

Statutes Amendment Bill

Government Bill

Explanatory note

General policy statement

The Statutes Amendment Bill consists entirely of amendments to Acts and is therefore an omnibus Bill that may be introduced by virtue of Standing Order 266(1)(f).

Departmental disclosure statement

A departmental disclosure statement is not required for this Bill.

Clause by clause analysis

Part 1

Amendments to Accident Compensation Act 2001

Part 1 amends the Accident Compensation Act 2001.

Clause 4 amends section 43(1)(b) by replacing the requirement to notify the draft Code in specified daily newspapers with a requirement to notify it on an internet site maintained by or on behalf of the Accident Compensation Corporation (the **Corporation**).

Clause 5 repeals section 286(5)(a), which refers to the now-repealed Disabled Persons Employment Promotion Act 1960.

Clause 6 replaces the cross-heading above section 313 to better reflect the content of that section.

Clause 7 amends section 331(2)(a) to replace the requirement to notify the Corporation's intention to recommend that regulations be made in specified daily newspapers with a requirement to notify it on an internet site maintained by or on behalf of the Corporation. *Clause 7* also amends section 331(4) to replace the requirement to notify the Corporation's recommendation that regulations be made in specified daily

newspapers with a requirement to notify it on an internet site maintained by or on behalf of the Corporation.

Part 2

Amendments to Anti-Money Laundering and Countering Financing of Terrorism Act 2009

Part 2 amends the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

Clause 9 amends the definition of occasional transaction in section 5 to clarify that cheque deposits made at a registered bank or non-bank deposit taker are excluded from the definition.

Clause 10 amends section 16 to clarify that an address of a customer, beneficial owner of a customer, or any person acting on behalf of a customer only has to be verified by a reporting entity according to the level of risk involved in the transaction.

Clause 11 replaces section 40 to extend the time period within which law firms must provide suspicious activity reports to the Commissioner of Police from 3 to 5 working days.

Clause 12 amends section 48A to extend the time period within which reporting entities must report on certain prescribed transactions from 10 to 20 working days.

Part 3

Amendments to Armed Forces Discipline Act 1971

Part 3 amends the Armed Forces Discipline Act 1971.

Clause 14 amends section 87A to remove an incorrect cross-reference to section 160.

Clause 15 amends section 117ZA to correct a typographical error.

Part 4

Amendments to Births, Deaths, Marriages, and Relationships Registration Act 2021

Part 4 amends the Births, Deaths, Marriages, and Relationships Registration Act 2021.

Clause 17 amends section 88 to provide that a person does not have to confirm their identity in order to request access to historical information under section 91(1)(a) or (b).

Clause 18 consequentially amends section 91 to reflect the amendment to section 88 made by *clause 17*.

Part 5

Amendments to Building Act 2004

Part 5 amends the Building Act 2004.

Clause 20 amends section 68 to include a reference to section 67A, which allows a territorial authority to grant waivers or modifications of requirements relating to access to residential pools. As a result of this amendment, the territorial authority must notify the chief executive when it grants a waiver or modification under section 67A.

Clause 21 amends section 177(3)(a) to include a reference to section 67A. The effect of this amendment is that a party may now apply to the chief executive for a determination relating to a decision made by a territorial authority under section 67A.

Part 6

Amendment to Burial and Cremation Act 1964

Part 6 amends the Burial and Cremation Act 1964.

Clause 23 amends section 46B to correct a cross-reference to the Coroners Act 2006. Section 13(1)(b) of the Coroners Act 2006 was replaced with section 14(2)(f) by the Coroners Amendment Act 2016.

Part 7

Amendments to Conservation Act 1987

Part 7 amends the Conservation Act 1987.

Clauses 25 to 32 move 4 subsections into other sections that are more relevant to those subsections. The repositioned subsections relate to matters that must be considered by the Director-General of Conservation or the Fish and Game Council when preparing various plans and strategies, as set out in the relevant sections.

Clause 33 replaces section 39(6) with 3 separate subsections that are easier to read. It also clarifies that it is a defence to the offences set out in section 39(4) for discharging contaminants into freshwater if the discharges are made in accordance with a national environmental standard.

Clause 34 adds a new infringement offence to Part 6A of the Act to cover offences relating to taking indigenous freshwater fish without authority. This aligns the infringement offences with the amendments that were made in 2019 when protections for indigenous fish were originally added to the Act (*see* Part 5B). At that time, however, the infringement offences for indigenous fish were not amended accordingly. This amendment fixes that oversight.

Clause 35 amends section 59(9) to clarify that the powers of fishery officers and honorary fishery officers are not limited to freshwater fisheries. This amendment aligns the powers for those officers with those set out in the Fisheries Act 1996.

Part 8

Amendment to Conservation Amendment Act 1996

Part 8 amends the Conservation Amendment Act 1996.

Clause 37 renumbers the new provisions that section 24 is to insert into the Conservation Act 1987. That section is yet to come into force by Order in Council, but, when it does, the inserted provisions will align with the existing provisions.

Part 9

Amendments to Coroners Act 2006

Part 9 amends the Coroners Act 2006.

Clause 39 amends section 14(2) to correct a cross-reference. The Burial and Cremation Amendment Act 2016 repealed the term doctor's certificate in section 2(1) of the Burial and Cremation Act 1964 and inserted a new definition of certificate of cause of death.

Clause 40 amends section 80 for consistency with section 117A. Section 80 requires a coroner to decide whether to hold an inquest. Associate coroners do not have the power to hold inquests. They do, however, consider the matters in section 80(2) when deciding whether to hold a hearing on the papers.

Clause 41 amends section 132(2) in relation to practice notes issued by the chief coroner. The practice notes may specify matters to which associate coroners and coroners must have regard, or to which only coroners must have regard. *Clause 41* expands the matters to which coroners and associate coroners must have regard, namely co-ordination with other coroners and associate coroners and determination of experts. It subsequently removes the matter of determining whether a person is an expert from the list of matters that is directed solely to coroners.

Part 10

Amendments to Credit Contracts and Consumer Finance Act 2003

Part 10 amends the Credit Contracts and Consumer Finance Act 2003.

Clause 43 inserts *new section 9CA(10)* to clarify that lenders do not need to keep records of declined or withdrawn applications.

Clause 44 amends section 35(2). The effect of this amendment is that, if 2 or more persons specify the same postal address under section 35(1)(b), a disclosure statement sent to any of those persons is treated as having been sent to all of those persons.

Part 11

Amendment to Criminal Investigations (Bodily Samples) Act 1995

Part 11 amends the Criminal Investigations (Bodily Samples) Act 1995.

Clause 46 amends Part 1 of Schedule 1, which sets out a list of relevant offences for the purposes of the Act, to remove outdated language used to describe historic offences.

Part 12

Amendments to Criminal Records (Clean Slate) Act 2004

Part 12 amends the Criminal Records (Clean Slate) Act 2004.

Clause 48 amends the definition of specified offence in section 4 to remove outdated language used in the description of historic offences.

Part 13

Amendments to Crown Entities Act 2004

Part 13 amends the Crown Entities Act 2004.

Clause 50 amends section 107(1) to replace the outdated reference to the Minister of State Services with a reference to the Minister for the Public Service.

Clause 51 amends section 133(2A) and (2B) to replace the outdated references to the Minister of State Services with references to the Minister for the Public Service.

Clause 52 amends section 178 to replace the outdated references to the now-repealed Archives Act 1957 with references to the Public Records Act 2005.

Clause 53 amends Part 1 of Schedule 1 to replace the outdated reference to the New Zealand Blood Service with a reference to the New Zealand Blood and Organ Service.

Clause 54 amends Schedule 2 to replace the outdated reference to New Zealand Venture Investment Fund Limited with a reference to New Zealand Growth Capital Partners Limited.

Clauses 55 and 56 amend Schedules 3 and 4 to replace the outdated references to the now-repealed Archives Act 1957 with references to the Public Records Act 2005.

Clause 57 and Schedule 1 make consequential amendments to the Income Tax Act 2007, the Ombudsmen Act 1975, and the Venture Capital Fund Act 2019.

Part 14

Amendments to Defence Act 1990

Part 14 amends the Defence Act 1990.

Clause 59 amends section 2(1) to replace—

- the definition of airman with the gender neutral definition of aviator; and
- the definition of leading aircraftman with the gender neutral definition of leading aviator classification; and

- references to aircraftman with references to the gender neutral term aviator classification.

Clauses 60 to 64 amend sections 13, 15, 16, 19, and 61A to replace references to airman and airmen with references to the gender-neutral terms aviator and aviators respectively.

Clause 65 and *Schedule 2* make consequential amendments to the Armed Forces Discipline Act 1971, the Court Martial Act 2007, the Armed Forces Discipline Regulations 2008, and the New Zealand Defence Force Long Service Awards Regulations 2020.

Part 15

Amendments to Electoral Act 1993

Part 15 amends the Electoral Act 1993.

Clause 67 amends section 3 to clarify that, for the purposes of Part 6B (loans), **candidate**—

- means a constituency candidate; and
- includes a person who has declared an intention of becoming a constituency candidate; but
- does not include a list candidate.

Part 16

Amendment to Employment Relations Act 2000

Part 16 amends the Employment Relations Act 2000.

Clause 69 updates a cross-reference to the now-repealed section 28B of the Health and Safety in Employment Act 1992 by replacing it with a reference to section 191 of the Health and Safety at Work Act 2015.

Part 17

Amendment to Heretaunga Tamatea Claims Settlement Act 2018

Part 17 amends the Heretaunga Tamatea Claims Settlement Act 2018 (the **principal Act**).

Clause 71 inserts *new subpart 1A* into Part 3 of the principal Act. In June 2021, the Crown transferred the property at 14 Mangarau Crescent, Havelock North, to the trustees of the Heretaunga Tamatea Settlement Trust as commercial redress under section 81 of the principal Act. Upon the transfer, a marginal strip was reserved under section 24 of the Conservation Act 1987.

