

## **SUBORDINATE LEGISLATION (CONFIRMATION AND VALIDATION) BILL (NO. 2)**

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### EXPLANATORY NOTE

This Bill, which comes into force on the day on which it receives the Royal assent, confirms and validates certain subordinate legislation made under enactments providing that the legislation lapses after a time unless confirmed or validated by Act of Parliament.

*Clause 1* relates to the Bill's Short Title.

*Clause 2* provides that the Bill binds the Crown.

### PART 1

#### CONFIRMATIONS AND VALIDATIONS

*Clause 3* confirms regulations under the Primary Products Marketing Act 1953.

*Clause 4* validates and confirms an order under the War Pensions Act 1954.

*Clause 5* validates and confirms an order under the Social Security Act 1964.

*Clause 6* confirms an order under the Road User Charges Act 1977.

*Clause 7* confirms regulations under the Fisheries Act 1983.

*Clause 8* validates and confirms orders under the Tariff Act 1988.

*Clause 9* confirms orders under the Customs and Excise Act 1996.

*Clause 10* provides that the validations effected by *clauses 4, 5, and 8* are for the purpose only of preventing the expiry of the subordinate legislation concerned, and not to cure any invalidity.

### PART 2

#### REPEALS, SAVINGS, AND REVOCATIONS

*Clause 11* repeals the Subordinate Legislation (Validation) Act 1997 and the Subordinate Legislation (Confirmation and Validation) Act 1997, which are now spent, and saves the effect of certain validations effected by those Acts.

*Hon Roger Sowry*

**SUBORDINATE LEGISLATION (CONFIRMATION AND  
VALIDATION) (NO. 2)**

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ANALYSIS

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1. Short Title	8. Orders under Tariff Act 1988
2. Act binds the Crown	9. Orders under Customs and Excise Act 1996
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<b>PART 1</b>	<b>PART 2</b>
CONFIRMATIONS AND VALIDATIONS	REPEALS, SAVINGS, AND REVOCATIONS
3. Regulations under Primary Products Marketing Act 1953	11. Repeals and savings
4. Order under War Pensions Act 1954	12. Revocation of spent revocation orders
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A BILL INTITULED

**An Act to confirm and validate certain subordinate  
legislation**

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

- 5     **1. Short Title**—This Act may be cited as the Subordinate  
Legislation (Confirmation and Validation) Act (**No. 2**) 1998.
- 2. Act binds the Crown**—This Act binds the Crown.

**PART 1**

CONFIRMATIONS AND VALIDATIONS

- 10    **3. Regulations under Primary Products Marketing Act  
1953**—The Kiwifruit Marketing Amendment Regulations 1998  
(S.R. 1998/48) are confirmed.
- 4. Order under War Pensions Act 1954**—The War  
Pensions (Rates of Pensions and Allowances) Order 1998  
15 (S.R. 1998/35) is validated and confirmed.

**5. Order under Social Security Act 1964**—The Social Security (Rates of Benefits and Allowances) Order 1998 (S.R. 1998/34) is validated and confirmed.

**6. Order under Road User Charges Act 1977**—The Road User Charges (Rates) Order 1998 (S.R. 1998/110) is confirmed. 5

**7. Regulations under Fisheries Act 1983**—The Fisheries (Catch Against Quota) Amendment Regulations 1997 (S.R. 1997/174) are confirmed.

**8. Orders under Tariff Act 1988**—The following orders are validated and confirmed: 10

- (a) The Tariff (Product Graduation Termination) Amendment Order 1997 (S.R. 1997/314):
- (b) The Tariff (Concession) Amendment Order 1997 (S.R. 1997/360):
- (c) The Tariff (Miscellaneous) Amendment Order 1998 15 (S.R. 1998/31):
- (d) The Tariff (Motor Vehicles) Amendment Order 1998 (S.R. 1998/92):
- (e) The Tariff (Concessions) Amendment Order 1998 20 (S.R. 1998/186).

**9. Orders under Customs and Excise Act 1996**—The following orders are confirmed:

- (a) The Excise and Excise-Equivalent Duties (Tobacco Products Indexation) Amendment Order 1997 25 (S.R. 1997/284):
- (b) The Customs Export Prohibition Amendment Order 1997 (S.R. 1997/315):
- (c) The Excise and Excise-Equivalent Duties (Alcoholic Beverages Indexation) Amendment Order 1998 30 (S.R. 1998/79).

**10. Effect of validations**—The validations effected by sections 4, 5, and 8 are for the purpose only of preventing the expiry of the enactments validated and confirmed by those sections; and do not—

- (a) Express an intention to give legislative force to the 35 provisions of those enactments; or
- (b) Apply to any reason for invalidating any of those enactments; or

- (c) Override any presumption that would otherwise apply to any of those enactments.

PART 2

REPEALS, SAVINGS, AND REVOCATIONS

5     **11. Repeals and savings**—(1) The following enactments are repealed:

(a) The Subordinate Legislation (Validation) Act 1997:

(b) The Subordinate Legislation (Confirmation and Validation) Act 1997.

10     (2) The repeal of the Subordinate Legislation (Validation) Act 1997 does not limit or affect the validity of the Biosecurity (Costs) Regulations 1993.

15     (3) The repeal of the Subordinate Legislation (Confirmation and Validation) Act 1997 does not limit or affect the validity of the Fisheries (Cost Recovery Levies) Order 1997.

**12. Revocation of spent revocation orders**—The following orders are revoked:

(a) Revocation of Dairy Industry Accounts Regulations (S.R. 1989/346):

20     (b) The Dairy Industry (Revocation of Regulations) Regulations 1991 (S.R. 1991/1).