



Land Transport Amendment Act (No 2) 2006

Public Act 2006 No 30
Date of assent 27 June 2006
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Land Transport Amendment Act (No 2) 2006.

2 Commencement

- (1) Section 6 comes into force on 1 July 2009.
- (2) This rest of this Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act amended

This Act amends the Land Transport Act 1998.

4 Interpretation

- (1) Section 2(1) is amended by repealing the definition of **enforcement authority** and substituting the following definition:

“**enforcement authority**, in relation to an infringement offence, means—

- “(a) the New Zealand Police, in any case;
- “(b) the Authority, in the case of an infringement offence for which an infringement notice is issued by an employee of the Authority or on behalf of the Authority;
- “(c) Transit, in the case of an infringement offence—
 - “(i) that relates to the use of a special vehicle lane; and
 - “(ii) for which an infringement notice is issued by an employee of Transit or on behalf of Transit;
- “(d) a local authority, in the case of an infringement offence—
 - “(i) that relates to the use of a special vehicle lane; and
 - “(ii) for which an infringement notice is issued by an employee of the local authority or on behalf of the local authority;
- “(e) a public road controlling authority that is an enforcement authority for the purposes of an Order in Council made under section 46 of the Land Transport Management Act 2003, in the case of an infringement offence that is a toll offence”.

- (2) Section 2(1) is amended by inserting the following definition in its appropriate alphabetical order:

“**special vehicle lane** has the meaning given to it in clause 1.6 of the Land Transport (Road User) Rule 2004”.

5 Provisions relating to infringement fees

Section 141 is amended by inserting the following subsection after subsection (3):

- “(3A) However, an enforcement authority that is Transit or a local authority may also retain the portion of the infringement fees received by it under this Act—
- “(a) that the Minister of Finance from time to time approves; and
 - “(b) that are fees received in respect of an infringement offence in relation to the use of a special vehicle lane.”

- 6 Repeal of amendments made by this Act to sections 2(1) and 141 of principal Act**
- (1) The following provisions are repealed:
- (a) paragraphs (c) and (d) of the definition of **enforcement authority** in section 2(1) of the principal Act (as inserted by section 4 of this Act); and
 - (b) section 141(3A) of the principal Act (as inserted by section 5 of this Act).
- (2) Subsection (1) does not affect any proceedings commenced by a local authority or Transit, or any infringement fees collected (or to be collected) by a local authority, before the commencement of this section.

Legislative history

21 June 2006	Divided from Local Government Law Reform Bill (Bill 32–3) as Bill 32–4H
22 June 2006	Third reading
27 June 2006	Royal assent

This Act is administered by the Ministry of Transport.