On 16 October 2023, Hastings District Council granted resource consent RMA20220454, authorising the subdivision of 14 Mangarau Crescent in 2 stages. *New section 86A* cancels the marginal strip if stage 1 of that subdivision proceeds. If

the subdivision proceeds, an area partially overlapping with the marginal strip will be transferred to Hastings District Council as an esplanade reserve in accordance with the Resource Management Act 1991.

Part 18

Amendment to Housing Act 1955

Part 18 amends the Housing Act 1955.

Clause 73 amends section 29 to remove the reference to the 1-pound fee payable to the Registrar-General of Land for registration of an easement certificate issued under that section. The effect of this amendment is that Kāinga Ora—Homes and Communities is required to pay the standard registration fee, which is prescribed under the Land Transfer Act 2017.

Part 19

Amendments to Immigration Advisers Licensing Act 2007

Part 19 amends the Immigration Advisers Licensing Act 2007.

Clause 75 amends section 17 to clarify that the Registrar of Immigration Advisers may consider, when determining a person's fitness to be licensed, whether the person is related by employment or association to a person—

- who has previously been refused a licence; or
- who is prohibited from being licensed under section 15; or
- who is subject to a restriction on being licensed under section 16; or
- who has a conviction for an offence of a kind referred to in section 17(a); or
- against whom disciplinary proceedings of a kind referred to in section 17(b) have been taken or are being taken.

Clause 76 amends section 18 to clarify that an application for licensing as an immigration adviser must include the applicant's aliases and former names (if any).

Part 20

Amendments to Incorporated Societies Act 2022

Part 20 amends the Incorporated Societies Act 2022 (the **principal Act**).

Clauses 78 to 80 amend the principal Act to clarify that a body corporate or other association formed or incorporated under a Provincial Ordinance specified in regulations made under the principal Act can be reregistered under the principal Act as an incorporated society.

Clauses 82 and 83 make consequential amendments to the Incorporated Societies Regulations 2023.

Part 21

Amendment to Inquiries Act 2013

Part 21 amends the Inquiries Act 2013.

Clause 85 amends section 33, which relates to the disposal of public records of an inquiry under the Public Records Act 2005 and the transfer of any thing from an inquiry to the control of the Chief Archivist. In determining the public access status of the public records or things transferred, section 33(4) currently requires the relevant department to take into account any order the inquiry has made under section 15(1). An order under section 15(1) may forbid publication of, or restrict public access to, certain matters relating to an inquiry, or require some or all of the inquiry to be held in private. Section 33(4) is amended so that,—

- if the order applies for a specified time period, the relevant department must act consistently with the order (as defined in *new section 33(4A)*):
- if the order applies permanently, the relevant department must take the order into account (as defined in *new section 33(4A)*).

Part 22

Amendments to Juries Act 1981

Part 22 amends the Juries Act 1981.

Clauses 87 and 88 amend sections 12A and 13 to correct a drafting error. A replacement summons is issued under section 13, not under section 14C(1)(c) or (d).

Part 23

Amendments to Land Transfer Act 2017

Part 23 amends the Land Transfer Act 2017 (the **2017 Act**).

Clause 90 amends section 61 to clarify that the Crown is not liable to pay compensation under the relevant sections if the loss or damage is a result of a breach of trust by the registered owner. This was the position under the Land Transfer Act 1952 (the **1952 Act**) but was inadvertently omitted when the 2017 Act, which replaced that Act, was drafted.

Clauses 91 and 97 amend sections 63 and 226 to confirm that, when Crown funds are used under those sections, a separate appropriation is not required. This was the position under the 1952 Act but was inadvertently omitted when the 2017 Act was drafted.

Clause 92 adds a new subsection to section 93, which deals with obtaining mortgagee consent before registering a lease variation. The new subsection makes the mortgagee's consent binding on anyone else who gains an interest in the mortgage. This was the position under the 1952 Act but was inadvertently omitted when the 2017 Act was drafted.

Clause 93 adds a new subsection to section 220, which sets out what is required for public notices. The new subsection allows some information to be published on the internet site of Land Information New Zealand if there is too much information to include in the normal public notice.

Clauses 94 to 96 amend various sections relating to the delivery of notices. The amendments clarify that using a courier service is a valid delivery option.

Clause 98 amends section 233 to clarify that the section deals with the functions, as well as the duties and powers, of the Registrar-General of Land. This amendment aligns the section with the rest of the 2017 Act and with the wording of delegation sections in other legislation.

Part 24

Amendment to Local Government Act 2002

Part 24 amends the Local Government Act 2002 (the **principal Act**).

Clause 100 inserts *new clause 29A* into Schedule 10. *New clause 29A* contains a requirement that is currently in section 90D of the Local Government (Rating) Act 2002 (which is repealed by *Part 25* of this Bill). The requirement is being moved into Schedule 10 of the principal Act so that all annual report requirements for local authorities will be in that schedule instead of in 2 separate Acts.

Part 25

Amendment to Local Government (Rating) Act 2002

Part 25 amends the Local Government (Rating) Act 2002 (the **principal Act**).

Clause 102 repeals section 90D, which requires a local authority to ensure that the notes to the financial statements described in clause 29(1)(a) of Schedule 10 of the Local Government Act 2002 disclose the amount of rates written off each financial year under sections 90A and 90B of the principal Act. That requirement is being moved into Schedule 10 of the Local Government Act 2002 so that all annual report requirements for local authorities will be in that schedule instead of in 2 separate Acts (*see Part 25*).

Part 26

Amendment to Maritime Transport Act 1994

Part 26 amends the Maritime Transport Act 1994.

Clause 104 amends section 365 to remove the reference to the now-repealed section 364.

Part 27

Amendments to Motor Vehicle Sales Act 2003

Part 27 amends the Motor Vehicle Sales Act 2003.

Clause 106 repeals section 88(5), which is replaced by *new section 88A*.

Clause 107 inserts *new section 88A*, which sets out end-of-term provisions for assessors that are equivalent to those in section 84 for adjudicators.

Clause 108 amends clause 9E of Schedule 1 to provide that an officer of a Motor Vehicle Disputes Tribunal (a **Tribunal**), rather than the Registrar of Motor Vehicle Traders, determines allowances and travelling expenses for witnesses attending a Tribunal. It also amends clause 16 of Schedule 1, which deals with appeals to the District Court against decisions of Tribunals, to refer to the procedural requirements for those appeals in the District Court Act 2016 and the District Court Rules 2014.

Part 28

Amendments to New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

Part 28 amends the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

Clause 110 adds 2 terms to section 3 to ensure that all the functions and duties of the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa (the **Board**) are included in the purpose statement.

Clause 111 clarifies that the definition of Ross Dependency in section 8 includes the description in the Ross Dependency Boundaries and Government Order in Council 1923, as well as the description in the Antarctica (Environmental Protection) Act 1994.

Clause 112(1) clarifies that when the Board alters a name under section 10, it can also alter the description of the position or spatial extent of a geographic feature to which the name applies, in order to correct any errors.

Clauses 112(2) and (3), 113, 114, and 116 amend various sections to clarify when those sections are referring to official geographic names or recorded names in each circumstance.

Clause 114 amends section 15 to clarify that the Board may approve a recorded name as an official geographic name if it receives an application to do so. This is already set out as one of the Board's principal functions (*see* section 10(1)(b)), but was not included in section 15 as intended at the time of drafting.

Clause 115 clarifies that section 16(2) (which requires the Board to give public notice before making a decision on a proposal) is subject to section 24 (which sets out when the Board does not have to give public notice in certain circumstances).

Clause 117 amends section 25 to clarify that when the Board discontinues official geographic names that relate to undersea features or are outside the territorial limits

of New Zealand, it should do so in the same way as it assigns or alters names for those areas.

Clause 118 amends section 31A to clarify that when the Board is required to remove a Crown protected area from the list of official geographic names, it must also give public notice accordingly.

Part 29

Amendment to Ngāti Rangī Claims Settlement Act 2019

Part 29 amends the Ngāti Rangī Claims Settlement Act 2019.

Clause 120 amends section 132(1) to extend the deadline by which the New Zealand Defence Force and the trustees of Te Tōtarahoe o Paerangī may come to a binding agreement to transfer defence land to the trustees for commercial housing purposes.

Clause 120 extends the deadline from 26 September 2023 (4 years after the Ngāti Rangī settlement date) to 26 September 2026 (7 years after the settlement date).

Part 30

Amendments to Oaths and Declarations Act 1957

Part 30 amends the Oaths and Declarations Act 1957.

Clause 122 amends section 2 to insert definitions of audio link and audiovisual link.

Clause 123 inserts *new section 2A*, which provides for oaths and affirmations to be administered, and declarations to be taken, by audio link or audiovisual link as opposed to in the presence of the person taking the oath or making the affirmation or declaration.

Part 31

Amendments to Privacy Act 2020

Part 31 amends the Privacy Act 2020.

Clause 125 amends section 22 to replace information privacy principle 12(1)(e), which permits an agency to disclose personal information to a foreign person or entity if the agency believes on reasonable grounds that the foreign person or entity is subject to the privacy laws of a prescribed country (a country prescribed in regulations made under section 214(1)). *New information privacy principle 12(1)(e)* clarifies that disclosure under that provision may be made only if it is not precluded by any limitation or qualification prescribed in respect of the country under section 214(3).

Clause 126 amends section 27(2), which provides that information privacy principles 5 to 12 do not apply to an individual who is holding personal information collected by a lawful means solely for the purpose of, or in connection with, the individual's personal or domestic affairs. This exemption is amended to include information held solely for the purpose of, or in connection with, the individual's personal or domestic affairs that was received by the individual unsolicited or created by the individual.

Clause 127 repeals section 44(2)(a). The effect of the repeal is that an agency will no longer be able to respond to a request for access to personal information by notifying the requestor that the agency does not hold the personal information in a way that enables it to be readily retrieved. That circumstance will instead be a reason for refusing access to personal information under section 53 (*see clause 129*), in respect of which the requestor will have a right to complain to the Privacy Commissioner (the **Commissioner**).

Clause 128 amends section 49(1)(b), which sets out the circumstances in which an agency may refuse a request to access personal information relating to physical or mental health. The amendment clarifies that it is access to personal information relating to the physical or mental health of the individual who is the subject of the request (the **individual concerned**) that may be refused and not access to personal information relating to the physical or mental health of the person making the request. This clarification is necessary because, in some cases, the person making the request may not be the individual concerned but a representative of the individual concerned.

