

# **Land Transport Amendment Act 1997**

Public Act 1997 No 4  
Date of assent 30 April 1997

## **Contents**

	Page
Title	1
1 Short Title and commencement	1
2 Interpretation	2
3 Power of Minister to make ordinary rules	2
4 Rules relating to safety and licensing	2
5 Rules relating to general matters	2
6 Transfer provisions for certain employees of Land Transport Safety Authority	2

---

## **An Act to amend the Land Transport Act 1993**

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

### **1 Short Title and commencement**

- (1) This Act may be cited as the Land Transport Amendment Act 1997, and is part of the Land Transport Act 1993 (**the principal Act**).
- (2) Except as provided in section 6(2), this Act comes into force on the date on which it receives the Royal assent.

**2 Interpretation**

- (1) This subsection inserted the definition of the term **Controlling authority** after the definition of the term **Authority** in s 2(1) of the principal Act.
- (2) This subsection amended the definition of the term **Land Transport Register** in s 2(1) of the principal Act.

**3 Power of Minister to make ordinary rules**

This section amended s 4 of the principal Act.

**4 Rules relating to safety and licensing**

This section inserted s 5(ca) of the principal Act.

**5 Rules relating to general matters**

- (1) This subsection inserted s 6(a)(viii) of the principal Act.
- (2) This subsection inserted s 6(b)(vii) of the principal Act.

**6 Transfer provisions for certain employees of Land Transport Safety Authority**

- (1) The principal Act is amended by inserting, after section 37, the following section:

**“37A**

- (1) This section applies to any person (referred to in this section as a transferee) who—
  - “(a) As an employee of the Authority, is or was engaged principally in duties relating to any one or more of the following matters:
    - “(i) The administration of motor vehicle registration and licensing under Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986:
    - “(ii) The administration or enforcement of road user charges under the Road User Charges Act 1977:
    - “(iii) The administration of fuel excise duty refunds under Part V of the Transit New Zealand Act 1989:

- “(iv) The collection of revenue under the Road User Charges Act 1977, Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, or Part V of the Transit New Zealand Act 1989; and
    - “(b) Becomes or is offered the opportunity to become an employee or director of—
      - “(i) Any Department or other part of the State services (as defined in section 2 of the State Sector Act 1988); or
      - “(ii) Any company, partnership, or person—to which the responsibility for any of the matters specified in paragraph (a) of this subsection has been or is transferred (such Department, other part of the State services, company, partnership, or person being referred to in this section as the employer).
  - “(2) No transferee is entitled to any payment, benefit, or compensation, whether for redundancy or otherwise, by reason only of the transferee ceasing to be employed by the Authority if—
    - “(a) The transferee has been or is offered terms and conditions of employment that are similar in overall effect to those of the transferee with the Authority; and
    - “(b) The employer has agreed to treat the transferee’s service with the Authority as if it were service with the employer and as if it were continuous; and
    - “(c) The duties of the transferee are similar in overall effect to those of the transferee with the Authority or the transferee is willing to accept alternative duties.
  - “(3) Any transferee who, immediately before transfer, was a contributor to the Government Superannuation Fund under the Government Superannuation Fund Act 1956 is, for the purposes of that Act, deemed to be employed in the Government service so long as that person con-

tinues to be employed with, or be a director of, the employer.

- “(4) Subject to the Government Superannuation Fund Act 1956, nothing in subsection (3) of this section entitles a transferee to become a contributor to the Government Superannuation Fund after that transferee has ceased to be a contributor.
- “(5) For the purpose of applying the Government Superannuation Fund Act 1956 in accordance with subsection (3) of this section, the term **controlling authority**, in relation to a transferee, means the employer.”
- (2) This section comes into force on a date to be appointed by the Governor-General by Order in Council.