

Reprint
as at 1 April 2018



Hurunui/Kaikōura Earthquakes Recovery Act 2016

Public Act 2016 No 102
Date of assent 12 December 2016
Commencement see section 2

Contents

	Page
1 Title	2
2 Commencement	2
Part 1	
Preliminary provisions	
3 Purpose	3
4 Interpretation	3
5 Transitional, savings, and related provisions	4
6 Act binds the Crown	4
Part 2	
Orders in Council	
7 Governor-General may make Orders in Council <i>[Repealed]</i>	5
<i>Key restrictions on orders</i>	
<i>[Repealed]</i>	
8 Relevant Minister may recommend order only for purposes of Act, etc <i>[Repealed]</i>	5
9 Engagement about proposal <i>[Repealed]</i>	5
10 Reasons for order <i>[Repealed]</i>	5

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Department of the Prime Minister and Cabinet.

11	Further restrictions on orders <i>[Repealed]</i>	5
	<i>Hurunui/Kaikōura Earthquakes Recovery Review Panel</i>	
	<i>[Repealed]</i>	
12	Hurunui/Kaikōura Earthquakes Recovery Review Panel	5
	<i>[Repealed]</i>	
13	Panel may act by division <i>[Repealed]</i>	5
14	Functions of Panel <i>[Repealed]</i>	5
	<i>Further provisions about orders</i>	
	<i>[Repealed]</i>	
15	Orders revoked on 31 March 2018 <i>[Repealed]</i>	6
16	Validity of orders <i>[Repealed]</i>	6
17	Actions taken before determination of invalidity <i>[Repealed]</i>	6
	<i>Other orders</i>	
	<i>[Repealed]</i>	
18	Order in Council may specify additional Acts <i>[Repealed]</i>	6
19	Order to add Acts revoked if not approved by House <i>[Repealed]</i>	6
20	Reasons for order <i>[Repealed]</i>	6
	<i>Application of Legislation Act 2012</i>	
21	Application of Legislation Act 2012	6
	<i>Report on operation of Act</i>	
22	Report on operation of Act	7
	<i>Repeal</i>	
23	Repeal of Act	7
	Schedule 1	8
	Transitional, savings, and related provisions	
	Schedule 2	9
	Enactments to which order may relate	
	<i>[Repealed]</i>	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Hurunui/Kaikōura Earthquakes Recovery Act 2016.

2 Commencement

This Act comes into force on the day after the date of Royal assent.

Part 1

Preliminary provisions

3 Purpose

The purpose of this Act is to assist the earthquake-affected area and its councils and communities to respond to, and recover from, the impacts of the Hurunui/Kaikōura earthquakes and, in particular, to—

- (a) provide for economic recovery; and
- (b) provide for the planning, rebuilding, and recovery of affected communities and persons, including—
 - (i) the repair and rebuilding of land, infrastructure, and other property of affected communities or of any affected persons; and
 - (ii) safety enhancements to, and improvements to the resilience of, that land, infrastructure, or other property; and
 - (iii) facilitating co-ordinated efforts and processes for short-term, medium-term, and long-term recovery; and
 - (iv) facilitating the restoration and improvement of the economic, social, and cultural well-being, and the resilience, of affected communities or of any affected persons; and
 - (v) facilitating the restoration of the environment.

Compare: 2011 No 12 s 3

4 Interpretation

- (1) In this Act, unless the context otherwise requires,—

council means the Hurunui District Council, the Kaikoura District Council, the Marlborough District Council, the Wellington City Council, the Hutt City Council, the Canterbury Regional Council (Environment Canterbury), and the Wellington Regional Council (Greater Wellington)

earthquake-affected area means, to the extent that they are affected (whether directly or indirectly) by the Hurunui/Kaikōura earthquakes,—

- (a) the districts or regions of the councils; and
- (b) the parts of the coastal marine area (within the meaning of section 2(1) of the Resource Management Act 1991) that are part of, or adjacent to, those districts and regions; and
- (c) the areas of other districts or regions that contain transport or other infrastructure

enactment has the same meaning as in section 29 of the Interpretation Act 1999, and also includes any plan, programme, bylaw, or rule made under any Act or regulations

Hurunui/Kaikōura earthquakes or earthquakes—

- (a) means the earthquakes that occurred on 14 November 2016 in Hurunui and Kaikōura; and
- (b) includes any earthquake that occurs in, or significantly affects, the earthquake-affected area (as defined in paragraphs (a) and (b) of the definition of that term) on or after 14 November 2016

local authority has the same meaning as in section 5(1) of the Local Government Act 2002

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is responsible for the administration of this Act

order means an Order in Council made under section 7

Panel means the Hurunui/Kaikōura Earthquakes Recovery Review Panel established under section 12

relevant Minister,—

- (a) in relation to an enactment (other than this Act or an instrument referred to in paragraph (b)), means the Minister who is, under the authority of any warrant or with the authority of the Prime Minister, responsible for the administration of the enactment:
 - (b) in relation to a plan, programme, bylaw, or rule, means the Minister who is, under the authority of any warrant or with the authority of the Prime Minister, responsible for—
 - (i) the administration of the Act under which that instrument is made; or
 - (ii) if that instrument is made under regulations, the administration of the Act under which the regulations are made.
- (2) If there is more than 1 relevant Minister for an order, the references in this Act to the relevant Minister must be treated as references to those Ministers acting together (unless the context otherwise requires).