Clause 129 amends section 53 to include as a further reason for an agency to refuse access to personal information that the information is not held in a way that is readily retrievable. A requestor refused access to personal information for that reason will be able to make a complaint to the Commissioner and the agency will need to notify the requestor of the requestor's right to do so.

Clause 130 amends section 74(2), which gives the Commissioner a discretion not to investigate a complaint if it appears to the Commissioner that an investigation is unnecessary. The amendment also enables the Commissioner to exercise that discretion if it appears to the Commissioner that an investigation is inappropriate.

Clause 131 amends section 91 so that after completing an investigation of a complaint relating to access to personal information and determining that the complaint has substance, the Commissioner need only use best endeavours to secure a settlement of the complaint and an assurance from the respondent that there will not be a repetition of the action that gave rise to the complaint if the Commissioner considers it is appropriate to do so. Also, after completing an investigation of a matter relating to access to personal information and determining that the matter should be proceeded with, the Commissioner need only use best endeavours to secure an assurance from the respondent that there will not be a repetition of the action that gave rise to the investigation if the Commissioner considers it is appropriate to do so.

Clause 132 amends section 94 similarly. After completing an investigation of any other type of complaint and determining that the complaint has substance, the Commissioner need only use best endeavours to secure a settlement of the complaint and an assurance from the respondent that there will not be a repetition of the action that gave rise to the complaint if the Commissioner considers it is appropriate to do so. And, after completing an investigation of any other type of matter and determining that the matter should be proceeded with, the Commissioner need only use best endeavours to secure an assurance from the respondent that there will not

be a repetition of the action that gave rise to the investigation if the Commissioner considers it is appropriate to do so.

Clause 133 amends section 120, which provides in subsection (4) that for the purposes of the processes and proceedings relating to an agency's obligations under section 114 or 115 (those obligations being to notify the Commissioner and aggrieved individuals of notifiable breaches), anything done or omitted by an agent of an agency is to be treated as being done or omitted by both the agent and the principal agency. *New subsection (6)* is inserted to provide that an agent of an agency includes any person who holds information for or on behalf of the agency (for example, as a representative of the agency) or for safe custody and processing on behalf of the agency.

Clause 134 amends section 121, which provides in subsection (4) that anything related to a notifiable privacy breach that is known to an agent is to be treated as being known by the principal agency. *New subsection (5)* is inserted to provide that an agent of an agency includes any person who holds information for or on behalf of the agency (for example, as a representative of the agency) or for safe custody and processing on behalf of the agency. This mirrors the amendment made to section 120 (*see clause 133*).

Part 32

Amendments to Public Service Act 2020

Part 32 amends the Public Service Act 2020.

Clause 136 amends section 27(2) by removing the reference to clauses 2 to 4 of Schedule 6 because administrative tasks do not need to be delegated under those clauses.

Clause 137(1) amends clause 5(4) of Schedule 3 so that the clause also applies to section 19. The reference to section 19 was omitted by oversight when the Public Service Act 2020 was drafted.

Clause 137(2) amends clause 16(1) of Schedule 3 to clarify the time frame for delivery of ministerial briefings.

Clause 138(1) amends clause 8(1) of Schedule 6 to clarify the time frame for delivery of ministerial briefings.

Clause 138(2) amends clause 8(7) of Schedule 6 to clarify which Ministers are responsible for presenting ministerial briefings to the House of Representatives.

Clause 139 replaces clause 3(1) of Schedule 8 to clarify potentially ambiguous wording that was carried over from predecessor legislation.

Part 33

Amendments to Racing Industry Act 2020

Part 33 amends the Racing Industry Act 2020.

Clause 141 amends section 112 to clarify that, if regulations have been made that prescribe the manner of issue of a penalty notice for contravention of section 110, the notice must be issued in that manner, but regulations are not required to be made (as is the case with forms for the penalty notice).

Clause 142 amends section 116 to clarify that, if regulations have been made that prescribe the manner of issue of a penalty notice in relation to consumption charges, the notice must be issued in that manner, but regulations are not required to be made (as is the case with forms for the penalty notice).

Part 34

Amendments to Radiocommunications Act 1989

Part 34 amends the Radiocommunications Act 1989.

Clauses 144 to 146 amend sections 28(1), 29(1), and 30(1) to account for when there is no prescribed fee.

Clause 147 amends section 128B to allow infringement notices to be served through electronic means if a person does not have a known place of residence or business in New Zealand.

Part 35

Amendments to Real Estate Agents Act 2008

Part 35 amends the Real Estate Agents Act 2008.

Clause 149 amends section 74 to clarify that the Registrar of the register of licensed real estate agents may decide not to take further action on a complaint against a licensed real estate agent if the complaint is not sufficiently serious.

Clause 150 inserts *new section 105A*, which clarifies that the Real Estate Agents Disciplinary Tribunal is able to accept certain documents sent by electronic means.

Part 36

Amendment to Search and Surveillance Act 2012

Part 36 amends the Search and Surveillance Act 2012.

Clause 152 amends section 160A, which authorises the Police to destroy a seized weapon in certain situations. The amendment corrects an error in section 160A(2)(a)(ii), which currently provides that the Police may destroy a weapon if they give notice to the person from whom the weapon was seized, and that person does not consent (rather than does not object) within 30 days to its destruction. This correction aligns the subparagraph with the rest of section 160A.

Part 37

Amendments to Secondhand Dealers and Pawnbrokers Act 2004

Part 37 amends the Secondhand Dealers and Pawnbrokers Act 2004.

Clause 154 amends section 8 to require photographs accompanying applications for secondhand dealer and pawnbroker licences to be authenticated in the way required by the Licensing Authorities instead of the way prescribed by regulations.

Clause 155 makes a similar change relating to applications for certificates of approval to act on behalf of secondhand dealers or pawnbrokers. It amends section 21 to provide that the photographs accompanying those applications must be authenticated in the way required by the Licensing Authorities instead of the way prescribed by regulations.

Clause 156 inserts *new section 77AA*, which requires the Licensing Authorities acting together to set requirements for the authentication of photographs accompanying applications under sections 8 and 21.

Clause 157 amends section 84 to remove the power for regulations to prescribe how photographs required to accompany applications must be authenticated.

Clauses 159 and 160 consequentially revoke regulations 6(2) and 7 of the Secondhand Dealers and Pawnbrokers Regulations 2005, which deal with the authentication of photographs.

Part 38

Amendments to Serious Fraud Office Act 1990

Part 38 amends the Serious Fraud Office Act 1990.

Clause 162 repeals section 29, which designates the Attorney-General as the Minister of the Crown responsible for the Serious Fraud Office for the purposes of the Public Service Act 2020.

Clause 163 amends section 30, which ensures that the Director of the Serious Fraud Office acts independently of the Attorney-General in relation to investigations and proceedings. This amendment removes the reference to section 29 (given its repeal) and replaces the reference to the Attorney-General in subsection (1) with a reference to any Minister of the Crown to reflect that the Minister responsible for the Serious Fraud Office is not necessarily the Attorney-General.

Part 39

Amendment to Taxation Review Authorities Act 1994

Part 39 amends the Taxation Review Authorities Act 1994.

Clause 165 amends section 22, which empowers a Taxation Review Authority (an **Authority**) to order that costs be paid to the Crown in certain cases. The amendment changes the terminology used in section 22(1)(b) to reflect that an Authority dismisses, rather than strikes out, a proceeding under section 21.

Part 40

Amendment to Wages Protection Act 1983

Part 40 amends the Wages Protection Act 1983.

Clause 167 amends section 11 to clarify that a worker, or a Labour Inspector on behalf of a worker, may recover from that worker's employer, by action in the Employment Relations Authority,—

- a deduction that was made in accordance with a general deductions clause in that worker's employment agreement if the worker was not first consulted on the deduction:
- a deduction that was unreasonable.

The need for the amendments to section 11 was overlooked when sections 5(1A) and 5A were inserted into the Wages Protection Act 1983 by a 2016 amendment Act.

Part 41

Amendments to Water Services Act 2021

Part 41 amends the Water Services Act 2021.

Clause 169 makes minor amendments to section 25 for consistency with the wording of other provisions in that section.

Clause 170 amends section 98 to replace references to the State Sector Act 1988 with references to the Public Service Act 2020, which repealed and replaced the State Sector Act 1988.

Clause 171 amends the heading to section 120 to refer to serving, rather than issuing, a compliance order for consistency with the wording of section 120(1).

Clause 172 amends section 170 to replace references to the Education Act 1989 with references to the Education and Training Act 2020, which repealed and replaced the Education Act 1989. The section is also amended to replace the term trustee (as used and defined in the Education Act 1989) with the term board member (as used and defined in the Education and Training Act 2020).

Clause 173 amends section 200 to correct a typographical error.

Part 42

Amendments to Wildlife Act 1953

Part 42 amends the Wildlife Act 1953.

Clause 175 amends section 15 to allow notices for open game seasons to be amended at any time before or during the season. Currently, under section 15(5), the notices can only be amended once the season has started, which is impractical when corrections need to be made to the notice before the season begins.

Clause 176 widens the offence in section 66A(3) to include when a person provides false information to a ranger or other authorised person. A previous version of the

section included this provision, but it was inadvertently removed by an amendment Act in 2017. This amendment reinstates the full intended offence.

