



ANALYSIS

Title 1. Short Title and commencement	2. Funding
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1993, No. 56

An Act to amend the Health and Safety in Employment Act 1992
[26 June 1993]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Health and Safety in Employment Amendment Act 1993, and shall be read together with and deemed part of the Health and Safety in Employment Act 1992 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of July 1993.

2. Funding—The principal Act is hereby amended by repealing section 59, and substituting the following section:

“59. (1) In this section,—

“ ‘The applicable Act’ means the Accident Rehabilitation and Compensation Insurance Act 1992:

“ ‘Corporation’, ‘earner’, and ‘employer’ have the meanings assigned to those terms by section 3 of the applicable Act:

“ ‘Earnings’, ‘earnings as an employee’, and ‘earnings other than as an employee’, have the meanings assigned to those terms by regulations made under the applicable Act:

“ ‘Funding levy’ means the levy required to be paid by subsection (2) of this section.

“(2) For the purpose of recovering the expected cost to the Crown of the administration of this Act, there shall be payable—

- “(a) By every employer, on the amount of earnings paid or deemed to have been paid by the employer to the employer’s employees, a levy at a rate or rates prescribed by regulations made, on the recommendation of the Minister, under this Act; and
- “(b) By every earner who has earnings other than as an employee, on the amount of earnings other than as an employee derived or deemed to have been derived by the earner, a levy at a rate or rates prescribed by regulations made, on the recommendation of the Minister, under this Act.
- “(3) Funding levy shall be added to and deemed part of the basic premium payable under section 101 (1) or section 102 of the applicable Act; and—
- “(a) Funding levy shall be payable, collected, and remitted, and penalties shall be payable in respect of it, as if it were such basic premium; and
- “(b) The Corporation and the Commissioner of Inland Revenue shall have all the powers in respect of funding levy that they have in respect of such basic premium; and
- “(c) The Commissioner of Inland Revenue is not required to refer separately to or account separately for, or identify, any funding levy in performing his or her functions in relation to such basic premium or the funding levy.
- “(4) The Corporation shall, by the 20th day of the month after the month in which the Corporation receives any funding levy from the Commissioner of Inland Revenue, pay that funding levy to the Secretary.
- “(5) The Corporation may charge the Secretary a fee for collecting funding levy.
- “(6) The Secretary shall cause to be paid into the Crown Bank Account all funding levy the Corporation pays to the Secretary.
- “(7) The Minister shall not recommend the making of regulations for the purposes of subsection (2) of this section without first consulting the Corporation.
- “(8) Subsection (7) of this section does not limit the generality of section 21 (2) of this Act.”