



ANALYSIS

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1995, No. 46

An Act to amend the Road User Charges Act 1977

[29 July 1995]

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

1. Short Title and commencement—(1) This Act may be cited as the Road User Charges Amendment Act 1995, and shall be read together with and deemed part of the Road User Charges Act 1977 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the day on which it receives the Royal assent.

2. Offences—Section 23 of the principal Act is hereby amended by adding the following subsection:

“(7) For the avoidance of doubt, it is hereby declared that, in any proceedings for an offence of operating a motor vehicle on a road in contravention of section 5 or section 6 of this Act, it is not necessary for the prosecution to prove that any licence required to be carried on the vehicle either had been or had not been displayed in accordance with section 19 of this Act.”

3. Admissibility of certain statements—Section 23B of the principal Act (as inserted by section 13 of the Road User Charges Amendment Act 1992) is hereby amended by adding, as subsection (2), the following subsection:

“(2) Notwithstanding any enactment or rule of law, any statement that—

“(a) Is made to an officer of the Land Transport Safety Authority established by section 15 of the Land Transport Act 1993 who is authorised in writing for the purpose by the Director of that Authority; and

“(b) Is made by the driver of any vehicle to which this Act applies; and

“(c) Relates to any matter that is by any enactment required to be specified in any logbook—

may be given in evidence by that authorised officer or employee and shall be admissible in any proceedings for an offence against this Act as evidence of the matters referred to in the statement.”

4. Delegation of chief executive’s functions or powers to persons outside Ministry—Section 23D of the principal Act (as inserted by section 35(1) of the Land Transport Act 1993) is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) In any case where the chief executive has delegated any functions or powers to any person under this section, that person may, with the prior approval of the Minister, delegate to any other person such of those functions or powers as are so approved.”

This Act is administered in the Ministry of Transport.
