



# Remuneration Authority Amendment Act 2009

Public Act 2009 No 65  
Date of assent 7 December 2009  
Commencement see section 2

## Contents

	Page
1 Title	2
2 Commencement	2
3 Principal Act amended	2
<b>Part 1</b>	
<b>Countervailing economic conditions</b>	
4 New section 18A inserted	2
18A Countervailing economic conditions	2
5 Transitional provision	2
<b>Part 2</b>	
<b>Other amendments to principal Act</b>	
6 Functions of Authority	3
7 Amendment of Schedules 1, 2, 3, and 4	3
8 Release of determinations	3
9 Annual report	3
10 Consultation with Authority	3
11 Schedule 1 repealed	3
12 Schedule 4 amended	3

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**The Parliament of New Zealand enacts as follows:****1 Title**

This Act is the Remuneration Authority Amendment Act 2009.

**2 Commencement**

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

**3 Principal Act amended**

This Act amends the Remuneration Authority Act 1977.

**Part 1****Countervailing economic conditions****4 New section 18A inserted**

The following section is inserted after section 18:

**“18A Countervailing economic conditions**

“(1) Subsection (2) applies in relation to the Authority in determining the remuneration of any person or group of persons under section 12(1)(a) or 12B(1) or under any other enactment.

“(2) The Authority—

“(a) must take into account any prevailing adverse economic conditions, based on evidence from an authoritative source; and

“(b) may determine the remuneration at a rate lower than it would otherwise have determined.

“(3) A determination of remuneration at a lower rate under subsection (2)(b) must not result in the remuneration of a person or group of persons being lower than the remuneration the person or group of persons is entitled to before the determination.

“(4) To avoid doubt, the provisions of any other enactment relating to the setting of remuneration by the Authority must be read together with, and subject to, this section.”

**5 Transitional provision**

(1) The amendment made by section 4 does not apply to a determination that comes into force after the commencement of this

section if the determination was made before the commencement of this Act.

- (2) The amendment made by section 4 applies to a determination the Authority is considering making, but has not made as at the commencement of this Act.

## Part 2

### Other amendments to principal Act

#### 6 Functions of Authority

Section 12(1)(a)(ii) is repealed.

#### 7 Amendment of Schedules 1, 2, 3, and 4

- (1) The heading to section 13 is amended by omitting “1,”.
- (2) Section 13(1)(a) is repealed.
- (3) Section 13(1)(e) is amended by omitting “Schedule 1,”.

#### 8 Release of determinations

Section 15(2)(a) is amended by omitting “(other than determinations fixing the remuneration of the officers of the corporations and bodies specified in Part 2 of Schedule 1 to this Act)”.

#### 9 Annual report

Section 27(1) is amended by omitting “the 31st day of March” and substituting “30 June”.

#### 10 Consultation with Authority

Section 32 is amended by omitting “any corporation or body specified in Part 1 or Part 2 of Schedule 1 to this Act or”.

#### 11 Schedule 1 repealed

Schedule 1 is repealed.

#### 12 Schedule 4 amended

Schedule 4 is amended by—

- (a) omitting the item relating to the Chairman of the Broadcasting Corporation of New Zealand; and

- (b) omitting the item relating to the Chief of Defence Staff and the Deputy Chief of Defence Staff and substituting the following item: “The Chief of Defence Force”.

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**Legislative history**

14 September 2009	Introduction (Bill 82–1)
24 September 2009	First reading and referral to Transport and Industrial Relations Committee
30 October 2009	Reported from Transport and Industrial Relations Committee
24 November 2009	Second reading, committee of the whole House, third reading
7 December 2009	Royal assent

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This Act is administered by the Department of Labour.

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