

Statutes Amendment Bill (No 2)

Government Bill

Explanatory note

General policy statement

This Statutes Amendment Bill consists entirely of amendments to Acts and is therefore an omnibus Bill that may be introduced by virtue of Standing Order 262(1)(f).

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. The Bill will come into force on the day after the date on which it receives the Royal assent.

Part 1

Animal Welfare Act 1999

Clause 3 provides that *Part 1* amends the Animal Welfare Act 1999.

Clause 4 replaces section 36(1) of the Animal Welfare Act 1999. Section 36(1) obliges any person who sets a live-capture trap or causes a live-capture trap to be set to ensure that the trap is inspected within 12 hours after sunrise on each day the trap remains set, beginning on the day immediately after the day on which the trap is set. Failure to comply with the inspection requirements in section 36(1) is an infringement offence and will attract an infringement fee of up to \$1,000 (which is to be prescribed). The purpose of the amendment is to enable the use of remote monitoring technologies instead of daily manual inspections of traps. These technologies include the use of capture sensors and wireless communication networks. Currently, it is unclear whether the use of remote monitoring technologies to check traps is authorised under section 36(1).

New subsection (1) requires the manual inspection of a trap as follows:

- within 12 hours after sunrise on each day the trap remains set, beginning on the day immediately after the day on which the trap is set; or
- within 24 hours after the animal is captured, if the person monitors the trap with a reliable electronic monitoring system that promptly communicates details of any animal captured in the trap.

If a person relies on the use of the electronic monitoring provision, the system used must enable the person to meet the person's obligations under section 36(2) within the specified 24-hour period. Section 36(2) provides that any live animal found in the trap must be removed or cared for or must be killed without delay. A person who commits an offence against section 36(2) is liable on conviction to a fine not exceeding \$5,000 (for an individual) or \$25,000 (for a body corporate).

Part 2

Biosecurity Act 1993

Clause 5 provides that *Part 2* amends the Biosecurity Act 1993.

Clause 7 amends section 7(2), which provides for the relationship between the Biosecurity Act 1993 and other Acts. The list of Acts in section 7(2) is amended to include the Fisheries Act 1996.

Clause 8 amends section 24B to enable the Director-General to suspend, on the recommendation of the chief technical officer, an import health standard in relation to specified goods. The officer may recommend the suspension if the officer believes on reasonable grounds that circumstances or knowledge have changed in such a way as to cause the requirements in an import health standard to no longer enable the purposes of Part 3 of the Biosecurity Act 1993 to be achieved in relation to specified goods. The Director-General may, in the same manner, reinstate an import health standard in relation to those goods.

Clause 9 amends section 25, which relates to the movement of goods that have not been cleared for entry into New Zealand.

The amendments to section 25(2) to (4) are intended to more fully allow for the movement of uncleared goods from and to a containment facility.

Section 25(3) is amended to enable uncleared goods in a containment facility to leave that facility if an inspector authorises their export from New Zealand.

Section 25(4) is amended to clarify that uncleared goods in a transitional facility, biosecurity control area, or containment facility may be authorised to move to any of the following:

- a transitional facility;
- a biosecurity control area;
- a containment facility.

As a consequence of the changes to section 25(2) to (4), *clause 6* amends the definition of unauthorised goods in section 2(1) to include references to a containment facility.

The amendments to sections 25(8) and (9) relate to the responsibilities of persons who are given authorisation for uncleared goods and persons who come into possession of those goods before the goods are given a biosecurity clearance. The amendments replace the words “goods before they are given a biosecurity clearance” with the words “uncleared goods to which the authorisation relates”. These amendments are intended to remove any implication that the uncleared goods will be given a biosecurity clearance as a matter of course.

Clause 10 amends section 37 to expressly provide that the Director-General may approve standards relating to the operation of arrangements, facilities, and systems at a port to be approved as a place of first arrival.

Clause 11 amends section 39 to correct an omission in section 39(3A) by including a reference to a containment facility.

Clause 12 amends section 105A, which enables the chief technical officer to exercise, in the place of an inspector or authorised person, the powers and functions listed in section 105A(1). That list of powers and functions is amended to include the inspector’s power to authorise the movement of uncleared goods and to impose post-clearance conditions on cleared goods.

Part 3

Care of Children Act 2004

Clause 13 provides that *Part 3* amends the Care of Children Act 2004.

Clause 14 amends section 131 to provide that a lawyer appointed to represent a child, or to assist the court, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amendment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 4

Child Support Act 1991

Clause 15 provides that *Part 4* amends the Child Support Act 1991.

Clause 16 amends section 226B to provide that a lawyer appointed to represent a child, or to assist the court, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amend-

ment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 5

Children, Young Persons, and Their Families Act 1989

Clause 17 provides that *Part 5* amends the Children, Young Persons, and Their Families Act 1989.

Clause 18 amends section 162 to provide that a lawyer appointed to represent a child or young person, or to assist the court, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amendment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 6

Companies Act 1993

Clause 19 provides that *Part 6* amends the Companies Act 1993.

Clauses 20 and 21 expand the list of penalties that can be recovered from companies in liquidation. Currently, fines imposed for the commission of an offence and monetary penalties imposed for regulatory breaches can be recovered from companies in liquidation. The amendments would add the following to the list: sentences of reparation, monetary penalties, and orders for the payment of money imposed on a company for the commission of an offence. An example of an order would be an order for the payment of money made under section 106 of the Sentencing Act 2002 following a discharge without conviction. These amendments would bring the Companies Act 1993 into line with the sentencing provisions in the Sentencing Act 2002 and a similar provision (section 232) of the Insolvency Act 2006.

Part 7

Coroners Act 2006 and related amendment

Clause 22 provides that *Part 7* amends the Coroners Act 2006.

Clauses 23 and 24 amend the Coroners Act 2006 to clarify that coroner includes the deputy chief coroner, and to clarify that the deputy chief coroner may be paid a salary and allowances different to those paid to coroners not holding executive office.

Clause 25 amends section 12B of the Remuneration Authority Act 1977 to empower the Remuneration Authority to determine the salary and principal allowances of the deputy chief coroner in his or her capacity as deputy chief coroner, which has the effect of enabling the Authority to determine a salary and allowances for the deputy chief coroner that are different to those paid to coroners not holding executive office.