Hon Nicole McKee

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14	Section 87A amended (Suspension of compensation and restitution orders made by Court Martial, etc)	11
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33	Section 39 amended (Other offences in respect of conservation areas)	14
34	New section 51CA inserted (Taking indigenous freshwater fish without authority)	15
	51CA Taking indigenous freshwater fish without authority	15
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Part 8

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37	Section 24 replaced (New sections inserted)	15
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Part 9

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Part 11

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Part 12

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Part 13

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50	Section 107 amended (Directions to support whole of government approach)	17

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Amendment to Employment Relations Act 2000

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Part 17

**Amendment to Heretaunga Tamatea Claims Settlement Act
2018**

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Part 18

Amendment to Housing Act 1955

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Part 19

Amendments to Immigration Advisers Licensing Act 2007

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77	Principal Act	21
78	Section 254 amended (Regulations)	21
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*Consequential amendments to Incorporated Societies Regulations
2023*

81	Principal regulations	22
82	Regulation 3 amended (Interpretation)	22
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Part 21

Amendment to Inquiries Act 2013

84	Principal Act	22
85	Section 33 amended (Application of Public Records Act 2005)	22

Part 22

Amendments to Juries Act 1981

86	Principal Act	23
87	Section 12A amended (Registrar may amend jury list)	23
88	Section 13 amended (Summoning of jurors)	23

Part 23

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89	Principal Act	24
90	Section 61 amended (Exceptions to compensation)	24
91	Section 63 amended (Consideration of claim)	24
92	Section 93 amended (Consent of registered mortgagee to variation of lease)	24
93	Section 220 amended (Public notice)	24
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96	Section 223 amended (When notices given)	24
97	Section 226 amended (Cost of survey to correct plans)	25

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98	Section 233 amended (Delegation of Registrar’s duties and powers)	25
Part 24		
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102	Section 90D repealed (Amount of rates written off to be included in notes to financial statements)	26
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103	Principal Act	26
104	Section 365 amended (Production of certificate of insurance)	26
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106	Section 88 amended (Panel of persons who may be appointed as assessors)	26
107	New section 88A inserted (Continuation of approval of assessors)	26
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Part 28		
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116	Section 24 amended (Discretion not to give public notice)	28
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Part 30
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121	Principal Act	29
122	Section 2 amended (Interpretation)	29
123	New section 2A and cross-heading inserted	29

Use of audio links and audiovisual links

2A	Requirements relating to oaths, affirmations, and declarations may be met by audio link or audiovisual link	29
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Part 31
Amendments to Privacy Act 2020

124	Principal Act	30
125	Section 22 amended (Information privacy principles)	30
126	Section 27 amended (Restricted application of IPPs to personal information collected or held for personal or domestic affairs)	30
127	Section 44 amended (Responding to IPP 6 request)	30
128	Section 49 amended (Protection, etc, of individual as reason for refusing access to personal information)	30
129	Section 53 amended (Other reasons for refusing access to personal information)	30
130	Section 74 amended (Commissioner may decide not to investigate complaint)	31
131	Section 91 amended (Procedure after completion of investigation relating to access to personal information)	31
132	Section 94 amended (Procedure after completion of other investigations)	31
133	Section 120 amended (Liability for actions of officers, employees, agents, and members of agencies)	31
134	Section 121 amended (Knowledge of officers, employees, agents, and members of agencies to be treated as knowledge of employers, principal agencies, and agencies)	31

Part 32
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135	Principal Act	31
136	Section 27 amended (Responsibilities, powers, and working arrangements of interdepartmental executive boards)	31
137	Schedule 3 amended	32
138	Schedule 6 amended	32
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Part 33
Amendments to Racing Industry Act 2020

140	Principal Act	32
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141	Section 112 amended (Penalty for using New Zealand racing and sporting information in contravention of section 110)	32
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Part 34

Amendments to Radiocommunications Act 1989

143	Principal Act	32
144	Section 28 amended (Register to be open for search)	32
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147	Section 128B amended (Infringement notices)	33

Part 35

Amendments to Real Estate Agents Act 2008

148	Principal Act	33
149	Section 74 amended (Complaints about licensees)	33
150	New section 105A inserted (Manner of giving documents to Tribunal)	33
	105A Manner of giving documents to Tribunal	33

Part 36

Amendment to Search and Surveillance Act 2012

151	Principal Act	34
152	Section 160A amended (Disposal of weapons)	34

Part 37

Amendments to Secondhand Dealers and Pawnbrokers Act 2004

153	Principal Act	34
154	Section 8 amended (Application for licence)	34
155	Section 21 amended (Application for certificate)	34
156	New section 77AA inserted (Authentication of photographs)	34
	77AA Authentication of photographs	34
157	Section 84 amended (Regulations)	34

*Consequential amendments to Secondhand Dealers and
Pawnbrokers Regulations 2005*

158	Principal regulations	35
159	Regulation 6 amended (Photograph accompanying applications for licences and certificates)	35
160	Regulation 7 revoked (Authentication of photographs)	35

Part 38

Amendments to Serious Fraud Office Act 1990

161	Principal Act	35
162	Section 29 repealed (Responsible Minister)	35

163	Section 30 amended (Independence in matters relating to investigations)	35
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Part 39

Amendment to Taxation Review Authorities Act 1994

164	Principal Act	35
165	Section 22 amended (Power to order costs in certain cases)	35

Part 40

Amendment to Wages Protection Act 1983

166	Principal Act	36
167	Section 11 amended (Recovery of wages)	36

Part 41

Amendments to Water Services Act 2021

168	Principal Act	36
169	Section 25 amended (Duty to provide sufficient quantity of drinking water)	36
170	Section 98 amended (Appointment of compliance officers)	36
171	Section 120 amended (Power to issue compliance order)	36
172	Section 170 amended (Liability of elected officials)	36
173	Section 200 amended (Regulations)	37

Part 42

Amendments to Wildlife Act 1953

174	Principal Act	37
175	Section 15 amended (Open season for game)	37
176	Section 66A amended (Offenders to give identifying information)	37

Schedule 1

Consequential amendments relating to amendments to Crown Entities Act 2004

38

Schedule 2

Consequential amendments relating to amendments to Defence Act 1990

39

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Statutes Amendment Act **2024**.

2 Commencement

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

5

Part 1 Amendments to Accident Compensation Act 2001

- 3 Principal Act**
This **Part** amends the Accident Compensation Act 2001.
- 4 Section 43 amended (Public consultation on draft Code after agreement by Minister)** 5
Replace section 43(1)(b) with:
(b) on an Internet site maintained by or on behalf of the Corporation.
- 5 Section 286 amended (Corporation to provide information to Ministry of Business, Innovation, and Employment and to health and safety regulators)** 10
Repeal section 286(5)(a).
- 6 Cross-heading above section 313 replaced**
Replace the cross-heading above section 313 with:
Charging documents 15
- 7 Section 331 amended (Consultation and other requirements for regulations relating to levy setting)**
In section 331(2)(a) and (4), replace “in a daily newspaper circulating in each of the cities of Auckland, Hamilton, Wellington, Christchurch, and Dunedin” with “on an Internet site maintained by or on behalf of the Corporation”. 20

Part 2 Amendments to Anti-Money Laundering and Countering Financing of Terrorism Act 2009

- 8 Principal Act**
This **Part** amends the Anti-Money Laundering and Countering Financing of Terrorism Act 2009. 25
- 9 Section 5 amended (Interpretation)**
In section 5(1), definition of **occasional transaction**, paragraph (c)(i), after “cheque deposits”, insert “made at a registered bank or non-bank deposit taker”. 30

- 10 Section 16 amended (Standard customer due diligence: verification of identity requirements)**
- (1) In section 16(1)(a), after “section 15”, insert “(other than the information obtained under section 15(d))”.
- (2) Replace section 16(1)(b) with: 5
- (b) according to the level of risk involved, take reasonable steps to verify—
- (i) the information obtained under section 15(d); and
- (ii) any beneficial owner’s identity so that the reporting entity is satisfied that it knows who the beneficial owner is; and
- 11 Section 40 replaced (Reporting entities to report suspicious activities)** 10
- Replace section 40 with:
- 40 Reporting entities to report suspicious activities**
- (1) A reporting entity other than a high-value dealer or law firm must, as soon as practicable but no later than 3 working days after forming its suspicion, report the activity, or suspicious activity, to the Commissioner in accordance with section 41. 15
- (2) A law firm must, as soon as practicable, but no later than 5 working days after forming its suspicion, report the activity or suspicious activity to the Commissioner in accordance with section 41.
- (3) Despite **subsection (2)**, a law firm is not required to disclose any information that the law firm believes on reasonable grounds is a privileged communication. 20
- (4) A high-value dealer may report a suspicious activity to the Commissioner.
- 12 Section 48A amended (Reporting entities to report certain prescribed transactions)** 25
- In section 48A(1), replace “10 working days” with “20 working days”.

Part 3

Amendments to Armed Forces Discipline Act 1971

- 13 Principal Act**
- This **Part** amends the Armed Forces Discipline Act 1971. 30
- 14 Section 87A amended (Suspension of compensation and restitution orders made by Court Martial, etc)**
- In section 87A(2), delete “section 160 of this Act or”.

15 Section 117ZA amended (Orders for compensation and restitution)

In section 117ZA(2)(b), replace “wider” with “under”.

Part 4

**Amendments to Births, Deaths, Marriages, and Relationships
Registration Act 2021**

5

16 Principal Act

This **Part** amends the Births, Deaths, Marriages, and Relationships Registration Act 2021.

17 Section 88 amended (Person must confirm identity to access information under this subpart)

10

(1) In section 88(1)(a), delete “or 90”.

(2) After section 88(2), insert:

(3) However, a person does not have to confirm their identity under subsection (1) to request access to historical information under section 91(1)(a) or (b).

18 Section 91 amended (Any person may request access to information in relation to named person)

15

In section 91(1), replace “whose identity is confirmed under section 88 may” with “may, after their identity is confirmed under section 88 (if required),”.

Part 5

Amendments to Building Act 2004

20

19 Principal Act

This **Part** amends the Building Act 2004.

20 Section 68 amended (Territorial authority must notify chief executive if waiver or modification granted)

In section 68, replace “a building consent subject to a waiver or modification of the building code” with “a waiver or modification under section 67 or 67A”.

25

21 Section 177 amended (Application for determination)

In section 177(3)(a), replace “of the building code under section 67” with “under section 67 or 67A”.

Part 6 Amendment to Burial and Cremation Act 1964

- 22 Principal Act**
This **Part** amends the Burial and Cremation Act 1964.
- 23 Section 46B amended (Certificate of cause of death in relation to illness)** 5
In section 46B(6)(a)(i), replace “section 13 (except subsection (1)(b))” with “section 14(2) (except paragraph (f))”.

