

Subordinate Legislation Confirmation Bill (No 2)

Government Bill

Explanatory note

General policy statement

The Bill's purpose is to prevent the revocation of certain subordinate legislation that, by virtue of the Act under which it is made, is revoked at a stated time unless earlier confirmed by an Act of Parliament.

This Bill relates to items of subordinate legislation made in the year ending with the close of 30 June 2018.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill, when enacted, comes into force on the day after the date on which it receives Royal assent.

Part 1

Preliminary provisions

Clause 3 states that the purpose of the Bill is to confirm certain confirmable instruments and annual confirmable instruments that, unless confirmed by an Act of Parliament, are—

- (a) revoked at the applicable deadline under section 47C(1)(a) or (b) of the Legislation Act 2012; or
- (b) taken after the applicable deadline to have been invalid for their past operation (because they have been revoked with effect before or on the deadline) under section 47D of the Legislation Act 2012.

Clause 4 is the interpretation clause and defines the terms confirmable instrument and annual confirmable instrument.

Clause 5 ensures that the Bill, when enacted, binds the Crown.

Clause 6 repeals the Subordinate Legislation Confirmation Act 2017 and the Subordinate Legislation Confirmation Act 2018, which are now spent.

Part 2

Confirmations

Clause 7 confirms 2 regulations under the Animal Products Act 1999.

Clause 8 confirms an order under the Antarctica (Environmental Protection) Act 1994.

Clause 9 confirms an order under the Biosecurity Act 1993.

Clause 10 confirms 7 orders under the Commodity Levies Act 1990.

Clause 11 confirms 6 orders under the Customs and Excise Act 1996.

Clause 12 confirms an order under the New Zealand Superannuation and Retirement Income Act 2001 and the Social Security Act 1964.

Clause 13 confirms 3 orders under the Tariff Act 1988.

Hon Chris Hipkins

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Subordinate Legislation Confirmation Act **(No 2) 2018**.

2 Commencement

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

Part 1
Preliminary provisions

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3 Purpose

The purpose of this Act is to confirm certain confirmable instruments and annual confirmable instruments that, unless earlier confirmed by an Act of Parliament, are—

- (a) revoked at the applicable deadline under section 47C(1)(a) or (b) of the Legislation Act 2012; or 10
- (b) taken after the applicable deadline to have been invalid for their past operation (because they have been revoked with effect before or on the deadline) under section 47D of the Legislation Act 2012.

4 Interpretation

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In this Act, unless the context otherwise requires, **confirmable instrument** and **annual confirmable instrument** have the same meanings as in section 47B of the Legislation Act 2012.

5 Act binds the Crown

This Act binds the Crown.

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6 Repeals

The Subordinate Legislation Confirmation Act 2017 (2017 No 47) and the Subordinate Legislation Confirmation Act 2018 (2018 No 11) are repealed.

Part 2
Confirmations

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7 Animal Products Act 1999

The following regulations are confirmed:

- (a) Animal Products (Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/92):
- (b) Animal Products (Dairy Industry Fees, Charges, and Levies) Amendment Regulations 2018 (LI 2018/93). 30

8 Antarctica (Environmental Protection) Act 1994

The Antarctica (Environmental Protection) Act (Schedule 2) Order 2018 (LI 2018/85) is confirmed.

- 9 Biosecurity Act 1993**
The Biosecurity (System Entry Levy) Amendment Order 2018 (LI 2018/91) is confirmed.
- 10 Commodity Levies Act 1990**
The following orders are confirmed: 5
- (a) Commodity Levies (Kiwifruit) Order 2017 (LI 2017/282):
 - (b) Commodity Levies (Rock Lobster) Amendment Order 2017 (LI 2017/295):
 - (c) Commodity Levies (Paua) Amendment Order 2017 (LI 2017/296):
 - (d) Commodity Levies (Arable Crops) Order 2018 (LI 2018/81): 10
 - (e) Commodity Levies (Maize) Order 2018 (LI 2018/82):
 - (f) Commodity Levies (Cereal Silage) Order 2018 (LI 2018/83):
 - (g) Commodity Levies (Asparagus) Order 2018 (LI 2018/88).
- 11 Customs and Excise Act 1996**
The following orders are confirmed: 15
- (a) Customs Export Prohibition Order 2017 (LI 2017/213):
 - (b) Customs Import Prohibition Order 2017 (LI 2017/214):
 - (c) Excise and Excise-equivalent Duties Table (Tobacco Products Indexation and Separate 10% Increase) Amendment Order 2017:
 - (d) Customs Import Prohibition (Toothfish) Order 2018 (LI 2018/57): 20
 - (e) Customs Export Prohibition (Toothfish) Order 2018 (LI 2018/58):
 - (f) Excise and Excise-equivalent Duties Table (Alcoholic Beverages Indexation) Amendment Order 2018.
- 12 New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 1964** 25
The Social Security (Rates of Benefits and Allowances) Order 2018 (LI 2018/19) is confirmed.
- 13 Tariff Act 1988**
The following orders are confirmed:
- (a) Tariff (Korea-New Zealand Free Trade Agreement Concession) Amendment Order 2017: 30
 - (b) Tariff (World Trade Organization Information Technology Agreement) Amendment Order 2017:

- (c) Tariff (World Trade Organization Information Technology Agreement) Amendment Order 2018.