Part 8

Credit Contracts and Consumer Finance Act 2003

Clause 26 provides that *Part 8* amends the Credit Contracts and Consumer Finance Act 2003.

Clause 27 amends the cross-heading above section 9J. The amended cross-heading better reflects the sections to which it relates and removes any implication that the Part 2 disclosure standards apply when standard form contract terms and information about all the costs of borrowing are made publicly available for the purposes of those sections.

Part 9

Crown Proceedings Act 1950 and related amendments

Clause 28 provides that *Part 9* amends the Crown Proceedings Act 1950 (the CPA).

Clauses 29 to 31 and 34 to 36 repeal section 21 of the CPA, consequentially amend that Act, and make related amendments to the Bail Act 2000 and the Electoral Act 1993. The amendments to the CPA and the Bail Act 2000 are based on the draft Crown Civil Proceedings Bill in the Law Commission report, *The Crown in Court: A review of the Crown Proceedings Act and national security information in proceedings* (NZLC R135, 2015) (*The Crown in Court*).

Section 21 of the CPA deals with recognisances, which are a financial undertaking by a person to perform an act or to observe a condition, such as to comply with the terms of bail. Section 21 provides the default procedure by which the Crown may recover a recognisance that has been forfeited.

Section 21 is now used mainly for bail money, and otherwise applies only in relation to election petitions under the Electoral Act 1993. *Clause 35* inserts *new section 39A* into the Bail Act 2000 to replace section 21 of the CPA, for the purposes of bail money, with a more simple provision. *Clause 36* inserts *new section 250(3)* into the Electoral Act 1993 so that section 21 of the CPA continues to apply for the purposes of recognisances relating to election petitions.

Clause 32 amends section 24 of the CPA so that a department that has paid money under that section must include in its annual financial statements a statement showing the total of all amounts paid under that section in the relevant financial year. This replaces the current obligation to report, which falls on the Minister of Finance. The amendment also removes the permanent legislative authority allowing money to be paid under section 24 without further appropriation.

Clause 33 replaces section 30 of the CPA. *New section 30* is a more modern and simple version of the current section. It is not intended to change the section's effect. Section 30 ensures that provisions in other Acts that empower the making of rules about civil proceedings include the power to make certain rules regarding proceedings that involve the Crown. *New section 30* replicates clause 20 of the draft Crown Civil Proceedings Bill in *The Crown in Court*.

Part 10

District Court Act 2016

Clause 37 provides that *Part 10* amends the District Court Act 2016.

Clause 38 amends section 212 to confer on Community Magistrates (**Magistrates**) and Justices of the Peace (**Justices**) the same powers as Judges to deal with contempt in the course of proceedings before them. Magistrates and Justices previously had those powers under section 365 of the Criminal Procedure Act 2011. However, the Criminal Procedure Amendment Act 2016 repealed that section and brought all powers relating to contempt in the District Court together under 1 provision, as section 212 of the District Court Act 2016. By oversight, section 212 did not fully carry over the effect of section 365 because it referred only to Judges. *Clause 38* has the effect of restoring Magistrates' and Justices' powers by replacing the reference to Judge with a reference to judicial officer, which is defined as meaning Judges, Magistrates, and Justices.

Part 11

Domestic Violence Act 1995

Clause 39 provides that *Part 11* amends the Domestic Violence Act 1995.

Clause 40 amends section 81 to provide that a lawyer appointed to assist the court, or to represent a child or any other person, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amendment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 12

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Clause 41 provides that *Part 12* amends the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

Clause 42 amends a transitional provision in section 164A relating to permits issued under the Maritime Transport Act 1994. The amendment provides that any reference in those permits to Maritime New Zealand, the Director of Maritime New Zealand, or the Director must be treated as if it were a reference to the Environmental Protection Authority.

Part 13

Family Proceedings Act 1980

Clause 43 provides that *Part 13* amends the Family Proceedings Act 1980.

Clause 44 amends section 162B to provide that a lawyer appointed to represent a child, or to assist the court, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amendment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 14

Films, Videos, and Publications Classification Act 1993

Clause 45 provides that *Part 14* amends the Films, Videos, and Publications Classification Act 1993.

Clauses 46 and 47 clarify that a search warrant under section 109A is to be issued by a District Court Judge and a search warrant under section 109B is to be issued by an issuing officer who is not a Judge. These amendments correct a drafting error identified in *Underwood v R* [2016] NZCA 312. The term “issuing officers” was inadvertently inserted in both sections of the Films, Videos, and Publications Classification Act 1993 when it was amended by the Search and Surveillance Act 2012. Under section 108 of the Search and Surveillance Act 2012, the Attorney-General may authorise a Justice of the Peace, Community Magistrate, Registrar, Deputy Registrar, or other person to act as an issuing officer.

Part 15

Fisheries Act 1996

Clause 48 provides that *Part 15* amends the Fisheries Act 1996.

Clause 49 amends section 255 (which defines terms relating to the forfeiture of quota). Section 255(6) already protects banks from forfeiture of quota that might otherwise occur because a bank has a financial association with an offender. The amendment extends the same protection to non-bank deposit takers (NBDTs). NBDTs carry out similar functions to banks and are also subject to regulatory oversight by the Reserve Bank of New Zealand.

Part 16

Government Superannuation Fund Act 1956

Clause 50 provides that *Part 16* amends the Government Superannuation Fund Act 1956.

Clause 51 amends the heading to section 95. A 1991 amendment to the Act removed a provision under which section 95 would have expired with the close of 30 June 1991, but the heading was not changed. Section 95 continues to apply.

Part 17

Housing Corporation Act 1974

Clause 52 provides that *Part 17* amends the Housing Corporation Act 1974.

Clause 53 removes a redundant definition from section 2.

Part 18

International Finance Agreements Amendment Act 1966

Clause 54 provides that *Part 18* amends the International Finance Agreements Amendment Act 1966 (the **1966 Act**), which is an Act that is read together with and deemed part of the International Finance Agreements Act 1961 (the **1961 Act**).

Clauses 55 and 56 amend sections 3 and 4 respectively. The first amendment in each clause updates an expression to reflect modern usage and align with terminology used in the 1961 Act. The second amendment in each clause reproduces the effect of section 11(1) of the Public Finance Act 1989 for the payments authorised by sections 3 and 4. The second amendment in each clause also aligns the 1966 Act and the 1961 Act; a similar provision was recently inserted into the 1961 Act in order to assist users of that Act.