Part 7 Amendments to Conservation Act 1987

- 24 Principal Act** 10
This **Part** amends the Conservation Act 1987.
- 25 Section 17D amended (Conservation management strategies)**
Repeal section 17D(8).
- 26 Section 17E amended (Conservation management plans)** 15
Repeal section 17E(9).
- 27 Section 17F amended (Procedure for preparation and approval of conservation management strategies)**
In section 17F, insert as subsection (2):
- (2) When preparing a conservation management strategy, the Director-General must have regard to any relevant concessions in force and any existing management plans under this Act or any Act specified in Schedule 1. 20
- 28 Section 17G amended (Procedure for preparation and approval of conservation management plans)**
After section 17G(3), insert:
- (4) When preparing a conservation management plan, the Director-General must have regard to any relevant concessions in force and any existing freshwater fisheries management plans and sports fish and game management plans under this Act. 25
- 29 Section 17J amended (Freshwater fisheries management plans)** 30
Repeal section 17J(5).
- 30 Section 17K amended (Procedure for preparation, approval, review, and amendment of freshwater fisheries management plans)**
After section 17K(6), insert:

- (7) When preparing any freshwater fisheries management plan, the Director-General must have regard to any sports fish and game management plan that has effect in that area.
- 31 Section 17L amended (Sports fish and game management plans)**
Repeal section 17L(4). 5
- 32 Section 17M amended (Procedure for preparation, approval, review, and amendment of sports fish and game management plans)**
After section 17M(6), insert:
- (7) When preparing a draft sports fish and game management plan, the Fish and Game Council must— 10
- (a) have regard to the sustainability of sports fish and game in the area to which the draft plan relates; and
 - (b) have regard to the impact that the management proposed in the draft plan is likely to have on other natural resources and other users of the habitat concerned; and 15
 - (c) include any provisions that may be necessary to maximise recreational opportunities for hunters and anglers.
- 33 Section 39 amended (Other offences in respect of conservation areas)**
Replace section 39(6) with:
- (6) A person who is convicted of an offence under subsection (4) is liable to imprisonment for a term not exceeding 2 years or a fine not exceeding \$100,000, or both, and to a further fine of \$10,000 per day if the offence is a continuing one, unless a defence listed in **subsection (6A)** applies. 20
- (6A) It is a defence to a charge under subsection (4) if the defendant can show that the discharge of the contaminant was— 25
- (a) done in accordance with the conditions of a current discharge permit granted under the Resource Management Act 1991; or
 - (b) allowed by a national environmental standard as defined in section 2(1) of the Resource Management Act 1991; or
 - (c) authorised by any secondary legislation (including by way of an exemption) made under the Resource Management Act 1991; or 30
 - (d) a permitted activity in the relevant regional plan and any proposed regional plan, if there is one, under the Resource Management Act 1991.
- (6B) For the purpose of a defence under **subsection (6A)**, it is sufficient for the defendant to produce a relevant certificate from the regional council in the area for which the permit was purported to be granted or activity otherwise permitted. 35

34 New section 51CA inserted (Taking indigenous freshwater fish without authority)

After section 51C, insert:

51CA Taking indigenous freshwater fish without authority

- (1) A person must not take indigenous freshwater fish from any freshwater, except in accordance with section 26ZHB or an authorisation given under section 26ZHC or 26ZHD. 5
- (2) A person who fails to comply with this section commits an infringement offence.

35 Section 59 amended (Warranted officers) 10

In section 59(9), delete “to exercise powers in relation to freshwater fisheries”.

Part 8

Amendment to Conservation Amendment Act 1996

36 Principal Act

This **Part** amends the Conservation Amendment Act 1996. 15

37 Section 24 replaced (New sections inserted)

Replace section 24 with:

24 New sections 26ZIA and 26ZIB inserted

After section 26ZI, insert:

26ZIA Sports fishing guides 20

- (1) A person must not act as a sports fishing guide unless they hold a current sports fishing guide licence.
- (2) A person who contravenes **subsection (1)** commits an offence and is liable to a fine not exceeding \$5,000.

26ZIB Use of gaffs prohibited 25

- (1) A person must not use a gaff to take any freshwater fish unless permitted to do so by an Anglers Notice.
- (2) A person who contravenes **subsection (1)** commits an offence and is liable to a fine not exceeding \$5,000.

Part 9 Amendments to Coroners Act 2006

38 Principal Act

This **Part** amends the Coroners Act 2006.

39 Section 14 amended (Deaths that must be reported under section 13(2)) 5

In section 14(2)(f), replace “no doctor has given a doctor’s certificate” with “there has not been given a certificate of cause of death”.

40 Section 80 amended (Decision to hold inquest)

After section 80(3), insert:

- (4) This section does not apply to an associate coroner except to the extent set out in section 77A(1)(a). 10

41 Section 132 amended (Chief coroner may issue practice notes)

- (1) After section 132(2)(a)(iv), insert:

- (v) co-ordinating with other coroners or associate coroners over a death: 15
- (vi) determining whether a person is appropriately regarded as an expert in a particular area:

- (2) Repeal section 132(2)(b)(v).

Part 10

Amendments to Credit Contracts and Consumer Finance Act 2003 20

42 Principal Act

This **Part** amends the Credit Contracts and Consumer Finance Act 2003.

43 Section 9CA amended (Records about inquiries made)

After section 9CA(9), insert:

- (10) To avoid doubt, the lender is not required to keep records about inquiries when an application is declined or withdrawn. 25

44 Section 35 amended (How disclosure is made)

In section 35(2), after “specified”, insert “the same address for the purpose of subsection (1)(b) or”.

Part 11

Amendment to Criminal Investigations (Bodily Samples) Act 1995

45 Principal Act

This **Part** amends the Criminal Investigations (Bodily Samples) Act 1995.

46 Schedule 1 amended

5

In Schedule 1, Part 1, replace “Sexual intercourse with severely subnormal woman or girl” with “Sexual intercourse with certain persons”.

Part 12

Amendments to Criminal Records (Clean Slate) Act 2004

47 Principal Act

10

This **Part** amends the Criminal Records (Clean Slate) Act 2004.

48 Section 4 amended (Interpretation)

In section 4(1), definition of **specified offence**,—

(a) paragraph (c)(v), replace “sexual intercourse with a severely subnormal woman or girl” with “sexual intercourse with certain persons”:

15

(b) paragraph (d)(x), replace “defiling idiot or imbecile woman or girl” with “defiling certain persons”.

Part 13

Amendments to Crown Entities Act 2004

49 Principal Act

20

This **Part** amends the Crown Entities Act 2004.

50 Section 107 amended (Directions to support whole of government approach)

In section 107(1), replace “Minister of State Services” with “Minister for the Public Service”.

25

51 Section 133 amended (Power to request information)

In section 133(2A) and (2B), replace “Minister of State Services” with “Minister for the Public Service”.

52 Section 178 amended (Application of Archives Act 1957)

(1) In the heading to section 178, replace “Archives Act 1957” with “Public Records Act 2005”.

30

(2) In section 178, replace “Archives Act 1957” with “Public Records Act 2005”.

- 53 Schedule 1 amended**
In Schedule 1, Part 1, replace “New Zealand Blood Service” with “New Zealand Blood and Organ Service”.
- 54 Schedule 2 amended**
In Schedule 2, replace “New Zealand Venture Investment Fund Limited” with “New Zealand Growth Capital Partners Limited”. 5
- 55 Schedule 3 amended**
In Schedule 3, item relating to section 178, replace “Archives Act 1957” with “Public Records Act 2005”.
- 56 Schedule 4 amended** 10
In Schedule 4, item relating to section 178, replace “Archives Act 1957” with “Public Records Act 2005”.
- 57 Consequential amendments to other legislation**
Amend the legislation specified in **Schedule 1** as set out in that schedule.

Part 14 15 **Amendments to Defence Act 1990**

- 58 Principal Act**
This **Part** amends the Defence Act 1990.
- 59 Section 2 amended (Interpretation)**
- (1) In section 2(1), repeal the definitions of **airman** and **leading aircraftman**. 20
- (2) In section 2(1), insert in their appropriate alphabetical order:
- aviator**—
- (a) means any person duly attested for service in the Air Force or declared by or under this or any other enactment to belong to the Air Force; and
- (b) includes— 25
- (i) a non-commissioned officer of the Air Force; and
- (ii) a rating of the Navy attached to the Air Force; and
- (iii) a soldier of the Army attached to the Air Force; but
- (c) does not include an officer
- leading aviator classification** includes an aviator classification, a general service hand, and an air force cadet 30
- (3) In section 2(1), definition of **member of the Defence Force**, paragraph (a), replace “airman” with “aviator”.

- (4) In section 2(1), definition of **non-commissioned officer**, paragraph (c), replace—
- (a) “airman” with “aviator”; and
- (b) “aircraftman” with “aviator classification”.
- (5) In section 2(1), definition of **rating**, paragraph (b), replace “airman” with “aviator”. 5
- (6) In section 2(1), definition of **soldier**, paragraph (b), replace “airman” with “aviator”.
- 60 Section 13 amended (Members of regular forces)**
- In section 13(1) and (2), replace “airmen” with “aviators”. 10
- 61 Section 15 amended (Members of territorial forces)**
- In section 15(1) and (2), replace “airmen” with “aviators”.
- 62 Section 16 amended (Members of reserve forces)**
- In section 16, replace “airmen” with “aviators”.
- 63 Section 19 amended (Circumstances in which members of one Service are deemed attached to another Service)** 15
- In section 19(1), (2), (3), and (4), replace “airman” with “aviator”.
- 64 Section 61A amended (Appointment of members of Civil Staff)**
- In section 61A(1)(a), replace “airmen” with “aviators”.
- 65 Consequential amendments to other legislation** 20
- Amend the legislation specified in **Schedule 2** as set out in that schedule.

