asia New Zealand Foundation, in the column relating to section 149C of the Crown Entities Act 2004 (as inserted by subsection (1)), insert a tick.

(3) In Schedule 4, item relating to Game Animal Council, in the column relating to section 149C of the Crown Entities Act 2004 (as inserted by subsection (1)), insert a tick.

(4) In Schedule 4, item relating to Pacific Co-operation Foundation, in the column relating to section 149C of the Crown Entities Act 2004 (as inserted by subsection (1)), insert a tick.

Part 34
Real Estate Agents Act 2008

118 Principal Act

This Part amends the Real Estate Agents Act 2008 (the **principal Act**).

119 Section 93 amended (Power of Committee to make orders)

In section 93(1)(h), after "business", insert "(including any records, accounts, and assets)".

Part 35
Registered Architects Act 2005

120 Principal Act

This Part amends the Registered Architects Act 2005 (the **principal Act**).

121 Section 52 amended (Composition of Board)

(1) Replace section 52(2) with:

(2) A member must be appointed by the Minister.

(2) In section 52(3), replace "recommend for appointment" with "appoint".

122 Section 53 amended (Criteria for appointment)

In section 53, replace "recommend a person for appointment as a member of the Board" with "appoint a person as a member of the Board".

123 Schedule amended

(1) In the Schedule, clause 1(1), replace "Governor-General" with "Minister".

(2) In the Schedule, after clause 1(2), insert:

(3) When a member of the Board is appointed, the Minister must publish a notice in the *Gazette* confirming the appointment.

(3) In the Schedule, clause 3(1)(c)(iii), replace "Governor-General" with "Minister".

(4) In the Schedule, clause 7(1), replace "The Governor-General may, on the advice of the Minister given" with "The Minister may,".

(5) In the Schedule, clause 7(1), replace "satisfaction of the Governor-General" with "satisfaction of the Minister".

(6) In the Schedule, clause 7(2), replace "giving advice to the Governor-General" with "removing the member".

Part 36
Resource Management Act 1991

124 Principal Act

This Part amends the Resource Management Act 1991 (the **principal Act**).

125 Section 32 amended (Requirements for preparing and publishing evaluation reports)

In section 32(5)(a), replace "standard or regulation" with "standard, regulation, national policy statement, or New Zealand coastal policy statement".

126 Section 48 amended (Public notification of proposal for national direction and inquiry)

In section 48(1)(a), replace "national policy statement" with "national direction".

127 Section 58L amended (Definitions)

In section 58L, definition of **relevant local authority**, replace "district or regional council" with "local authority".

128 Section 58R amended (Contents of Mana Whakahono a Rohe)

(1) Repeal section 58R(2)(a)(ii).

(2) In section 58R(2)(a)(iii), replace "a Mana Whakahono a Rohe" with "the review of a local authority's policies and processes (to ensure that they are consistent with a Mana Whakahono a Rohe)".

129 Section 87B amended (Certain activities to be treated as discretionary activities or prohibited activities)

After section 87B(3), insert:

(4) Any mining whose main purpose is to mine mercury must be treated as a prohibited activity.

130 Section 360 amended (Regulations)

Repeal section 360(2AA).

131 Schedule 1 amended

In Schedule 1, clause 8(1A), after "policy statement or plan", insert "for which limited notification has been given under clause 5A".

132 Amendment to Resource Management Amendment Act 2005

(1) This section amends the Resource Management Amendment Act 2005.

(2) Repeal section 108.

Part 37
Sale and Supply of Alcohol Act 2012

133 Principal Act

This Part amends the Sale and Supply of Alcohol Act 2012 (the **principal Act**).

134 Section 136 amended (Temporary authorities: on-licences and off-licences)

(1) In section 136(4), after "the committee", insert "or the chair (as the case may be)".

(2) After section 136(4), insert:

(4A) Despite subsection (1), if the application is uncontested, the chair of the committee may make an order instead of the committee.

(3) After section 136(5), insert:

(6) For the purposes of this section, if the chair of the committee makes an order instead of the committee, a reference to the committee in any other relevant provision of this Act is to be treated as a reference to the chair.

