

TRANSPORT AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Transport Act 1962.

Clause 1 relates to the Short Title and commencement. *Clauses 3, 4, and 5 (a)*, which are consequential on the provisions of the motor vehicle scheme in the Accident Compensation Act 1972, are to come into force on 1 April 1974, the date of the commencement of that scheme. The other provisions are to come into force on the passing of the Act.

Clause 2: Subclause (1) amends an incorrect reference in the definition of "accident compensation levy" in section 2 (1) of the principal Act.

Subclause (2) inserts a definition of "agricultural trailer" in section 2 (1) of the principal Act.

Clause 3 replaces the amendment to section 77 of the principal Act made by section 23 of the Transport Amendment Act 1972 as one of the amendments consequential on the repeal of Part VI of the principal Act (relating to third-party insurance).

The amendment made by section 23 provided that a road could not be closed, pursuant to regulations made under section 77 (1) (u) of the principal Act, in the case of a vehicle race or trial, unless the appropriate accident compensation levy under the Accident Compensation Act 1972 had been paid in respect of each vehicle participating that is a vehicle in respect of which such a levy is payable.

The substituted amendment provides that a road may not be closed for the purposes of a vehicle race or trial unless all the motor vehicles participating are vehicles in respect of which the accident compensation levy for the year then current has been paid.

Clause 4 repeals section 200 (3) of the principal Act, relating to the liability of the Crown to pay third-party insurance premiums under Part VI of the principal Act. This is an additional repeal that is consequential on the repeal of Part VI by section 22 of the Transport Amendment Act 1972.

Clause 5 corrects incorrect references to provisions of the Accident Compensation Act 1972 appearing in sections 24 and 25 of the Transport Amendment Act 1972.

Clause 6 provides that the references to the insurance premium appearing in sections 7 (1) (c), 7 (2) (b), and 81 (2) of the principal Act shall, in respect of the licensing year commencing on 1 July 1973, include references to the accident compensation levy.

These amendments are necessary because in the case of motor vehicles licensed for that licensing year both third-party insurance premiums and accident compensation levies will be payable. The accident compensation scheme is to come into effect on 1 April 1974, and three-quarters of a full year's premium and one-quarter of a full year's levy will be payable in respect of vehicles licensed for the year commencing 1 July 1973.

Hon. Sir Basil Arthur

TRANSPORT AMENDMENT

ANALYSIS

Title	5. Motor vehicle accident scheme
1. Short Title and commencement	6. Third-party insurance premium and accident compensation levy for licensing year commencing 1 July 1973
2. Interpretation	
3. Regulations	
4. Principal Act to bind the Crown	

A BILL INTITULED

An Act to amend the Transport Act 1962

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Transport Amendment Act 1973, and shall be read together with and deemed part of the Transport Act 1962* (hereinafter referred to as the principal Act).

10 (2) Sections 3 and 4 and paragraph (a) of section 5 of this Act shall come into force on the 1st day of April 1974.

(3) Except as provided in subsection (2) of this section, this Act shall come into force on the date of its passing.

*Reprinted, 1970, Vol. 3, p. 2383
Amendments: 1971, Nos. 57, 68; 1972, No. 129

2. Interpretation—(1) Section 2 of the principal Act (as substituted by section 2 (1) of the Transport Amendment Act 1972) is hereby amended by omitting from the definition of the expression “accident compensation levy” in subsection (1) the words “section 93”, and substituting the words “section 98”. 5

(2) Section 2 of the principal Act (as so substituted) is hereby further amended by inserting in subsection (1), after the definition of the expression “agricultural operation”, the following definition: 10

“‘Agricultural trailer’ means a trailer designed exclusively for agricultural operations and used on a road only when proceeding to or from a farm or when being inspected, serviced, or repaired.”.

3. Regulations—(1) Section 77 of the principal Act is hereby amended by omitting from the second proviso to paragraph (u) of subsection (1) (as substituted by section 14 (2) of the Transport Amendment Act 1964 and amended by section 23 of the Transport Amendment Act 1972) the words “or that, in the case of any vehicle race or trial, the appropriate accident compensation levy has been paid in respect of each vehicle participating that is a vehicle of any of the classes described in section 87 or section 88 of the Accident Compensation Act 1972”, and substituting the words “and that, in the case of any vehicle race or trial, the only motor vehicles participating are vehicles in respect of which the accident compensation levy has been paid for the licensing year then current”. 15 20 25

(2) The Third Schedule to the Transport Amendment Act 1972 is hereby consequentially amended by repealing so much thereof as relates to section 77 of the principal Act. 30

4. Principal Act to bind the Crown—Section 200 of the principal Act is hereby amended by repealing subsection (3).

5. Motor vehicle accident scheme—The Transport Amendment Act 1972 is hereby amended— 35

(a) By omitting from paragraph (a) of section 24 and also from paragraph (b) the words “sections 87 to 91”, and substituting in each case the words “sections 92 to 96”: 40

(b) By omitting from section 25 the words “sections 87 to 91” wherever they occur, and substituting in each case the words “sections 92 to 96”.

- 6. Third-party insurance premium and accident compensation levy for licensing year commencing 1 July 1973**—In respect of the licensing year commencing on the 1st day of July 1973, the principal Act shall have effect as if the words
- 5 “and the accident compensation levy” were inserted—
- (a) After the words “Part VI of this Act” in paragraph (c) of subsection (1) of section 7; and
 - (b) After the words “insurance premium” in paragraph (b) of subsection (2) of section 7; and
 - 10 (c) After the words “Part of this Act” in subsection (3) of section 81.