

# INTRODUCTION COPY

*Hon. Winston Peters*

## ROAD TRANSPORT REVENUES FUND

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26A. Road Transport Revenues Fund	

### A BILL INTITULED

5 **An Act to amend the Public Finance Act 1989 to provide for the establishment of a Road Transport Revenues Fund for the purpose of ensuring that all revenue derived from road transport is spent for the purposes of developing, maintaining, enhancing, or administering road transport in New Zealand**

BE IT ENACTED by the Parliament of New Zealand as follows:

10 **1. Short Title**—This Act may be cited as the Road Transport Revenues Fund Act 1995, and shall be read together with and deemed part of the Public Finance Act 1989\* (hereinafter referred to as the principal Act).

\*1989, No. 44

Reprinted as on 1 February 1995

**2. New Part II<sub>A</sub> inserted**—The principal Act is hereby amended by inserting, after Part II, the following Part:

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“PART II<sub>A</sub>

“ROAD TRANSPORT REVENUES FUND

“26A. **Road Transport Revenues Fund**—(1) There shall be paid into the Crown Bank Account and separately accounted for—

- “(a) All taxes, duties, or other such levies on oil or petrol or any other automotive fuel of any kind used for road transport:
- “(b) All road user charges and any other taxes or levies assessed on the basis of road usage or distance travelled on public roads: 5
- “(c) All fees and charges of any kind collected from registration or licensing of motor vehicles or persons in connection with their use of public roads:
- “(d) Any customs, excise, sales, or any other kind of levy on motor vehicles or motor vehicle parts used in road transport: 10
- “(e) All fines or other monetary penalties collected in respect of any offences against laws or regulations governing road transport: 15
- “(f) Any other revenues levied on road transport:
- “(g) Any interest earned from the investment of public money that relates to the Fund;—
- and these revenues and other amounts, exclusive of goods and services tax, shall together comprise a credit sum within the Crown Bank Account to be known as the Road Transport Revenues Fund. 20
- “(2) Payments from the Crown Bank Account may be debited to the Fund only if such payments are authorised by this Act. 25
- “(3) Notwithstanding anything in subsection (1) of this section, there shall be paid out of the Crown Bank Account and debited to the Fund—
- “(a) An amount determined by the Minister as being the expenses incidental to the collection of the revenues of the Fund; and 30
- “(b) The expenses incurred in the administration and enforcement of the Road User Charges Act 1977; and
- “(c) The expenses incurred in the administration of the Fund. 35
- “(4) Notwithstanding anything in this Act, any person entitled to any refund of—
- “(a) Road user charges and additional charges in accordance with section 22 (3) of the Road User Charges Act 1977; and 40
- “(b) Fuel excise duty in accordance with section 101 (6) of the Transit New Zealand Act 1989; and

“(c) Fees and Charges in accordance with Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986; and

5 “(d) Any other refund in accordance with any enactment in relation to the taxes, fees, charges, duties, and other amounts paid into the Crown Bank Account pursuant to subsection (1) of this section—

10 immediately prior to the commencement of the Road Transport Revenues Fund Act 1995 shall continue to be entitled to those refunds, which shall be paid out of the Crown Bank Account and debited to the Fund by virtue of this section. Every reference to the Land Transport Fund in those enactments shall, unless the context otherwise requires, be read as a reference to the Road Transport Revenues Fund.

15 Cf. 1989, No. 75, s. 8 (1)-(4)

“26B. **Payments from Fund may be made without further appropriation**—All money payable out of the Fund under any provision of this Part of this Act may be paid without further appropriation from this section.

20 Cf. 1989, No. 75, s. 9

“26c. **Payments from Fund**—(1) Each year there shall be paid out of the Fund, moneys for the purposes of—

25 “(a) Developing, extending, maintaining, improving the safety of, or administering public roads:

“(b) Policing, administering or enforcing laws or regulations governing road transport, public roads or their use:

“(c) Developing, maintaining, or encouraging use of public transport of passengers on land:

30 “(d) Research into, or developing or encouraging the use of, systems for achieving greater fuel efficiency in road transport, or other programmes aimed at reducing environmental damage caused by road transport;—

and for no other purpose.

35 “(2) Moneys paid out of the Fund under this section shall be to such persons and accounts, in such instalments, and on such conditions as are determined by the Minister.

Cf. 1989, No. 75, s. 10”

40 **3. Abolition of Land Transport Fund and apportionment of excise duty**—Sections 8 to 10 and section 100 of the Transit New Zealand Act 1989 are hereby consequentially repealed.