Part 19

Justices of the Peace Act 1957

Clause 57 provides that *Part 19* amends the Justices of the Peace Act 1957.

Clause 58 adds *new section 3C(2A)*, which would allow the Secretary for Justice to authorise a Justice of the Peace with less than 10 years of service to use the designation “JP (retired)” if the Secretary thinks it appropriate in the circumstances, which might include ill health, injury, or disability. This is a change from section 3C(2)(a), which provides for the designation “JP (retired)” only if a Justice has served for at least 10 years. The amendment would apply to past Justices as well as current and future Justices.

Part 20

Parole Act 2002

Clause 59 provides that *Part 20* amends the Parole Act 2002.

Clause 60 amends section 4 to include a definition of interim supervision order because the term is now to be used in more than 1 provision in the Act. The definition refers to the section of the Act under which interim supervision orders are made.

Clause 61 consequentially removes the definition of interim supervision order in section 107FA(3) and makes a minor change for readability.

Clause 62 amends section 107T, which makes it an offence to breach an extended supervision order. The amendments add a new offence of breaching an interim super-

vision order. The penalty for breaching an interim supervision order is imprisonment for a term not exceeding 2 years. This is the same penalty as applies to the offence of breaching an extended supervision order.

Clause 63 amends section 107V to place on the chief executive similar requirements to notify victims in respect of interim supervision orders as are in place for extended supervision orders.

Part 21

Plumbers, Gasfitters, and Drainlayers Act 2006

Clause 64 provides that *Part 21* amends the Plumbers, Gasfitters, and Drainlayers Act 2006.

Clause 65 amends section 142 in order to be clear that the Plumbers, Gasfitters, and Drainlayers Board (the **Board**) may set a fee for its costs associated with the notification to the Board, by licensed persons who are authorised to supervise work under section 19, 21, or 25, of the supervision of persons doing that work. The ability to set a fee depends on whether notification is required under the prescribed terms and conditions of the licence that authorises the supervision. These terms and conditions are published in the *Gazette* and on the Board's website.

Part 22

Policing Act 2008

Clause 66 provides that *Part 22* amends the Policing Act 2008.

Clause 67 amends section 41, which relates to unclaimed property.

Currently, lost or found property held by the Police must be sold by auction if it is unclaimed for 3 months or more. The effect of the amendment to subsection (1) is that—

- it is no longer a requirement that lost or found property be sold at auction; and
- the time period after which it may be sold is changed to 6 weeks.

Subsection (5) is replaced. The new subsection provides that—

- property that is of little or no monetary value may be given away as an alternative to being destroyed; and
- property that it is not appropriate or practicable to sell may be destroyed or given away.

Part 23

Protection of Personal and Property Rights Act 1988

Clause 68 provides that *Part 23* amends the Protection of Personal and Property Rights Act 1988.

Clauses 69 and 70 amend sections 65 and 65B respectively to provide that a lawyer appointed by the court to represent any person, or to assist the court, may submit his or her invoice for fees and expenses to any Registrar of the court, and that it is the Registrar processing the invoice who may decide to adjust the amount. Invoices will no longer need to be received and processed in the court in which the proceedings were heard. The purpose of this amendment is to increase efficiencies, as it will facilitate the development of a central unit for the processing and payment of service provider invoices.

Part 24

Public Finance Act 1989

Clause 71 provides that *Part 24* amends the Public Finance Act 1989.

Clauses 72 and 73 amend sections 15C and 19A respectively. The amendments relate to who may be named in the supporting information for the main Appropriation Bill as responsible for providing information at the end of a financial year on what has been achieved with an appropriation—referred to in section 19A as a performance reporter. The amendments add Schedule 4 organisations (other than Reserves Boards) and Schedule 4A companies to the list of permitted performance reporters for some types of appropriation.

Clause 74 amends section 26A, which permits the Governor-General, by Order in Council (and subject to certain conditions), to direct the transfer of amounts between output expense appropriations within the same Vote. The amendment clarifies that the power applies in respect of transfers between appropriations for output expenses only, regardless of whether those appropriations are for 1 category or for 2 or more categories of output expenses.

Clause 75 amends section 45AA, which sets out required contents for a departmental agency's annual report. The amendment signposts section 45C, which (in subsections (2) and (3)) sets out required contents for a statement of responsibility for the departmental agency's annual report and requires the chief executive of that agency to sign that statement.

Clauses 76 and 77 relate to Reserves Boards, which are Schedule 4 organisations. *Clause 77* inserts *new sections 45OAAA and 45OAAAB*. *New section 45OAAA* exempts a Reserves Board from the audit report requirements under section 156 of the Crown Entities Act 2004 for any financial year in which its total operating expenses or total operating revenues are less than \$100,000. *New section 45OAAAB* gives the Governor-General the power to amend the \$100,000 amount by Order in Council made on the joint recommendation of the Minister (currently the Minister of Finance) and the Minister of Conservation. Ministers must recommend only an amount that they consider will not unreasonably compromise accountability of Reserves Boards, having regard to the costs and benefits of having financial statements audited. *Clause 76* consequentially amends section 45O.

Part 25

Public Records Act 2005 and consequential amendments

Clause 78 provides that *Part 25* amends the Public Records Act 2005.

Clauses 79 to 81 and 83 amend various provisions of the Public Records Act 2005 to effect the change in name from Archives New Zealand to National Archives of New Zealand.

Clause 82 amends section 60 of the Public Records Act 2005 to add 2 forms of the new name to a list of names protected from use by others.

Clause 84 provides that *clauses 85 to 88* amend the Copyright Act 1994.

Clauses 85 to 88 consequentially amend the Copyright Act 1994.

Clause 89 consequentially replaces regulation 5A(1)(b) of the Copyright (General Matters) Regulations 1995.

Part 26

Real Estate Agents Act 2008 and consequential amendments

Clause 90 provides that *Part 26* amends the Real Estate Agents Act 2008.

