

Subordinate Legislation Confirmation Bill (No 3)

Government Bill

Explanatory note

General policy statement

This Bill's purpose is to prevent the revocation of certain subordinate legislation that, by virtue of the Acts under which it is made, is revoked at a stated time unless earlier confirmed by an Act of Parliament.

This Bill relates to items of subordinate legislation made in the year ending with the close of 30 June 2017, but the intention is to introduce the Bill before that date. Therefore, this Bill may require amendment before it is enacted to insert further items of subordinate legislation, within the scope of this Bill, that are made—

- (a) after the Bill is finalised for introduction; but
- (b) before 1 July 2017.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill, when enacted, comes into force on the day after the date it receives Royal assent.

Part 1

Preliminary provisions

Clause 3 states that the purpose of the Bill is to confirm certain confirmable instruments and annual confirmable instruments that, unless confirmed by an Act of Parliament, are—

- (a) revoked at the applicable deadline under section 47C(1)(a) or (b) of the Legislation Act 2012; or

- (b) taken after the applicable deadline to have been invalid for their past operation (because they have been revoked with effect before or on the deadline) under section 47D of the Legislation Act 2012.

Clause 4 is the interpretation clause and defines the terms confirmable instrument and annual confirmable instrument.

Clause 5 ensures that the Bill, when enacted, binds the Crown.

Clause 6 repeals the Subordinate Legislation Confirmation Act 2016, which is now spent.

Part 2

Confirmations

Clause 7 confirms an order under the Commodity Levies Act 1990.

Clause 8 confirms 3 orders under the Customs and Excise Act 1996. *Clause 8* may need to be amended to add a reference to any Excise and Excise-equivalent Duties Table (Alcoholic Beverages Indexation) Amendment Order 2017 that—

- (a) is made under section 79(1) of the Customs and Excise Act 1996; and
- (b) is made after the introduction of the Bill; and
- (c) must, under section 79(2)(b) of that Act, come into force on 1 July 2017.

Clause 9 confirms regulations under the Education Act 1989.

Clause 10 confirms an order under the New Zealand Superannuation and Retirement Income Act 2001 and the Social Security Act 1964.

Hon Simon Bridges

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Subordinate Legislation Confirmation Act **2017**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

Part 1 Preliminary provisions

3 Purpose

The purpose of this Act is to confirm certain confirmable instruments and annual confirmable instruments that, unless earlier confirmed by an Act of Parliament, are— 5

- (a) revoked at the applicable deadline under section 47C(1)(a) or (b) of the Legislation Act 2012; or
- (b) taken after the applicable deadline to have been invalid for their past operation (because they have been revoked with effect before or on the deadline) under section 47D of the Legislation Act 2012. 10

4 Interpretation

In this Act, unless the context otherwise requires, **confirmable instrument** and **annual confirmable instrument** have the same meanings as in section 47B of the Legislation Act 2012. 15

5 Act binds the Crown

This Act binds the Crown.

6 Repeal

The Subordinate Legislation Confirmation Act 2016 (2016 No 103) is repealed. 20

Part 2 Confirmations

7 Commodity Levies Act 1990

The Commodity Levies (Eggs) Order 2016 (LI 2016/210) is confirmed.

8 Customs and Excise Act 1996 25

The following orders are confirmed:

- (a) Customs Import Prohibition (Southern Bluefin Tuna) Order 2016 (LI 2016/198):
- (b) Excise and Excise-equivalent Duties Table (Tobacco Products Indexation and Separate 10% Increase) Amendment Order 2016: 30
- (c) Customs Import Prohibition (High-power Laser Pointers) Order 2017 (LI 2017/15).

9 Education Act 1989

The Education (Tertiary Education—Criteria Permanent Residents Studying Overseas must Satisfy to be Domestic Students) Regulations 2016 (LI 2016/212) are confirmed.

10 New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 1964 5

The Social Security (Rates of Benefits and Allowances) Order 2017 (LI 2017/30) is confirmed.