Part 38
Secondhand Dealers and Pawnbrokers Act 2004

135 Principal Act

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

136 Section 51 amended (Pawnbrokers record)

In section 51(2)(g), replace "interest" with "redemption fee".

137 Section 57 amended (Redemption price)

(1) In section 57(1)(b), replace "total interest" with "redemption fee".

(2) In section 57(2), replace "interest" with "a redemption fee".

Part 39
Senior Courts Act 2016

138 Principal Act

This Part amends the Senior Courts Act 2016 (the **principal Act**).

139 Section 63 amended (Appointment of Registrar, Deputy Registrar, and other officers of Court of Appeal)

(1) In the heading to section 63, replace "**Deputy Registrar**" with "**Deputy Registrars**".

(2) In section 63, replace "a Deputy Registrar" with "Deputy Registrars".

140 Section 64 amended (Powers of Registrar and Deputy Registrar)

(1) In the heading to section 64, replace "**Deputy Registrar**" with "**Deputy Registrars**".

(2) In section 64(2), replace "The Deputy Registrar" with "A Deputy Registrar".

141 Section 135 amended (Salaries and allowances of permanent Judges and Associate Judges)

(1) Replace the heading to section 135 with "**Remuneration of Judges**".

(2) In section 135, delete "Permanent Judges and Associate".

(3) In section 135, insert as subsection (2):

(2) In this section,—

Judge means—

(a) a permanent or an acting Judge of a senior court:

(b) a Judge authorised to sit part-time in a senior court:

(c) a permanent or an acting Associate Judge:

(d) an Associate Judge authorised to sit part-time

senior court means—

(a) the Supreme Court:

(b) the Court of Appeal:

(c) the High Court.

142 Section 137 amended (Salaries and allowances of acting Judges)

(1) In section 137, delete ", out of public money, without further appropriation than this section,".

(2) In section 137(b), replace "section 135(c)" with "section 135(1)(c)".

Part 40
Standards and Accreditation Act 2015

143 Principal Act

This Part amends the Standards and Accreditation Act 2015 (the **principal Act**).

144 Schedule 1 amended

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

(3) A notice under subclause (2) may be published on an Internet site or in print media and for the period or with the frequency that the Minister thinks appropriate.

(2) In Schedule 1, repeal clauses 8(3) and 11(3).

Part 41
State-Owned Enterprises Act 1986

145 Principal Act

This Part amends the State-Owned Enterprises Act 1986 (the **principal Act**).

146 Section 31 repealed (Review of Ombudsmen Act 1975 and Official Information Act 1982 in relation to State enterprises)

Repeal section 31.

147 Section 33 and Schedule 6 repealed

Repeal section 33 and Schedule 6.

Part 42
State Sector Act 1988

148 Principal Act

This Part amends the State Sector Act 1988 (the **principal Act**).

149 Section 38 amended (Conditions of employment of chief executives)

In section 38(4), replace "obtain the agreement of" with "consult".

150 Section 61A amended (Restriction of redundancy payments in certain situations)

In section 61A(2), replace "the offer of an alternative position" with "either position described in subsection (1)".

151 Section 74AB amended (Boards of Trustees indemnified by Commissioner)

In section 74AB(1), replace "money appropriated for the purpose" with "an appropriation".

Part 43
Summary Proceedings Act 1957

152 Principal Act

This Part amends the Summary Proceedings Act 1957 (the **principal Act**).

153 Section 21 amended (Procedure for infringement offences)

(1) In section 21(2)(b)(i), replace "at the address" with "by a payment method".

(2) In section 21(2)(b)(ii), replace "received at that address" with "received, at the address specified in the infringement notice,".

(3) In section 21(3)(b)(i), replace "at the address" with "by a payment method".

(4) In section 21(3)(b)(ii), replace "received at that address" with "received, at the address specified in the infringement notice,".

(5) In section 21(3D)(b), replace "at the address" with "by a payment method".