Clause 91 amends section 49 of the Real Estate Agents Act 2008, which allows the holder of a branch manager's or salesperson's licence to conduct an auction of land without having to be licensed under the Auctioneers Act 1928 (the **1928 Act**). The 1928 Act has been replaced by the Auctioneers Act 2013 (the **2013 Act**). The amendments do the following:

- update the wording of the section to reflect the 2013 Act. The effect of this change is that the holder of a branch manager's or salesperson's licence who conducts an auction of land is exempt from the requirement to be registered as an auctioneer under the 2013 Act;
- make it clear that, despite the licensee not being required to be registered under the 2013 Act to conduct the auction, he or she must still comply with the rules about the conduct of auctions in the Fair Trading Act 1986. This change makes section 49 consistent with section 48.

Clause 92 amends section 5(2) of the 2013 Act, which lists exceptions to the requirement to be registered as an auctioneer. The amendment is made so that the list reflects the change made to section 49(2) of the Real Estate Agents Act 2008.

Clause 93 amends section 36ZF(4) of the Fair Trading Act 1986, which provides that the requirements of that section (relating to accounts and the payments of proceeds) do not apply to land sales conducted by licensed real estate agents. The effect of the change is that the requirements of the section will also not apply to branch managers or salespersons licensed under the Real Estate Agents Act 2008. This reflects the changes made to section 49 of that Act.

Part 27

State-Owned Enterprises Act 1986

Clause 94 provides that *Part 27* amends the State-Owned Enterprises Act 1986.

Clauses 95 and 96 relate to the publication of accountability documents. *Clause 95* inserts *new section 16A*, which requires the board of every State enterprise (SOE) to publish on the SOE's website the SOE's statements of corporate intent, annual reports, audited financial statements, auditor's reports, and rules. *Clause 96* repeals section 17(2A), which is no longer needed as an SOE's annual report, audited financial statements, and auditor's report must be published by its board as soon as practicable after those documents are delivered to the shareholding Ministers.

Clauses 97 and 98 remove Learning Media Limited from the list of State enterprises and new State enterprises set out in Schedules 1 and 2. Learning Media Limited was removed from the New Zealand register of companies on 4 September 2015.

Part 28

Te Rarawa Claims Settlement Act 2015

Clause 99 provides that *Part 28* amends the Te Rarawa Claims Settlement Act 2015.

Clauses 100 and 101 amend sections 143 and 144 to correct an error. *Clause 100* amends section 143(2) to remove from the jurisdiction of the Te Rarawa fisheries advisory committee the fisheries protocol areas provided for by the Ngāti Kuri Claims Settlement Act 2015, the Te Aupouri Claims Settlement Act 2015, and the Ngāi Tahu Claims Settlement Act 2015. *Clause 101* amends section 144(3) to add those fisheries protocol areas to the jurisdiction of the joint fisheries advisory committee.

Part 29

Weights and Measures Act 1987

Clause 102 provides that *Part 29* amends the Weights and Measures Act 1987.

Clause 103 amends section 40 to give power to dispose of articles that Inspectors have seized and detained for not less than 12 months (for example, weights or measures that do not comply with the Act) to the chief executive of the department responsible for the administration of the Act. There is no longer a Chief Inspector under the Act.

Hon Mark Mitchell

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Statutes Amendment Act (No 2) **2017**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

Part 1 Animal Welfare Act 1999

3 Principal Act

This **Part** amends the Animal Welfare Act 1999 (the **principal Act**).

4 Section 36 amended (Obligations relating to traps)

5

Replace section 36(1) with:

- (1) A person who, for the purpose of capturing alive a mammal, bird, reptile, or amphibian, sets a trap or causes a trap to be set must—
- (a) manually inspect that trap, or cause a competent person to manually inspect that trap, within 12 hours after sunrise on each day the trap remains set, beginning on the day immediately after the day on which the trap is set; or 10
 - (b) manually inspect that trap, or cause a competent person to manually inspect that trap, within 24 hours after the capture of an animal in the trap, but this paragraph applies only if— 15
 - (i) the person monitors the trap with an electronic monitoring system (such as a system of capture sensors or a wireless communication network) that is maintained by the person and that is reliable; and
 - (ii) the monitoring system operates in such a way that it promptly communicates details of any animal captured in the trap and enables the person to meet the person's obligations under subsection (2) within that 24-hour period. 20

Part 2 Biosecurity Act 1993

5 Principal Act

25

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

6 Section 2 amended (Interpretation)

In section 2(1), definition of **unauthorised goods**, replace paragraphs (a) and (b) with:

- (a) uncleared goods in a place that is not a transitional facility, biosecurity control area, or containment facility (other than goods that, in accordance with the authority of an inspector, are— 30
 - (i) proceeding from a transitional facility, biosecurity control area, or containment facility to a transitional facility, biosecurity control area, or containment facility; or 35
 - (ii) being exported from New Zealand); or

- (b) uncleared goods that—
 - (i) are in a transitional facility, biosecurity control area, or containment facility; and
 - (ii) have proceeded there, other than in accordance with the authority of an inspector, from a transitional facility, biosecurity control area, or containment facility; and
 - (iii) have not received the authority of an inspector to remain there; or

7 Section 7 amended (Relationship with other enactments)

In section 7(2), after “Fisheries Act 1983,”, insert “the Fisheries Act 1996,”.

8 Section 24B amended (Amendment, revocation, suspension, and reinstatement) 10

- (1) In section 24B, replace the heading above subsection (3) with:

General suspension

- (2) After section 24B(5), insert:

Partial suspension

- (5A) **Subsections (5B) to (5D)** apply if a chief technical officer believes on reasonable grounds that circumstances or knowledge have changed in such a way as to cause the requirements in an import health standard to no longer enable the purposes of this Part to be achieved in relation to specified goods.

- (5B) The officer may, subject to **subsection (5D)**, recommend to the Director-General the suspension of the standard in relation to— 20

- (a) goods of a specified class or description; or
- (b) goods of a class or description imported from a specified country or specified countries, countries of a specified class or description, a specified location or specified locations, or all countries. 25

- (5C) After receiving the officer’s recommendation, the Director-General may suspend the standard in relation to those goods.

- (5D) The officer must not recommend the suspension of the standard in relation to all goods covered by the standard.