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

6 Act binds the Crown

This Act binds the Crown.

Part 2 Orders in Council

7 Governor-General may make Orders in Council

[Repealed]

Section 7: repealed, on 1 April 2018, by section 23(1).

Key restrictions on orders

[Repealed]

Heading: repealed, on 1 April 2018, pursuant to section 23(1).

8 Relevant Minister may recommend order only for purposes of Act, etc

[Repealed]

Section 8: repealed, on 1 April 2018, by section 23(1).

9 Engagement about proposal

[Repealed]

Section 9: repealed, on 1 April 2018, by section 23(1).

10 Reasons for order

[Repealed]

Section 10: repealed, on 1 April 2018, by section 23(1).

11 Further restrictions on orders

[Repealed]

Section 11: repealed, on 1 April 2018, by section 23(1).

Hurunui/Kaikōura Earthquakes Recovery Review Panel

[Repealed]

Heading: repealed, on 1 April 2018, pursuant to section 23(1).

12 Hurunui/Kaikōura Earthquakes Recovery Review Panel

[Repealed]

Section 12: repealed, on 1 April 2018, by section 23(1).

13 Panel may act by division

[Repealed]

Section 13: repealed, on 1 April 2018, by section 23(1).

14 Functions of Panel

[Repealed]

Section 14: repealed, on 1 April 2018, by section 23(1).

*Further provisions about orders**[Repealed]*

Heading: repealed, on 1 April 2018, pursuant to section 23(1).

15 Orders revoked on 31 March 2018*[Repealed]*

Section 15: repealed, on 1 April 2018, by section 23(1).

16 Validity of orders*[Repealed]*

Section 16: repealed, on 1 April 2018, by section 23(1).

17 Actions taken before determination of invalidity*[Repealed]*

Section 17: repealed, on 1 April 2018, by section 23(1).

*Other orders**[Repealed]*

Heading: repealed, on 1 April 2018, pursuant to section 23(1).

18 Order in Council may specify additional Acts*[Repealed]*

Section 18: repealed, on 1 April 2018, by section 23(1).

19 Order to add Acts revoked if not approved by House*[Repealed]*

Section 19: repealed, on 1 April 2018, by section 23(1).

20 Reasons for order*[Repealed]*

Section 20: repealed, on 1 April 2018, by section 23(1).

*Application of Legislation Act 2012***21 Application of Legislation Act 2012**

- (1) Despite section 16(4), an Order in Council made under this Act is a disallowable instrument for the purposes of the Legislation Act 2012.
- (2) An Order in Council made under this Act is also a legislative instrument for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.

Compare: 2011 No 12 s 76

Report on operation of Act

22 Report on operation of Act

- (1) The Minister must, at least once every 6 months, present to the House of Representatives a report relating to the operation of this Act since the last report was presented (or, in the case of the first report, since the commencement of this Act).
- (2) The report must, for the period covered by the report, include—
 - (a) a list of the Orders in Council made under this Act during the period; and
 - (b) a brief description of those orders.

Repeal

23 Repeal of Act

- (1) Sections 7 to 20 and Schedule 2 are repealed on 1 April 2018.
- (2) The rest of this Act is repealed on 1 July 2021.

Schedule 1

Transitional, savings, and related provisions

s 5

Part 1

Provisions relating to this Act as enacted

1 Orders relating to local government administration (including rates and rating valuations) continue in force

- (1) This clause applies to an order that—
 - (a) is in force immediately before 31 March 2018; and
 - (b) relates only to the districts of 1 or more of the following:
 - (i) the Kaikoura District Council;
 - (ii) the Hurunui District Council;
 - (iii) the Marlborough District Council; and
 - (c) grants exemptions from, modifies, or extends any provision of 1 or more of the following:
 - (i) the Rating Valuations Act 1998;
 - (ii) the Local Government (Rating) Act 2002;
 - (iii) the Local Government Act 2002;
 - (iv) any enactment made under an Act referred to in any of subparagraphs (i) to (iii).
- (2) The order continues in force until the close of 30 June 2021 despite the repeal of section 7 (unless it is sooner revoked).
- (3) The order may be amended or revoked after 1 April 2018 as if the provisions repealed under section 23(1) were not repealed on that date.

2 Relevant Minister may act before commencement for purposes of engagement

Any act done before the commencement of this Act by a relevant Minister for the purposes of section 9 must be treated as validly done for those purposes.

3 Minister may act before commencement for purposes of Panel appointments

Any act done before the commencement of this Act by the Minister for the purposes of section 12 must be treated as validly done for those purposes.

Schedule 2
Enactments to which order may relate
[Repealed]

s 7

Schedule 2: repealed, on 1 April 2018, by section 23(1) of the Hurunui/Kaikōura Earthquakes Recovery Act 2016 (2016 No 102).

Reprints notes

1 *General*

This is a reprint of the Hurunui/Kaikōura Earthquakes Recovery Act 2016 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Hurunui/Kaikōura Earthquakes Recovery Act 2016 (2016 No 102): section 23(1)