

**Reprint  
as at 1 July 2017**

**Fire Service Amendment Act 1998**

Public Act     1998 No 13  
Date of assent     3 April 1998

Fire Service Amendment Act 1998: repealed, on 1 July 2017, pursuant to section 195(a) of the Fire and Emergency New Zealand Act 2017 (2017 No 17).

**Contents**

	Page
Title	1
1 Short Title and commencement	1
2 New Zealand Fire Service Commission	2
3 Income of Commission	2
4 Levy	2
5 Borrowing powers	2
6 Crown's contribution to Commission's income for financial year ending with 30 June 1998	2

**An Act to amend the Fire Service Act 1975**

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

**1 Short Title and commencement**

- (1) This Act may be cited as the Fire Service Amendment Act 1998, and is part of the Fire Service Act 1975 (“the principal Act”).

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

**This Act is administered in the Department of Internal Affairs.**

- (2) This Act (except section 6) comes into force on 1 July 1998.

## **2 New Zealand Fire Service Commission**

- (1) This subsection amended s 4(7) of the principal Act.  
(2) This subsection repealed s 5(10) to (12) of the principal Act.  
(3) This subsection amended s 62(2) of the principal Act.

## **3 Income of Commission**

- (1) This subsection substituted s 47 and repealed s 47A of the principal Act.  
(2) This subsection amended s 46I of the principal Act.  
(3) The following enactments are consequentially repealed:  
(a) Section 6 of the Fire Service Amendment Act 1986:  
(b) Sections 32(1) and 33(1) of the Fire Service Amendment Act 1990:  
(c) Section 3(2) of the Fire Service Amendment Act 1994.

## **4 Levy**

- (1) This subsection substituted s 48(4)(b)(ii) of the principal Act.  
(2) This subsection amended s 48(5) of the principal Act.

## **5 Borrowing powers**

This section substituted s 59 of the principal Act.

## **6 Crown's contribution to Commission's income for financial year ending with 30 June 1998**

- (1) Notwithstanding anything in sections 47 and 47A of the principal Act, in relation to the financial year ending with 30 June 1998,—  
(a) The amount payable to the Commission under section 47(2)(a) of the principal Act as the Crown's contribution to the Commission's income for that financial year must not exceed \$14,058,000 (inclusive of GST); and  
(b) The proceeds of the levy (other than the portion of the proceeds required for the Rural Fire Fighting Fund) payable to the Commission under section 47(2)(b) of the principal Act are to meet the balance of the actual net expenditure of the Commission for that financial year and those proceeds may exceed 92% of the actual net expenditure of the Commission.  
(2) If, in the financial year ending with 30 June 1998, the income of the Commission under section 47(2) of the principal Act, as modified by subsection (1) of this section, exceeds the actual net expenditure of the Commission for that financial year, that excess is to be deemed to be an advance in the payment of the levy and is to be taken into account when the rate of the levy is reviewed in the year ending with 31 December 1998.

- (3) This section comes into force on the date on which this Act receives the Royal assent.

**Eprint notes****1    *General***

This is an eprint of the Fire Service Amendment Act 1998 that incorporates all the amendments to that Act as at the date of the last amendment to it.

**2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

**3    *Amendments incorporated in this eprint***

Fire and Emergency New Zealand Act 2017 (2017 No 17): section 195(a)