(6) Replace section 21(8)(d)(iv) with:

> (iv) a notice of the defendant filed in the court under paragraph (c) is to be treated as if it were a notice of the defendant pleading guilty to the offence under section 38(1) of the Criminal Procedure Act 2011, but—
>
> (A) section 38(2) of the Criminal Procedure Act 2011 does not apply; and

(B) despite sections 117 and 118 of the Criminal Procedure Act 2011, the defendant is not required or entitled to appear before the court hearing the proceedings.

(7) In section 21(10)(a), replace "at the address" with "by a payment method".

(8) In section 21(11), replace "at the address" with "by a payment method".

154 New section 21B inserted (Requirements for infringement notices regarding payment method)

After section 21A, insert:

21B Requirements for infringement notices regarding payment method

If an Act provides that an infringement notice or a reminder notice must contain an address or a place at which an infringement fee may be paid, that requirement is, and always has been, satisfied if the infringement notice—

(a) specifies 1 or more methods (whether at a physical place or by post or electronic or other means) by which an infringement fee may be paid; or

(b) provides for the informant or other person who is entitled to issue the notice to specify in the notice the method or methods (whether at a physical place or by post or electronic or other means) by which an infringement fee may be paid.

155 Section 78B amended (Power to correct irregularities in proceedings for infringement offences)

In section 78B(1)(a)(viii), replace "at the address" with "by a payment method".

Part 44
Te Arawa Lakes Settlement Act 2006

156 Principal Act

This Part amends the Te Arawa Lakes Settlement Act 2006 (the **principal Act**).

157 Section 5 amended (Outline)

In section 5(4), replace "13" with "14".

158 Section 11 amended (Interpretation)

(1) In section 11, definition of **submerged land**, after "date", insert "or the inclusion date (as the case may be)".

(2) In section 11, definition of **Te Arawa lakebed**, delete "except Lake Ōkaro".

(3) In section 11, insert in its appropriate alphabetical order:

inclusion date means the date that is 20 business days after the date on which Part 44 of the Statutes Amendment Act 2019 comes into force

159 Section 19 amended (Timing of actions or matters)

(1) In section 19(1), replace "subsection (2)" with "subsections (1A) and (2)".

(2) After section 19(1), insert:

(1A) In respect of the Lake Ōkaro lakebed, actions or matters occurring under this Act occur or take effect on and from the inclusion date.

(3) In section 19(2), after "settlement date", insert "or the inclusion date (as the case may be)".

160 Section 21 amended (Reserve status revoked)

After section 21(2), insert:

(3) However, subsection (2) does not apply to Lake Okaro Recreation Reserve.

161 Section 29 amended (Registration of ownership)

(1) In section 29(2), after "date", insert "or the inclusion date (as the case may be)".

(2) Replace section 29(5) with:

(5) Written application must be made for a computer freehold register as soon as is reasonably practicable after the settlement date or the inclusion date (as the case may be), but no later than—

(a) 24 months after the Te Arawa lakebeds (except the Lake Ōkaro lakebed) vest in the Trustees of the Te Arawa Lakes Trust by section 23; or

(b) in respect of the Lake Ōkaro lakebed, 24 months after the inclusion date.

(6) Despite subsection (5)(a) or (b), the Trustees and the Crown may agree in writing a later date for the application.

162 Section 33 amended (Existing structures on Te Arawa lakebeds)

In section 33(1), after "date", insert "or the inclusion date (as the case may be)" in each place.

163 Section 36 amended (Existing commercial activities)

In section 36(1), after "date", insert "or the inclusion date (as the case may be)" in each place.

164 Section 41 amended (New commercial activities and new structures require written consent of Trustees)

In section 41(1), after "date", insert "or the inclusion date (as the case may be)".

165 Section 45 amended (Liability for rates)

In section 45(1)(c), after "date", insert "or the inclusion date (as the case may be)".

166 Section 46 amended (Liability of public utility authority for rates assessed)

In section 46, after "date", insert "or the inclusion date (as the case may be)".

167 Section 59 amended (Interpretation)

In section 59, definition of **statutory area**, after "lakebed", insert ", except the Lake Ōkaro lakebed".