Part 15

Amendments to Electoral Act 1993

- 66 Principal Act**
- This **Part** amends the Electoral Act 1993. 25
- 67 Section 3 amended (Interpretation)**
- In section 3(1),—
- (a) definition of **candidate**, paragraph (b), replace “Parts 6AA and 6A” with “Parts 6AA, 6A, and 6B”; and
- (b) definition of **candidate**, paragraph (c), after “6A,”, insert “6B,”. 30

Part 16 Amendment to Employment Relations Act 2000

68 Principal Act

This **Part** amends the Employment Relations Act 2000.

69 Section 233B amended (Information sharing) 5

In section 233B(6)(g), replace “section 28B of the Health and Safety in Employment Act 1992” with “section 191 of the Health and Safety at Work Act 2015”.

Part 17 Amendment to Heretaunga Tamatea Claims Settlement Act 2018 10

70 Principal Act

This **Part** amends the Heretaunga Tamatea Claims Settlement Act 2018.

71 New subpart 1A of Part 3 inserted

After section 86, insert:

Subpart 1A—Subdivision of transferred deferred selection property 15

86A 14 Mangarau Crescent marginal strip ceases if subdivision proceeds

(1) This section applies if the requirements are met for the Registrar-General to deposit Land Transfer Plan 601308 for the purpose of section 11(1)(a)(i) of the Resource Management Act 1991.

(2) The 14 Mangarau Crescent marginal strip ceases to be a marginal strip under Part 4A of the Conservation Act 1987. 20

(3) The Registrar-General must, before creating new records of title for the subdivision authorised by that Land Transfer Plan, amend the notation on record of title HBW2/148 to record that the land is subject to Part 4A of the Conservation Act 1987, but that section 24 of that Act does not apply. 25

(4) In this section,—

14 Mangarau Crescent means the land comprising 0.8081 hectares, more or less, being Lot 1 DP 26535 and Lot 12 Deeds Plan 82, all record of title HBW2/148

14 Mangarau Crescent marginal strip means the marginal strip reserved from the transfer of 14 Mangarau Crescent from the Crown to the trustees under section 81. 30

Part 18 Amendment to Housing Act 1955

- 72 Principal Act**
This **Part** amends the Housing Act 1955.
- 73 Section 29 amended (Registration of easement certificates)** 5
In section 29(5), replace “of 1 pound shall be” with “prescribed under the Land Transfer Act 2017 is”.

Part 19 Amendments to Immigration Advisers Licensing Act 2007

- 74 Principal Act** 10
This **Part** amends the Immigration Advisers Licensing Act 2007.
- 75 Section 17 amended (Other matters relevant to fitness for licensing)**
Replace section 17(c) with:
- (c) whether or not the person is related by employment or association to a person— 15
- (i) who has previously been refused a licence; or
 - (ii) who is prohibited from being licensed under section 15; or
 - (iii) who is subject to a restriction on being licensed under section 16; or
 - (iv) who has a conviction for an offence of a kind referred to in paragraph (a); or 20
 - (v) against whom disciplinary proceedings of a kind referred to in paragraph (b) have been taken or are being taken.
- 76 Section 18 amended (Application for licence)**
In section 18(c)(i), after “full name”, insert “(including any aliases and former names used by the applicant)”. 25

Part 20 Amendments to Incorporated Societies Act 2022

- 77 Principal Act**
This **Part** amends the Incorporated Societies Act 2022. 30
- 78 Section 254 amended (Regulations)**
In section 254(1)(u),—

- (a) after “specifying Acts”, insert “and Provincial Ordinances”;
- (b) after “specified Act”, insert “or Provincial Ordinance”.
- 79 Section 257 amended (Entities formed or incorporated by other Acts may convert to be incorporated societies)**
- In section 257, after “an Act”, insert “or a Provincial Ordinance”. 5
- 80 Schedule 3 amended**
- (1) In Schedule 3, clause 1,—
- (a) after “an Act”, insert “or a Provincial Ordinance”;
- (b) replace “entity’s Act” with “entity’s legislation”.
- (2) In Schedule 3, heading to clause 5, replace “Entity’s Act” with “Entity’s legislation”. 10
- (3) In Schedule 3, clause 5, replace “entity’s Act” with “entity’s legislation”.
- Consequential amendments to Incorporated Societies Regulations 2023*
- 81 Principal regulations**
- Sections 82 and 83** amend the Incorporated Societies Regulations 2023. 15
- 82 Regulation 3 amended (Interpretation)**
- (1) In regulation 3, revoke the definition of **entity’s Act**.
- (2) In regulation 3, insert in its appropriate alphabetical order:
- entity’s legislation**, in relation to a specified entity, has the meaning given in clause 1 of Schedule 3 of the Act 20
- 83 Regulation 51 amended (Application for reregistration of specified entity as incorporated society: prescribed information)**
- In regulation 51(b), replace—
- (a) “entity’s Act” with “entity’s legislation”;
- (b) “that Act” with “the entity’s legislation”. 25

Part 21

Amendment to Inquiries Act 2013

- 84 Principal Act**
- This **Part** amends the Inquiries Act 2013.
- 85 Section 33 amended (Application of Public Records Act 2005)** 30
- Replace section 33(4) with:

- (4) In determining, for the purposes of Part 3 of the Public Records Act 2005, the access status of the public records or any things transferred to the control of the Chief Archivist under this section, if an order has been made under section 15(1) of this Act that—
- (a) applies for a specified time period, the relevant department must act consistently with the order: 5
 - (b) applies permanently, the relevant department must take the order into account.
- (4A) In this subsection and **subsection (4)**,— 10
- act consistently with the order** means,—
- (a) if the order forbids publication of any thing described in section 15(1)(a)(i) to (iv), to classify any records relating to that thing as restricted access records as defined in section 4 of the Public Records Act 2005:
 - (b) if the order restricts public access to any part or aspect of the inquiry, to classify any records relating to that part or aspect as restricted access records: 15
 - (c) if the order requires the inquiry or any part of it to be held in private, to classify any records relating to that inquiry or part of an inquiry as restricted access records as defined in section 4 of the Public Records Act 2005 20
- take the order into account** means to consider whether the reasons for making the order still apply and,—
- (a) if they do, to act consistently with the order:
 - (b) if they do not, to classify the record in accordance with section 44 of the Public Records Act 2005. 25

Part 22

Amendments to Juries Act 1981

- 86 Principal Act**
This **Part** amends the Juries Act 1981. 30
- 87 Section 12A amended (Registrar may amend jury list)**
In section 12A(1)(da), delete “under section 14C(1)(d)”.
- 88 Section 13 amended (Summoning of jurors)**
In section 13(3A)(a)(i), delete “issued under section 14C(1)(c)”.

Part 23

Amendments to Land Transfer Act 2017

89 Principal Act

This **Part** amends the Land Transfer Act 2017.

90 Section 61 amended (Exceptions to compensation) 5

In section 61(1)(a), after “claimant”, insert “or the registered owner”.

91 Section 63 amended (Consideration of claim)

In section 63(1) and (2), after “proceeding”, insert “, and, without further appropriation than this section, the claim may be paid out of a Crown Bank Account”.

10

92 Section 93 amended (Consent of registered mortgagee to variation of lease)

After section 93(2), insert:

(2A) A consent under subsection (1) or (2) binds the mortgagee and every person who subsequently derives an interest in the mortgage from the mortgagee.

93 Section 220 amended (Public notice) 15

In section 220, insert as subsection (2):

(2) If it is impracticable to include all required information in the notice under **subsection (1)** due to the volume of information, then—

(a) all or part of the information may be made available on an Internet site maintained by the department, instead of in the notice; and 20

(b) the notice must—

(i) make it clear that further information relating to the notice is available on that site; and

(ii) give sufficient detail to enable persons to understand what sort of further information is available on that site. 25

94 Section 221 amended (Giving of notice to persons other than Registrar)

In section 221(1)(b), after “address”, insert “(including by a courier service that records details of delivery to the address)”.

95 Section 222 amended (Notice to Registrar)

After section 222(1)(d), insert: 30

(da) by delivering it to a designated Land Registry Office by a courier service that records details of delivery to the address; or

96 Section 223 amended (When notices given)

After section 223(1)(d), insert:

(da) if sent by courier service, at the time of delivery recorded by the courier service provider:

97 Section 226 amended (Cost of survey to correct plans)

In section 226, after “title”, insert “and, without further appropriation than this section, the cost may be paid out of a Crown Bank Account”.

5

98 Section 233 amended (Delegation of Registrar’s duties and powers)

(1) In the heading to section 233, replace “duties” with “functions, duties,”.

(2) In section 233(1), replace “duties” with “functions, duties,”.

(3) In section 233(1)(a), replace “power or duty” with “function, duty, or power”.

(4) In section 233(3)(c), after “performing a”, insert “function or”.

10

(5) In section 233(5)(a), after “performance of a”, insert “function or”.

(6) In section 233(5)(b), replace “duty” with “function, duty,”.

(7) Replace section 233(6) and (7) with:

(6) A person to whom a function, duty, or power has been delegated may perform the function or duty or exercise the power in the same manner and with the same effect as if the function, duty, or power had been conferred directly on the person by this Act.

15

(7) A person to whom a function, duty, or power is delegated must perform the function or duty or exercise the power in accordance with any standard set or directive issued by the Registrar under section 236.

20

(8) In section 233(9), replace “duty” with “function, duty,”.

Part 24

Amendment to Local Government Act 2002

99 Principal Act

This **Part** amends the Local Government Act 2002.

25

100 Schedule 10 amended

In Schedule 10, after clause 29, insert:

29A Amount of rates written off to be included in notes to financial statements

A local authority must ensure that the notes to the financial statements described in clause 29(1)(a) disclose the amount of rates written off each financial year under sections 90A and 90B of the Local Government (Rating) Act 2002.

30

Part 25
Amendment to Local Government (Rating) Act 2002

101 Principal Act

This **Part** amends the Local Government (Rating) Act 2002.

102 Section 90D repealed (Amount of rates written off to be included in notes to financial statements) 5

Repeal section 90D.

Part 26
Amendment to Maritime Transport Act 1994

103 Principal Act 10

This **Part** amends the Maritime Transport Act 1994.

104 Section 365 amended (Production of certificate of insurance)

In section 365, delete “or section 364”.