- (3) In section 24B, replace the heading above subsection (6) with: 30

Reinstatement after general suspension

- (4) After section 24B(8), insert:

Reinstatement after partial suspension

- (9) **Subsections (10) and (11)** apply if a chief technical officer believes on reasonable grounds that circumstances or knowledge have changed in such a way as to cause the requirements in an import health standard to again enable the purposes of this Part to be achieved in relation to specified goods. 35

- (10) The officer may recommend to the Director-General the reinstatement of the standard in relation to those goods.
- (11) After receiving the officer’s recommendation, the Director-General may reinstate the standard in relation to those goods.
- 9 Section 25 amended (Goods to be cleared for entry into New Zealand) 5**
- (1) In section 25(2), replace “transitional facility or biosecurity control area” with “transitional facility, biosecurity control area, or containment facility”.
- (2) In section 25(3), replace “transitional facility or biosecurity control area” with “transitional facility, biosecurity control area, or containment facility”.
- (3) Replace section 25(4) with: 10
- (4) Uncleared goods that are in a transitional facility, biosecurity control area, or containment facility may leave the facility or area if an inspector authorises their movement to a transitional facility, biosecurity control area, or containment facility.
- (4) In section 25(8)(b), replace “goods before they are given a biosecurity clearance” with “uncleared goods to which the authorisation relates” 15
- (5) In section 25(9), replace “goods before they are given a biosecurity clearance” with “uncleared goods to which an authorisation relates”.
- 10 Section 37 amended (Approval of ports as places of first arrival)**
- After section 37(9), insert: 20
- (10) The Director-General—
- (a) may, for the purpose of subsection (1), approve standards relating to the operation of arrangements, facilities, and systems at a port to be approved as a place of first arrival; and
- (b) must consult the persons the Director-General considers representative of the classes of persons likely to have an interest in a proposed standard before approving the standard. 25
- 11 Section 39 amended (Approval and cancellation of approval of transitional facilities and containment facilities)**
- In section 39(3A), after “facility”, insert “or a containment facility”. 30
- 12 Section 105A amended (Call in of powers or functions)**
- In section 105A(1), replace “26” with “25, 26, 27A”.

Part 3 Care of Children Act 2004

13 Principal Act

This **Part** amends the Care of Children Act 2004 (the **principal Act**).

14 Section 131 amended (Fees and expenses of lawyer appointed under section 7 or 130) 5

- (1) In section 131(1)(a), replace “the Registrar” with “a Registrar”.
- (2) Replace section 131(2) with:
- (2) An invoice for fees and expenses submitted for payment by a lawyer appointed under section 7 or 130 must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice. 10

Part 4 Child Support Act 1991

15 Principal Act

This **Part** amends the Child Support Act 1991 (the **principal Act**). 15

16 Section 226B amended (Fees and expenses of lawyer appointed under section 226 or 226A)

- (1) In section 226B(1)(a), replace “the Registrar” with “a Registrar”.
- (2) Replace section 226B(2) with:
- (2) An invoice for fees and expenses submitted for payment by a lawyer appointed under section 226 or 226A must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice. 20

Part 5 Children, Young Persons, and Their Families Act 1989 25

17 Principal Act

This **Part** amends the Children, Young Persons, and Their Families Act 1989 (the **principal Act**).

18 Section 162 amended (Payment of lawyer appointed under section 159 or 160) 30

- (1) In section 162(1)(a), replace “the Registrar” with “a Registrar”.
- (2) Replace section 162(2) with:

- (2) An invoice for fees and expenses submitted for payment by a lawyer appointed under section 159 or 160 must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice.

Part 6

Companies Act 1993

19 Principal Act

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

20 Section 303 amended (Admissible claims)

In section 303(2), after “penalties,”, insert “sentences of reparation, orders,”. 10

21 Section 308 amended (Fines and penalties)

In section 308(a), after “fine”, insert “, monetary penalty, sentence of reparation, or other order for the payment of money”.

Part 7

Coroners Act 2006 and related amendment

22 Principal Act

This **Part** amends the Coroners Act 2006 (the **principal Act**).

Amendments to Coroners Act 2006

23 Section 10 amended (Coroner defined)

- (1) After section 10(1)(a), insert: 20

(ab) the deputy chief coroner; and

- (2) After section 10(2)(a), insert:

(ab) section 105A(1) (deputy chief coroner):

24 Section 110 amended (Salaries and allowances)

- (1) In section 110(1), replace “the chief coroner” with “the chief coroner, the deputy chief coroner,”. 25

- (2) After section 110(4), insert:

(4A) If the deputy chief coroner ceases to hold that office but continues to hold office as a coroner, his or her salary and allowances may be reduced by the amount of any salary or allowances he or she received solely because of being the deputy chief coroner. 30

- (3) In section 110(5), after “subsection (4)”, insert “or **(4A)**”.

*Related amendment to Remuneration Authority Act 1977***25 Amendment to Remuneration Authority Act 1977**

- (1) This section amends the Remuneration Authority Act 1977.
- (2) In section 12B(1)(f), replace “the chief coroner” with “the chief coroner, the deputy chief coroner.”

5

Part 8**Credit Contracts and Consumer Finance Act 2003****26 Principal Act**

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

10

27 Cross-heading above section 9J amended

In the cross-heading above section 9J, delete “*disclosure of*”.

Part 9**Crown Proceedings Act 1950 and related amendments****28 Principal Act**

This **Part** amends the Crown Proceedings Act 1950 (the **principal Act**).

15

*Amendments to Crown Proceedings Act 1950***29 Section 21 repealed (Recovery of debts due upon recognisance)**

Repeal section 21.

30 Section 22 amended (Barristers or solicitors may be appointed to act for Attorney-General in each district)

20

- (1) In section 22(1), replace “sections 20 and 21” with “section 20”.
- (2) Replace section 22(2) with:
- (2) On the appointment of a person being made and published in the *Gazette*, and while the appointment is in force,—
- (a) certificates under section 20 of fines imposed within the person’s district must be sent to the person instead of to the Attorney-General; and
- (b) the person must cause final judgment to be signed in accordance with section 20.

25

31 Section 23 amended (Judgments for fines and on recognisances may be vacated by High Court)

30

- (1) In the heading to section 23, delete “**and on recognisances**”.

- (2) In section 23, delete “or section 21”.

