

**Reprint
as at 1 July 2013**



**Road User Charges (Transitional
Exemption for Certain Farmers'
Vehicles) Regulations 2013**

(SR 2013/10)

Road User Charges (Transitional Exemption for Certain Farmers' Vehicles)
Regulations 2013: revoked, on 1 July 2013, by regulation 3.

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 25th day of February 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 90(1)(a), (b), and (c) of the Road User Charges Act 2012, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Transport.

Contents

		Page
1	Title	2
2	Commencement	2
3	Expiry and revocation	2
4	Transitional and savings provision relating to exemption granted in respect of certain farmers' vehicles	2

Regulations

- 1 Title**
These regulations are the Road User Charges (Transitional Exemption for Certain Farmers' Vehicles) Regulations 2013.
- 2 Commencement**
These regulations come into force on 28 February 2013.
- 3 Expiry and revocation**
These regulations expire and are revoked on the close of 30 June 2013.
- 4 Transitional and savings provision relating to exemption granted in respect of certain farmers' vehicles**
- (1) This regulation applies during the transitional period beginning on 28 February 2013 and ending with the close of 30 June 2013.
- (2) During that transitional period, the Road User Charges Act 2012 must be read as if the following section were inserted after section 97A:
- “97B Transitional and savings provision relating to exemption granted in respect of certain farmers' vehicles**
- “(1) Despite the commencement of Part 2 of this Act, the exemption in respect of farmers' vehicles used on the road only in connection with agricultural operations granted under section 4(c) of the Road User Charges Act 1977—
- “(a) continues to apply in respect of light RUC vehicles until the close of 30 June 2013; and

- “(b) light RUC vehicles to which the exemption applies must, during the period for which the exemption continues to apply, be treated as if they were an exempt vehicle within the meaning of that term in section 5(1) of the Act.
- “(2) In subsection (1),—
- “**agricultural operation** has the same meaning as in regulation 3(1) of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004
- “**farmers’ vehicles used on the road only in connection with agricultural operations** means vehicles of the kind described in item 2 of the Schedule of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004.”

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 28 February 2013 and are revoked with the close of 30 June 2013, are the Road User Charges (Transitional Exemption for Certain Farmers’ Vehicles) Regulations 2013. These regulations insert a transitional provision into the Road User Charges Act 2012 (the **Act**).

Regulation 4 modifies the Act during the transitional period beginning on 28 February 2013 and ending with the close of 30 June 2013 by inserting *new section 97B*.

New section 97B is a transitional and savings provision. It provides that, despite the commencement of Part 2 of the Act, the exemption granted under section 4(c) of the Road User Charges Act 1977 in respect of farmers’ vehicles used on the road only in connection with agricultural operations continues to apply in respect of light RUC

vehicles until the close of 30 June 2013. Vehicles to which the exemption continues to apply must, during that period, be treated as if they were exempt vehicles within the meaning of section 5(1) of the Act.

Regulation 4 is to the same effect as regulation 8 of the Road User Charges (Transitional Matters) Regulations 2012, which was the subject of an adverse report by the Regulations Review Committee, and a motion to disallow it was given by the chair of that committee on 13 November 2012. As a result, under section 6 of the Regulations (Disallowance) Act 1989, at the close of 27 February 2013 that regulation will be deemed to have been disallowed and will cease to have effect. Cabinet has decided to effectively reinstate the disallowed regulation to ensure that the existing exemption for farmers' light RUC vehicles remains in place, pending the implementation of permanent exemptions under section 40 of the Act for light RUC vehicles operated almost exclusively off-road. The effect of not reinstating the regulation would be to require farmers to obtain RUC distance licences, keep records, and claim refunds for off-road use, until the time when exemptions under section 40 of the Act are implemented.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 26 February 2013.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Road User Charges (Transitional Exemption for Certain Farmers' Vehicles) Regulations 2013. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not

included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Road User Charges (Transitional Exemption for Certain Farmers' Vehicles)
Regulations 2013 (SR 2013/10): regulation 3