Part 27
Amendments to Motor Vehicle Sales Act 2003 15

105 Principal Act

This **Part** amends the Motor Vehicle Sales Act 2003.

106 Section 88 amended (Panel of persons who may be appointed as assessors)

Repeal section 88(5).

107 New section 88A inserted (Continuation of approval of assessors) 20

After section 88, insert:

88A Continuation of approval of assessors

- (1) If a person’s name is removed from the panel of assessors under section 88(4)(c), the person still continues as a member of the panel until— 25
- (a) the person is reappointed; or
 - (b) a successor is appointed; or
 - (c) the person is informed in writing by the Minister that the person is not to be reappointed.
- (2) A person who continues as a member of the panel of assessors for any period under **subsection (1)** may act as an assessor during that period for the purpose of— 30

- (a) completing any proceedings partly or wholly heard by the Disputes Tribunal on which the person sat before the expiry of the person's period of approval as a member of the panel:
- (b) hearing any other proceedings.
- (3) If a person's name is removed from the panel of assessors under section 88(4)(d), the person still continues as a member of the panel until— 5
- (a) a successor is appointed; or
- (b) the person is informed in writing by the Minister that the person is not to be replaced.
- (4) A person who continues as a member of the panel of assessors for any period under **subsection (3)** may act as an assessor during that period for the purpose of— 10
- (a) completing any proceedings partly or wholly heard by the Disputes Tribunal on which the person sat before their resignation:
- (b) hearing any other proceedings. 15

108 Schedule 1 amended

- (1) In Schedule 1, clause 9E(2), replace “the Registrar” with “an officer of a Disputes Tribunal”.
- (2) In Schedule 1, clause 16(1), after “appeal to a District Court Judge”, insert “in accordance with the District Court Act 2016 and the District Court Rules 2014”. 20

Part 28

Amendments to New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008

109 Principal Act 25

This **Part** amends the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.

110 Section 3 amended (Purpose)

In section 3(c), after “alter,”, insert “adopt, validate,”.

111 Section 8 amended (Extent of Board's jurisdiction) 30

In section 8(1)(c), after “as defined in”, insert “the Ross Dependency Boundaries and Government Order in Council 1923 and”.

112 Section 10 amended (Principal functions of Board)

- (1) Replace section 10(1)(c) with:

- (c) alter an official geographic name or recorded name, or the description of the position or spatial extent of the geographic feature to which the name applies, by—
- (i) substituting another name; or
 - (ii) correcting the spelling of the name; or
 - (iii) correcting the description of the position or spatial extent of the geographic feature to which the name applies:
- (2) In section 10(1)(e)(iii), after “name”, insert “or recorded name”.
- (3) In section 10(2), replace “a name to, or alter the” with “an official geographic name to, or alter the official geographic”.
- 113 Section 11 amended (Other functions of Board)**
- In section 11(1)(g), replace “name or alter the name” with “assign, alter, or approve the official geographic name or recorded name”.
- 114 Section 15 amended (Proposals may be submitted to Board)**
- (1) In section 15(1)(b), after “existing”, insert “official geographic name or recorded”.
- (2) Replace section 15(1)(c) with:
- (c) discontinue the use of the official geographic name or recorded name of the feature; or
 - (d) approve a recorded name as an official geographic name.
- 115 Section 16 amended (Notification of proposal)**
- In section 16(2), replace “Before” with “Subject to section 24, before”.
- 116 Section 24 amended (Discretion not to give public notice)**
- In section 24(2)(b), after “official geographic name”, insert “or recorded name”.
- 117 Section 25 amended (Geographic features outside territorial limits)**
- (1) After section 25(1)(b), insert:
- (c) discontinuing an official geographic name or names to which section 26 applies.
- (2) In section 25(2)(b), after “official geographic name”, insert “or discontinued official geographic name”.
- 118 Section 31A amended (Requirement to notify Board if name of Crown protected area discontinued)**
- Replace section 31A(2) with:
- (2) On receiving notification under subsection (1), the Board must—

- (a) remove the name of the Crown protected area from the list of official geographic names in the Gazetteer; and
- (b) give public notice of that discontinuation in accordance with section 21(2).

Part 29

5

Amendment to Ngāti Rangī Claims Settlement Act 2019

119 Principal Act

This **Part** amends the Ngāti Rangī Claims Settlement Act 2019.

120 Section 132 amended (Transfer of defence area land to trustees)

In section 132(1), replace “4 years” with “7 years”.

10

Part 30

Amendments to Oaths and Declarations Act 1957

121 Principal Act

This **Part** amends the Oaths and Declarations Act 1957.

122 Section 2 amended (Interpretation)

15

In section 2, insert in their appropriate alphabetical order:

audio link means facilities (for example, telephone facilities) that enable audio communication between people in different places

audiovisual link means facilities that enable audio and visual communication between people in different places

20

123 New section 2A and cross-heading inserted

After the Part 1 heading, insert:

Use of audio links and audiovisual links

2A Requirements relating to oaths, affirmations, and declarations may be met by audio link or audiovisual link

25

- (1) Where this Part requires an oath to be taken, or an affirmation or a declaration to be made, in the presence of the person administering the oath or affirmation or taking the declaration (the **administrator**), that requirement may be met using an audio link or audiovisual link (subject to **subsection (2)**).

- (2) If the oath, affirmation, or declaration is, or is required to be evidenced, in writing,—

30

- (a) the administrator must be satisfied that the person taking the oath, or making the affirmation or declaration, signed the document concerned in the course of the audio link or audiovisual link; and
- (b) as soon as practicable after signing the document, the person must send the signed document (or a photograph or scan of the signed document) to the administrator for the administrator to sign. 5

Part 31 Amendments to Privacy Act 2020

124 Principal Act

This **Part** amends the Privacy Act 2020. 10

125 Section 22 amended (Information privacy principles)

In section 22, information privacy principle 12, replace subclause (1)(e) with:

- (e) A believes on reasonable grounds that B is subject to privacy laws of a prescribed country and the disclosure is not precluded by any limitation or qualification prescribed in respect of that country under section 214(3); or 15

126 Section 27 amended (Restricted application of IPPs to personal information collected or held for personal or domestic affairs)

Replace section 27(2)(b) with:

- (b) is holding personal information solely for the purposes of, or in connection with, the individual's personal or domestic affairs and the personal information was— 20
 - (i) collected by a lawful means; or
 - (ii) received by the individual unsolicited; or
 - (iii) created by the individual. 25

127 Section 44 amended (Responding to IPP 6 request)

Repeal section 44(2)(a).

128 Section 49 amended (Protection, etc, of individual as reason for refusing access to personal information)

In section 49(1)(b)(ii), replace “requestor” with “individual concerned”. 30

129 Section 53 amended (Other reasons for refusing access to personal information)

After section 53(a), insert:

- (aa) the information is not held in a way that is readily retrievable; or

- 130 Section 74 amended (Commissioner may decide not to investigate complaint)**
In section 74(2), after “unnecessary”, insert “or inappropriate”.
- 131 Section 91 amended (Procedure after completion of investigation relating to access to personal information)** 5
(1) In section 91(3), after “substance”, insert “and considers it appropriate to do so”.
(2) In section 91(4), after “with”, insert “and considers it appropriate to do so”.
(3) In section 91(5), delete “under subsection (3) or (4)”.
- 132 Section 94 amended (Procedure after completion of other investigations)** 10
(1) In section 94(2), after “substance”, insert “and considers it appropriate to do so”.
(2) In section 94(3), after “with”, insert “and considers it appropriate to do so”.
- 133 Section 120 amended (Liability for actions of officers, employees, agents, and members of agencies)** 15
After section 120(5), insert:
(6) For the purposes of subsections (4) and (5), a person (A) is an **agent** of an agency (B) if A holds information for or on behalf of B (for example, as a representative or an agent of B, or for safe custody or processing on behalf of B). 20
- 134 Section 121 amended (Knowledge of officers, employees, agents, and members of agencies to be treated as knowledge of employers, principal agencies, and agencies)**
After section 121(4), insert:
(5) For the purposes of subsection (4), a person (A) is an **agent** of an agency (B) if A holds information for or on behalf of B (for example, as a representative or an agent of B, or for safe custody or processing on behalf of B). 25

Part 32

Amendments to Public Service Act 2020

- 135 Principal Act** 30
This **Part** amends the Public Service Act 2020.
- 136 Section 27 amended (Responsibilities, powers, and working arrangements of interdepartmental executive boards)**
In section 27(2), delete “, and clauses 2 to 4 of Schedule 6 apply to a delegation”. 35

137 Schedule 3 amended

- (1) In Schedule 3, clause 5(4), replace “section 17 or 18” with “section 17, 18, or 19”.
- (2) In Schedule 3, clause 16(1), replace “every 3 years” with “in every 3-year period after 7 August 2020”.

5

138 Schedule 6 amended

- (1) In Schedule 6, clause 8(1), replace “every 3 years” with “in every 3-year period after 7 August 2020”.
- (2) In Schedule 6, clause 8(7), before “Minister”, insert “appropriate”.

139 Schedule 8 amended

10

In Schedule 8, replace clause 3(1) with:

- (1) An appointment to an office or a position in a department or an interdepartmental venture must be made, confirmed, or approved by the chief executive of that department or the board of that interdepartmental venture.

Part 33

15

Amendments to Racing Industry Act 2020**140 Principal Act**

This **Part** amends the Racing Industry Act 2020.

141 Section 112 amended (Penalty for using New Zealand racing and sporting information in contravention of section 110)

20

In section 112(5), after “in the prescribed manner”, insert “(if any)”.

142 Section 116 amended (Penalties relating to consumption charges)

In section 116(5), after “in the prescribed manner”, insert “(if any)”.

Part 34**Amendments to Radiocommunications Act 1989**

25

143 Principal Act

This **Part** amends the Radiocommunications Act 1989.

144 Section 28 amended (Register to be open for search)

In section 28(1), after “prescribed fee”, insert “(if any)”.

145 Section 29 amended (Registrar to issue search copies)

30

In section 29(1), after “prescribed fee”, insert “(if any)”.