32 Section 24 amended (Satisfaction of orders against the Crown)

- (1) In section 24(3), delete “, without further appropriation than this section,”.
- (2) Replace section 24(4) with:
- (4) A department that has paid money under this section must include in its annual financial statements a statement showing the total of all amounts paid under this section in the relevant financial year. 5

33 Section 30 replaced (Rules of court)

Replace section 30 with:

30 Rules about the Crown’s participation in civil proceedings, etc 10

A provision in another Act that empowers the making of rules about civil proceedings also empowers the making of rules for 1 or more of the following purposes:

- (a) providing for the Crown’s participation in civil proceedings:
- (b) in civil proceedings by the Crown for the recovery of taxes, duties, or penalties, providing that the defendant is not entitled to a set-off or counterclaim: 15
- (c) in other civil proceedings by the Crown, providing that the defendant is not entitled to a set-off or counterclaim arising out of a right or claim to repayment in respect of any taxes, duties, or penalties: 20
- (d) in civil proceedings by or against the Crown, providing that the defendant is not entitled, without the court’s leave, to a set-off or counterclaim if the subject matter of the set-off or counterclaim does not relate to the subject matter of the proceedings:
- (e) providing that the Crown is not entitled to a set-off or counterclaim without the court’s leave. 25

34 Schedule 3 amended

In Schedule 3, repeal forms 3 and 4.

Related amendments to other Acts

35 Amendment to Bail Act 2000 30

- (1) This section amends the Bail Act 2000.
- (2) After section 39, insert:

- 39A Court must order bail money to be paid to the Crown unless justice, etc, requires money to be returned to surety**
- (1) If a defendant’s failure to comply with a condition of bail has been entered in the court record under section 39(3), any money paid by a surety under a bail bond is forfeited. 5
- (2) The court must order money forfeited under a bail bond to be paid to the Crown, unless the court considers that equity and good conscience and the real merits and justice of the case require the money to be returned to the surety.
- Compare: 1950 No 54 s 21
- 36 Amendment to Electoral Act 1993** 10
- (1) This section amends the Electoral Act 1993.
- (2) After section 250(2), insert:
- (3) For the purposes of subsection (2), sections 21 and 23 and Schedule 3 of the Crown Proceedings Act 1950 continue to apply as if they had not been amended by **Part 9 of the Statutes Amendment Act (No 2) 2017**. 15

Part 10 District Court Act 2016

- 37 Principal Act**
- This **Part** amends the District Court Act 2016 (the **principal Act**).
- 38 Section 212 amended (Contempt of court)** 20
- In section 212(2)(a) and (b), replace “Judge” with “judicial officer”.

Part 11 Domestic Violence Act 1995

- 39 Principal Act**
- This **Part** amends the Domestic Violence Act 1995 (the **principal Act**). 25
- 40 Section 81 amended (Court may appoint lawyer)**
- (1) In section 81(2A)(a) and (3)(a), replace “the Registrar” with “a Registrar”.
- (2) Replace section 81(4) with:
- (4) An invoice for fees and expenses submitted for payment by a lawyer appointed under this section must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice. 30

Part 12
Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

- 41 Principal Act** 5
 This **Part** amends the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the **principal Act**).
- 42 Section 164A amended (Dumping permits issued under Maritime Transport Act 1994)**
 In section 164A, insert as subsection (2):
- (2) A reference in the permit to Maritime New Zealand, the Director of Maritime New Zealand, or the Director must be treated as if it were a reference to the Environmental Protection Authority. 10

Part 13
Family Proceedings Act 1980

- 43 Principal Act** 15
 This **Part** amends the Family Proceedings Act 1980 (the **principal Act**).
- 44 Section 162B amended (Fees and expenses of lawyer appointed under section 162 or 162A)**
- (1) In section 162B(1)(a), replace “the Registrar” with “a Registrar”.
- (2) Replace section 162B(2) with: 20
- (2) An invoice for fees and expenses submitted for payment by a lawyer appointed under section 162 or 162A must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice.

Part 14 25
Films, Videos, and Publications Classification Act 1993

- 45 Principal Act**
 This **Part** amends the Films, Videos, and Publications Classification Act 1993 (the **principal Act**).
- 46 Section 109A amended (Search warrants from District Court Judges for offences against sections 126 and 131A)** 30
 In section 109A(1), replace “An issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) may, on an application made in the manner provided in subpart 3 of Part 4 of that Act,” with “A District Court

Judge may, on an application made in the manner provided in subpart 3 of Part 4 of the Search and Surveillance Act 2012.”

47 Section 109B amended (Search warrants from Registrars, etc, for offences against section 126 or section 131A)

In section 109B, replace “An issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012)” with “A person who is authorised to act as an issuing officer under section 108 of the Search and Surveillance Act 2012”.

5

Part 15
Fisheries Act 1996

10

48 Principal Act

This **Part** amends the Fisheries Act 1996 (the **principal Act**).

49 Section 255 amended (Interpretation—forfeiture provisions)

After section 255(6), insert:

- (7) No quota owned by any licensed NBDT (within the meaning of section 4(1) of the Non-bank Deposit Takers Act 2013) is to be regarded as associated quota merely because the licensed NBDT has in the ordinary course of its business as a financier become the owner of that quota.

15

Part 16
Government Superannuation Fund Act 1956

20

50 Principal Act

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

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

25

In the heading to section 95, delete “up to 1 July 1991”.

Part 17
Housing Corporation Act 1974

52 Principal Act

This **Part** amends the Housing Corporation Act 1974 (the **principal Act**).

30

53 Section 2 amended (Interpretation)

In section 2, repeal the definition of **State Services Commissioner**.

Part 18

International Finance Agreements Amendment Act 1966

54 Principal Act

This **Part** amends the International Finance Agreements Amendment Act 1966 (the **principal Act**).

5

55 Section 3 amended (Provisions for giving effect to Asian Development Bank Agreement)

(1) In section 3(2), replace “such account of the Public Account as the Minister may direct” with “public money”.

(2) In section 3(2), after “membership of the Asian Bank.”, insert “Expenses or capital expenditure may be incurred without further appropriation than this section for the purpose of these payments (*see* sections 4 and 11 of the Public Finance Act 1989).”

10

56 Section 4 amended (Provisions for giving effect to International Development Association Agreement)

15

(1) In section 4(3), replace “such account of the Crown Bank Account as the Minister may direct” with “public money”.