168 Schedule 1 amended

In Schedule 1, after the item relating to the bed of Lake Tutaeinanga, insert:

Bed of Lake Ōkaro	31.4200 hectares, more or less, being Section 1 SO 458555. Part *Gazette* notice H. 694591

169 Schedule 3 amended

In Schedule 3, after the item relating to Lake Ōkareka, insert:

Lake Ōkaro	Lake Okaro Recreation Reserve	*Gazette* 1986, page 4682 (registered as *Gazette* Notice H. 694591)

Part 45
Terrorism Suppression Act 2002

170 Principal Act

This Part amends the Terrorism Suppression Act 2002 (the **principal Act**).

171 Section 44 amended (Nature of suspicious property report)

(1) In section 44(4), replace "suspicious transaction report" with "suspicious activity report".

(2) In section 44(5)(a) and (b), replace "**suspicious transaction report**" with "**suspicious activity report**".

Part 46
Veterans' Support Act 2014

172 Principal Act

This Part amends the Veterans' Support Act 2014 (the **principal Act**).

173 Section 7 amended (Interpretation)

In section 7, definition of **working day**, after paragraph (b), insert:

(ba) the day observed in the appropriate area as the anniversary of the province of which the area forms a part; and

174 Section 31 amended (Indexation of certain entitlements in relation to New Zealand Consumers Price Index)

After section 31(1)(l), insert:

(la) the rates of annuities or allowances payable under section 29A of the War Pensions Act 1954 and Part 5A of the War Pensions Regulations 1956 (*see* clause 2 of Schedule 1 of this Act):

175 Section 271 amended (Offence not to provide earnings information to VANZ)

Repeal section 271(1)(a).

176 Schedule 1 amended

In Schedule 1, after clause 2(1), insert:

(1A) However, the rates of annuities or allowances payable under subclause (1) must be adjusted in accordance with section 31(1)(la) of this Act (and may not be prescribed under section 29A(3) of the War Pensions Act 1954).

Part 47
Winston Churchill Memorial Trust Act 1965

177 Principal Act

This Part amends the Winston Churchill Memorial Trust Act 1965 (the **principal Act**).

178 Long Title repealed

Repeal the Long Title.

179 New section 1A inserted (Purpose)

After section 1, insert:

1A Purpose

The purpose of this Act is to establish and maintain a trust fund in order to benefit—

(a) occupations, callings, trades, businesses, and professions carried on (or intended to be carried on) in New Zealand:

(b) New Zealand generally:

(c) the Commonwealth as a beneficial influence in world affairs.

180 Section 13 amended (Functions and powers of Board)

After section 13(1)(b), insert:

(ba) to increase public awareness of the Fund and to promote the other functions of the Board and the purpose of this Act:

181 Section 18 amended (Authorised expenditure)

(1) In section 18(1), replace "fund" with "Fund".

(2) After section 18(1)(a), insert:

(aa) the payment of reasonable costs incurred in—

(i) increasing public awareness of the Fund; and

(ii) promoting the functions of the Board and the purpose of this Act:

182 Section 24 amended (Travelling allowances)

In section 24(2), replace "funds of the Board," with "Fund".

183 Section 25 amended (Unauthorised expenditure)

In section 25, replace "its funds" with "the Fund".

Schedule 1
Consequential amendments

s 106

Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93)

In section 5, insert in its appropriate alphabetical order:

> **Chief Executive** means the Chief Executive of the Parliamentary Service

In section 5, repeal the definition of **General Manager**.

In section 9(2), replace "General Manager" with "Chief Executive" in each place.

In section 19(a), replace "General Manager" with "Chief Executive".

In section 20(1)(f) and (2), replace "General Manager" with "Chief Executive" in each place.

In section 21(1)(a) and (3)(c), replace "General Manager" with "Chief Executive".

In section 25, replace "General Manager" with "Chief Executive".

In section 26(1)(a) and (3)(c), replace "General Manager" with "Chief Executive".

In section 31(2), (3), (4), and (5)(a), replace "General Manager" with "Chief Executive" in each place.

In section 33(1), replace "General Manager" with "Chief Executive".

In section 41(1)(a) and (3)(c), replace "General Manager" with "Chief Executive".

In section 46(2)(b), replace "General Manager" with "Chief Executive".