146 Section 30 amended (Certified copies of register to be evidence)

In section 30(1), after “prescribed fee”, insert “(if any)”.

147 Section 128B amended (Infringement notices)

(1) After section 128B(2)(c), insert:

(d) by sending it to an electronic address of the person in any case where the person does not have a known place of residence or business in New Zealand. 5

(2) Replace section 128B(3) with:

(3) For the purposes of the Summary Proceedings Act 1957, unless the contrary is shown,— 10

(a) an infringement notice sent to a person by post under subsection (2)(c) is to be treated as having been served on the person when it would have been delivered in the ordinary course of post; and

(b) an infringement notice sent to a valid electronic address under **subsection (2)(d)** is to be treated as having been served at the time the electronic communication first enters an information system that is outside the control of the Secretary or the authorised person. 15

Part 35**Amendments to Real Estate Agents Act 2008****148 Principal Act** 20

This **Part** amends the Real Estate Agents Act 2008.

149 Section 74 amended (Complaints about licensees)

Replace section 74(3)(a) with:

(a) the complaint is not sufficiently serious to warrant further action, and for that reason need not be pursued: 25

150 New section 105A inserted (Manner of giving documents to Tribunal)

After section 105, insert:

105A Manner of giving documents to Tribunal

Any notice or other document required under the following sections to be given to the Tribunal by written notice may be given electronically if it is transmitted to an electronic address provided by the Tribunal: 30

(a) section 91:

(b) section 111:

(c) section 112:

(d) section 115. 35

Part 36 Amendment to Search and Surveillance Act 2012

151 Principal Act

This **Part** amends the Search and Surveillance Act 2012.

152 Section 160A amended (Disposal of weapons) 5

In section 160A(2)(a)(ii), replace “does not within 30 days consent” with “does not within 30 days object”.

Part 37 Amendments to Secondhand Dealers and Pawnbrokers Act 2004

153 Principal Act 10

This **Part** amends the Secondhand Dealers and Pawnbrokers Act 2004.

154 Section 8 amended (Application for licence)

- (1) In section 8(3), replace “prescribed manner” with “required manner”.
- (2) After section 8(4), insert:
- (5) In subsection (3), **required manner** means the manner required under **section 77AA**. 15

155 Section 21 amended (Application for certificate)

In section 21(1)(b), replace “prescribed manner” with “manner required under **section 77AA**”.

156 New section 77AA inserted (Authentication of photographs) 20

After section 77A, insert:

77AA Authentication of photographs

All Licensing Authorities acting together must set requirements as to the manner in which photographs required to accompany applications under sections 8 and 21 must be authenticated. 25

157 Section 84 amended (Regulations)

In section 84(1)(g), delete “, and prescribing the manner in which it is to be authenticated”.

*Consequential amendments to Secondhand Dealers and Pawnbrokers
Regulations 2005*

- 158 Principal regulations**
Sections 159 and 160 amend the Secondhand Dealers and Pawnbrokers Regulations 2005. 5
- 159 Regulation 6 amended (Photograph accompanying applications for licences and certificates)**
Revoke regulation 6(2).
- 160 Regulation 7 revoked (Authentication of photographs)**
Revoke regulation 7. 10

Part 38

Amendments to Serious Fraud Office Act 1990

- 161 Principal Act**
This **Part** amends the Serious Fraud Office Act 1990.
- 162 Section 29 repealed (Responsible Minister)** 15
Repeal section 29.
- 163 Section 30 amended (Independence in matters relating to investigations)**
(1) In section 30(1), replace “Notwithstanding section 29, in” with “In”.
(2) In section 30(1), replace “the Attorney-General” with “any Minister of the Crown”. 20

Part 39

Amendment to Taxation Review Authorities Act 1994

- 164 Principal Act**
This **Part** amends the Taxation Review Authorities Act 1994.
- 165 Section 22 amended (Power to order costs in certain cases)** 25
In section 22(1)(b), replace “strikes out a proceeding under sections 21 and 21A” with “dismisses a proceeding under section 21, or strikes out a proceeding under section 21A”.

Part 40 Amendment to Wages Protection Act 1983

166 Principal Act

This **Part** amends the Wages Protection Act 1983.

167 Section 11 amended (Recovery of wages) 5

After section 11(1)(a)(ii), insert:

(iii) the making of that deduction was in accordance with a general deductions clause in that worker's employment agreement but that worker was not consulted before that deduction was made; or

(iv) that deduction was unreasonable: 10

Part 41 Amendments to Water Services Act 2021

168 Principal Act

This **Part** amends the Water Services Act 2021.

169 Section 25 amended (Duty to provide sufficient quantity of drinking water) 15

(1) In section 25(3)(a), replace “the drinking water supply” with “a drinking water supply”.

(2) In section 25(3), examples, first paragraph, replace “the supply” with “supply”.

170 Section 98 amended (Appointment of compliance officers) 20

In section 98(1)(b) and (c), replace “State Sector Act 1988” with “Public Service Act 2020”.

171 Section 120 amended (Power to issue compliance order)

In the heading to section 120, replace “**issue**” with “**serve**”.

172 Section 170 amended (Liability of elected officials) 25

(1) In section 170(1)(b),—

(a) replace “trustee” with “board member”;

(b) replace “Education Act 1989” with “Education and Training Act 2020”.

(2) In section 170(2), replace the definition of **board** and **trustee** with:

board and **board member**, in relation to a school, have the same meanings as in section 10(1) of the Education and Training Act 2020 30

173 Section 200 amended (Regulations)

In section 200(2)(c), replace “changes” with “charges”.

Part 42**Amendments to Wildlife Act 1953****174 Principal Act**

5

This **Part** amends the Wildlife Act 1953.

175 Section 15 amended (Open season for game)

In section 15(5), replace “during” with “before or during”.

176 Section 66A amended (Offenders to give identifying information)

Replace section 66A(3) with:

10

(3) A person commits an offence and is liable on conviction to the penalty set out in section 67F(5) if the person—

(a) contravenes subsection (2); or

(b) wilfully gives false information or provides false evidence under subsection (2).

15

Schedule 1
Consequential amendments relating to amendments to Crown
Entities Act 2004

s 57

Income Tax Act 2007 (2007 No 97)	5
In section CW 13(3)(b)(i), 5(b), and 6(a)(ii), replace “the Venture Investment Fund” with “New Zealand Growth Capital Partners Limited” in each place.	
In section EX 37B(b)(ii), replace “the Venture Investment Fund” with “New Zealand Growth Capital Partners Limited” in each place.	
In section YA 1, repeal the definition of Venture Investment Fund .	
In section YA 1, insert in its appropriate alphabetical order:	
New Zealand Growth Capital Partners Limited means the company called New Zealand Growth Capital Partners Limited that is listed in Schedule 2 of the Crown Entities Act 2004	
Ombudsmen Act 1975 (1975 No 9)	15
In Schedule 1, Part 2, repeal the item relating to the New Zealand Venture Investment Fund Limited.	
In Schedule 1, Part 2, insert in its appropriate alphabetical order:	
New Zealand Growth Capital Partners Limited	
Venture Capital Fund Act 2019 (2019 No 76)	20
In Schedule 1, Part 1, replace the heading to clause 1 with “ Guardians and New Zealand Growth Capital Partners Limited must make reasonable efforts to ensure contract or other arrangement is entered into ”.	
In Schedule 1, Part 1, clauses 1(1), 2(1), 3(2), 4(1), and 5(2), replace “NZVIF” with “NZGCP” in each place.	
In Schedule 1, Part 1, replace clause 1(5) with:	
(5) In this schedule, NZGCP means New Zealand Growth Capital Partners Limited.	

Schedule 2
Consequential amendments relating to amendments to Defence Act 1990

s 65

Part 1
Amendments to Acts

5

Armed Forces Discipline Act 1971 (1971 No 53)

In section 2(1), repeal the definitions of **airman** and **leading aircraftman**.

In section 2(1), insert in their appropriate alphabetical order:

aviator has the meaning given by section 2(1) of the Defence Act 1990
leading aviator classification includes an aviator classification, a general service hand, and an air force cadet

10

In section 6(3)(b), (c), and (d), replace “airmen” with “aviators”.

In the following provisions, replace “airman” with “aviator” in each place:

- (a) section 16(1) and (3): 15
- (b) section 19(c):
- (c) section 82(2):
- (d) section 88(2)(a)(i) and (b)(i) and (ii):
- (e) Schedule 4, clause 4.

In the following provisions, replace “aircraftman” with “aviator classification”:

20

- (a) section 10(2)(b):
- (b) section 11(2)(b):
- (c) section 19(c):
- (d) section 117ZJ(1)(b) and (2):
- (e) Schedule 4, item 4. 25

In section 168(3)(c), replace “airman” with “an aviator”.

Court Martial Act 2007 (2007 No 101)

In the following sections, replace “airman” with “aviator”:

- (a) section 24(2):
- (b) section 72(2). 30

Part 2

Amendments to secondary legislation

Armed Forces Discipline Regulations 2008 (SR 2008/236)

In regulation 3, revoke the definition of **leading aircraftman**.

In regulation 3, insert in its appropriate alphabetical order: 5

leading aviator classification, in relation to the Air Force, excludes an aviator classification and an Air Force cadet

In regulation 4(4),—

- (a) replace “airman” with “aviator” in each place; and
- (b) replace “airman’s” with “aviator’s”; and 10
- (c) replace “aircraftman” with “aviator classification”.

New Zealand Defence Force Long Service Awards Regulations 2020 (LI 2020/238)

In regulation 4(1), revoke the definition of **airman, officer, rating, regular forces, soldier, and territorial forces**. 15

In regulation 4(1), insert in its appropriate alphabetical order:

aviator, officer, rating, regular forces, soldier, and territorial forces have the meanings given by section 2(1) of the Defence Act 1990

In regulation 7(2), item relating to service as an airman or airwoman in the Regular Air Force, replace “airman or airwoman” with “aviator”. 20

In regulation 7(2), item relating to service as an officer, airman, or airwoman in the Territorial Air Force or the Air Force Reserve, replace “officer, airman, or airwoman” with “officer or aviator”.