



# Resource Management Amendment Act 2004

Public Act 2004 No 46  
Date of assent 19 May 2004  
Commencement see section 2

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## The Parliament of New Zealand enacts as follows:

### 1 Title

- (1) This Act is the Resource Management Amendment Act 2004.
- (2) In this Act, the Resource Management Act 1991 is called “the principal Act”.

### 2 Commencement

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

### 3 Appointment of Environment Judges and alternate Environment Judges

- (1) Section 250(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.
- (2) Section 250 of the principal Act is amended by adding the following subsection:

- “(4) For the purposes of subsection (3)(a),—
- “(a) an Environment Judge who is acting on a full-time basis counts as 1:
  - “(b) an Environment Judge who is acting on a part-time basis counts as an appropriate fraction of 1:
  - “(c) the aggregate number (for example, 7.5) must not exceed the maximum number of Environment Judges that is for the time being permitted.”

#### **4 Principal Environment Judge**

Section 251(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

#### **5 Appointment of Environment Commissioner or Deputy Environment Commissioner**

Section 254(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

#### **6 Resignation**

Section 257 of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

#### **7 Protection from legal proceedings**

Section 261 of the principal Act is amended by adding, as subsection (2), the following subsection:

- “(2) In addition, a member of the Environment Court who is a District Court Judge also has the immunities conferred by section 119 of the District Courts Act 1947 (which confers on District Court Judges, at all times, the same immunities as a Judge of the High Court).”
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### **Legislative history**

12 May 2004	Divided from Judicial Matters Bill (Bill 71–2) as Bill 71–3I
13 May 2004	Third reading
19 May 2004	Royal assent

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This Act is administered in the Ministry for the Environment.

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