(2) In section 4(3), after “New Zealand’s membership.”, insert “Expenses or capital expenditure may be incurred without further appropriation than this section for the purpose of these payments (*see* sections 4 and 11 of the Public Finance Act 1989).”

20

Part 19

Justices of the Peace Act 1957

57 Principal Act

This **Part** amends the Justices of the Peace Act 1957 (the **principal Act**).

25

58 Section 3C amended (Use of designation “JP (retired)”)

After section 3C(2), insert:

(2A) Despite subsection (2)(a), the Secretary may, by notice in the *Gazette*, authorise a former Justice who retired or resigned before, on, or after the commencement of this subsection to use the designation “JP (retired)” if the Secretary thinks it appropriate in the circumstances.

30

Part 20 Parole Act 2002

59 Principal Act

This **Part** amends the Parole Act 2002 (the **principal Act**).

60 Section 4 amended (Interpretation) 5

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

interim supervision order means an order made under section 107FA

61 Section 107FA amended (Sentencing court may make interim supervision order)

In section 107FA(3), replace “order under subsection (2) (an **interim supervision order**)” with “interim supervision order”. 10

62 Section 107T amended (Offence to breach extended supervision order)

(1) In the heading to section 107T, after “**order**”, insert “**or interim supervision order**”.

(2) In section 107T, after “extended supervision order”, insert “or interim supervision order”. 15

63 Section 107V amended (Additional victim notification)

In section 107V, after “an extended supervision order”, insert “or interim supervision order”.

Part 21

20

Plumbers, Gasfitters, and Drainlayers Act 2006

64 Principal Act

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

65 Section 142 amended (Board may prescribe fees) 25

After section 142(1)(e), insert:

(ea) the notification, by a person who holds a current practising licence that authorises that person to supervise work done under section 19, 21, or 25, of the supervision of a person doing that work (if notification is required as part of the terms and conditions, imposed by notice published under section 30(1)(c), that apply in respect of that licence): 30

Part 22 Policing Act 2008

66 Principal Act

This **Part** amends the Policing Act 2008 (the **principal Act**).

67 Section 41 amended (Unclaimed property) 5

(1) In section 41(1), replace “3 months or more, must” with “6 weeks or more, may”.

(2) Replace section 41(5) with:

(5) The following types of property (whether perishable or not) may be destroyed or given away: 10

(a) property that has no monetary value or only negligible monetary value:

(b) property that it is not appropriate or practicable to sell.

Part 23 Protection of Personal and Property Rights Act 1988

68 Principal Act 15

This **Part** amends the Protection of Personal and Property Rights Act 1988 (the **principal Act**).

69 Section 65 amended (Appointment of lawyer to represent person in respect of whom application made)

Replace section 65(6) with: 20

(6) An invoice for fees and expenses submitted for payment by a lawyer appointed under this section must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice.

70 Section 65B amended (Payment of lawyer appointed under section 65A)

(1) In section 65B(1)(a), replace “the Registrar” with “a Registrar”. 25

(2) Replace section 65B(2) with:

(2) An invoice for fees and expenses submitted for payment by a lawyer appointed under section 65A must be given to a Registrar of the court, and the Registrar processing the invoice may decide to adjust the amount of the invoice.

Part 24 Public Finance Act 1989

71 Principal Act

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

- 72 Section 15C amended (End-of-year performance information requirements)**
- In section 15C(2)(c) and (3), replace “or a Crown entity” with “a Crown entity, a Schedule 4 organisation (but not including a Reserves Board (as described in Schedule 4)), or a Schedule 4A company”.
- 5
- 73 Section 19A amended (Provision of end-of-year performance information other than by Ministers)**
- In section 19A(1), replace “or Crown entity” with “Crown entity, Schedule 4 organisation, or Schedule 4A company”.
- 74 Section 26A amended (Transfer of resources between output expense appropriations)**
- 10
- After section 26A(3), insert:
- (4) In this section, **output expense appropriation** means—
- (a) an appropriation for 1 category of output expenses:
- (b) a multi-category appropriation that includes only categories of output expenses.
- 15
- 75 Section 45AA amended (Contents of departmental agency annual report)**
- After section 45AA(1)(c), insert:
- (ca) a statement of responsibility that complies with section 45C; and
- 76 Section 45O amended (Special provisions relating to Reserves Boards)**
- 20
- (1) In the heading to section 45O, after “**Reserves Boards**” insert “: **annual financial statements and financial performance**”.
- (2) After section 45O(3), insert:
- (3A) However, if the financial statements are not required to be audited (*see section 45OAAA*), the copies must be sent not later than 4 months after the end of the financial year.
- 25
- 77 New sections 45OAAA and 45O AAB inserted**
- After section 45O, insert:
- 45OAAA Special provisions relating to Reserves Boards: audit report**
- (1) This section applies, for a financial year, to every Reserves Board (as described in Schedule 4) whose total operating expenses or total operating revenues, in that financial year, are less than \$100,000.
- (2) Despite section 45M(1), section 156 of the Crown Entities Act 2004 (which relates to audit reports) does not apply to the Reserves Board.
- 30

450AAB Power to amend amount in section 450AAA(1)

- (1) The Governor-General may, by Order in Council made on the joint recommendation of the Minister and the Minister of Conservation, amend the amount specified in **section 450AAA(1)**.
- (2) The Ministers must recommend only an amount that they consider will not unreasonably compromise accountability of Reserves Boards, having regard to the costs and benefits of having financial statements audited.

5

Part 25**Public Records Act 2005 and consequential amendments****78 Principal Act**

10

This **Part** amends the Public Records Act 2005 (the **principal Act**).

*Amendments to Public Records Act 2005***79 Section 3 amended (Purposes of Act)**

Replace section 3(a) with:

- (a) to provide for the continuation of the repository of public archives that was established by section 5 of the Archives Act 1957; and

15

80 Section 4 amended (Interpretation)

- (1) In section 4, repeal the definition of **Archives New Zealand**.
- (2) In section 4, insert in its appropriate alphabetical order:

National Archives of New Zealand means the repository referred to in **section 9**

20

81 Section 9 and cross-heading replaced

Replace section 9 and the cross-heading above section 9 with:

*National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga***9 Continuation of National Archives of New Zealand**

25

- (1) The repository established by section 5 of the Archives Act 1957 and subsequently known as Archives New Zealand (Te Rua Mahara o te Kāwanatanga) is continued with the names National Archives of New Zealand and Te Rua Mahara o te Kāwanatanga.
- (2) The repository may be referred to by either name alone or by both names together.