Parliamentary Service Act 2000 (2000 No 17)

In section 3, insert in its appropriate alphabetical order:

> **Chief Executive** means the Chief Executive of the Parliamentary Service

In section 3, repeal the definition of **General Manager**.

In section 4(b), replace "General Manager" with "Chief Executive".

In the cross-heading above section 10, replace "*General Manager*" with "*Chief Executive*".

In the heading to section 11, replace "**General Manager**" with "**Chief Executive**".

In section 11(1), (2), (2)(b), and (3), replace "General Manager" with "Chief Executive".

In section 14(2), replace "General Manager" with "Chief Executive".

In section 24(3) and (4), replace "General Manager" with "Chief Executive" in each place.

In section 24(3) and (4), replace "General Manager's" with "Chief Executive's".

In section 29(1)(b), replace "General Manager" with "Chief Executive".

Parliamentary Service Act 2000 (2000 No 17)—*continued*

In Schedule 1, cross-heading above clause 1, replace "*General Manager*" with "*Chief Executive*" in each place.

In Schedule 1, heading to clause 1, replace "**General Manager**" with "**Chief Executive**".

In Schedule 1, clause 1(1), replace "General Manager" with "Chief Executive".

In Schedule 1, clause 2, replace "General Manager" with "Chief Executive".

In Schedule 1, clause 3(1) and (2), replace "General Manager" with "Chief Executive".

In Schedule 1, clause 4(1) and (2), replace "General Manager" with "Chief Executive".

In Schedule 1, heading to clause 5, replace "**General Manager**" with "**Chief Executive**".

In Schedule 1, clause 5, replace "General Manager" with "Chief Executive".

In Schedule 1, heading to clause 6, replace "**General Manager**" with "**Chief Executive**".

In Schedule 1, clause 6(1), replace "General Manager" with "Chief Executive" in each place.

In Schedule 1, replace clause 7(1)(b) with:

> (b) the Chief Executive of the Service were the chief executive of that department.

In Schedule 1, clause 7(4), replace "General Manager" with "Chief Executive" in each place.

In Schedule 1, heading to clause 8, replace "**General Manager**" with "**Chief Executive**".

In Schedule 1, clause 8(1), (2), and (3)(a), replace "General Manager" with "Chief Executive" in each place.

In Schedule 1, clause 9(1), (2), and (4), replace "General Manager" with "Chief Executive" in each place.

In Schedule 1, clause 12(1), replace "General Manager" with "Chief Executive".

In Schedule 1, clause 13(2) and (3), replace "General Manager" with "Chief Executive".

In Schedule 1, clause 15(2)(b), replace "General Manager" with "Chief Executive".

In Schedule 4, heading to clause 2, after "**Secretary**", insert "**of Corporation**".

In Schedule 4, clause 2(1), replace "General Manager" with "Chief Executive".

In Schedule 4, clause 3(2)(b), replace "General Manager" with "Chief Executive" in each place.

In Schedule 4, clause 9(4), replace "General Manager" with "Chief Executive".

Remuneration Authority Act 1977 (1977 No 110)

In section 16(1)(a)(iv), replace "General Manager" with "Chief Executive".

In Schedule 4, repeal the item relating to the General Manager of the Parliamentary Service.

In Schedule 4, insert in its appropriate alphabetical order:

The Chief Executive of the Parliamentary Service

Schedule 2
New Schedule 1AA inserted

s 93

Schedule 1AA
Transitional, savings, and related provisions

s 2A

Part 1
Provision relating to Part 25 of Statutes Amendment Act 2019

1 Guarantees and indemnities given before repeal of section 19(3)

No guarantee or indemnity given by the Commission before the repeal of section 19(3) is invalid solely as a result of a failure to comply with that subsection.

Legislative history

9 August 2018	Introduction (Bill 83–1)
20 September 2018	First reading and referral to Governance and Administration Committee
24 May 2019	Reported from Governance and Administration Committee (Bill 83–2)
15 October 2019	Second reading
16 October 2019	Committee of the whole House (Bill 83–3)
17 October 2019	Third reading
23 October 2019	Royal assent

This Act is administered by the Ministry of Justice.

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