30

82 Section 60 amended (Protection of names)

After section 60(1)(d), insert:

- (da) National Archives of New Zealand:
- (db) National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga:

83 “Archives New Zealand” replaced with “National Archives of New Zealand”

Replace “Archives New Zealand” with “National Archives of New Zealand” 5
in:

- (a) section 21(1)(a) and (2)(b)(i):
- (b) section 22(3)(a):
- (c) section 26(2)(d):
- (d) section 38(4)(a): 10
- (e) section 42(1) and (4):
- (f) section 47:
- (g) section 58:
- (h) section 62(2):
- (i) section 63(a), (c), and (d), in each place: 15
- (j) section 64(2)(b):
- (k) section 65(2)(g) and (h).

Consequential amendments to Copyright Act 1994 and related regulations

84 Amendments to Copyright Act 1994

Sections 85 to 88 amend the Copyright Act 1994. 20

85 Section 2 amended (Interpretation)

- (1) In section 2(1), repeal the definition of **Archives New Zealand**.
- (2) In section 2(1), insert in its appropriate alphabetical order:

National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga
means the repository referred to in **section 9** of the Public Records Act 2005 25

86 Section 50 amended (Interpretation)

In section 50(1), definition of **archive**, replace paragraph (a)(i) with:

- (i) National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga; or

87 Section 85 amended (Incidental recording for purposes of communication) 30

In section 85(3)(b), replace “Archives New Zealand (Te Rua Mahara o te Kāwanatanga)” with “National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga”.

88 Section 187 amended (Incidental recording for purposes of communication work)

In section 187(2)(b), replace “the national archives” with “National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga”.

89 Consequential amendment to Copyright (General Matters) Regulations 1995 5

(1) This section amends the Copyright (General Matters) Regulations 1995.

(2) Replace regulation 5A(1)(b) with:

(b) National Archives of New Zealand/Te Rua Mahara o te Kāwanatanga:

Part 26

10

Real Estate Agents Act 2008 and consequential amendments**90 Principal Act**

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

*Amendment to Real Estate Agents Act 2008***91 Section 49 amended (Branch manager’s or salesperson’s licence)** 15

(1) In section 49(2), replace “without having to be licensed under the Auctioneers Act 1928” with “, and operates as an exemption from the requirement in the Auctioneers Act 2013 to be registered as an auctioneer”.

(2) After section 49(2), insert:

(3) However, every licensee who conducts an auction of land must comply with the rules about the conduct of auctions set out in sections 36Y to 36ZE (but not the rule in section 36ZF) of the Fair Trading Act 1986. 20

*Consequential amendments to other Acts***92 Amendment to Auctioneers Act 2013**

(1) This section amends the Auctioneers Act 2013. 25

(2) In section 5(2)(a), replace “section 48” with “sections 48 and 49”.

93 Amendment to Fair Trading Act 1986

(1) This section amends the Fair Trading Act 1986.

(2) In section 36ZF(4), replace “a licensed real estate agent, and the provisions of the Real Estate Agents Act 2008” with “an agent, a branch manager, or a salesperson, licensed under the Real Estate Agents Act 2008, and the provisions of that Act”. 30

Part 27

State-Owned Enterprises Act 1986

94 Principal Act

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

95 New section 16A inserted (Information to be published by boards) 5

After section 16, insert:

16A Information to be published by boards

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| (1) The board of a State enterprise must publish the following documents on an Internet site maintained by or on behalf of the State enterprise: | 10 |
| (a) the completed statement of corporate intent of the State enterprise: | |
| (b) the annual report and audited financial statements of the State enterprise: | |
| (c) the auditor's report on those financial statements: | |
| (d) the rules of the State enterprise: | |
| (e) any change to those rules: | |
| (f) any notice making a modification to the statement of corporate intent of the State enterprise, and a document that consolidates all modifications into the statement of corporate intent. | 15 |
| (2) Each document referred to in subsection (1)(a) to (c) must be published as soon as practicable after the board delivers that document to the shareholding Ministers. | 20 |
| (3) The rules of the State enterprise and any change to those rules must be published as soon as practicable after the date of those rules or that change or the date on which the State enterprise became a State enterprise, whichever is the later. | |
| (4) The documents referred to in subsection (1)(f) must be published as soon as practicable after the board delivers to the shareholding Ministers the notice making the modification. | 25 |

96 Section 17 amended (Information to be laid before House of Representatives)

Repeal section 17(2A).

97 Schedule 1 amended 30

In Schedule 1, repeal the item relating to Learning Media Limited.

98 Schedule 2 amended

In Schedule 2, repeal the item relating to Learning Media Limited.

Part 28

Te Rarawa Claims Settlement Act 2015

99 Principal Act

This **Part** amends the Te Rarawa Claims Settlement Act 2015 (the **principal Act**).

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100 Section 143 amended (Appointment of Te Rarawa fisheries advisory committee)

Replace section 143(2) with:

- (2) The purpose of the Te Rarawa fisheries advisory committee is to advise the Minister on the utilisation of fish, aquatic life, and seaweed managed under the Fisheries Act 1996, while also ensuring the sustainability of those resources in the fisheries protocol area.

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101 Section 144 amended (Appointment of joint fisheries advisory committee)

Replace section 144(3) with:

- (3) The purpose of the joint fisheries advisory committee is to advise the Minister on the utilisation of fish, aquatic life, and seaweed managed under the Fisheries Act 1996, while also ensuring the sustainability of those resources in—
- (a) the fisheries protocol area; and
 - (b) the fisheries protocol areas provided for by—
 - (i) section 128 of the Ngāti Kuri Claims Settlement Act 2015; and
 - (ii) section 130 of the Te Aupouri Claims Settlement Act 2015; and
 - (iii) section 125 of the Ngāi Takoto Claims Settlement Act 2015.

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Part 29

Weights and Measures Act 1987

102 Principal Act

This **Part** amends the Weights and Measures Act 1987 (the **principal Act**).

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103 Section 40 amended (Disposal of articles seized)

In section 40(1), replace “Chief Inspector” with “Secretary”.