

# **Ministry of Energy (Abolition) Amendment Act 1998**

Public Act 1998 No 68  
Date of assent 23 June 1998

## **Contents**

		Page
	Title	2
1	Short Title and commencement	2
	<b>Amendments to Ministry of Energy (Abolition) Act 1989</b>	
2	Purpose of levies	2
3	Repeal of certain levies and administration charge	2
4	Petroleum fuels monitoring levy	2
5	Due dates for payment	2
6	Ministry of Energy (Levies) Regulations 1989 amended	3
	<b>Validations</b>	
7	Validation of past expenditure of levy revenues	3
8	Payments into Crown Bank Account	3
	<b>Transfer of employees from Ministry of Commerce to Department of Labour</b>	
9	Transfer of employees	3
10	Protection of terms and conditions of employment	3
11	No compensation for technical redundancy	4
12	Saving of appointments, etc	4

**An Act to amend the Ministry of Energy (Abolition) Act 1989 in relation to levies and also to—**

- (a) Validate previous applications of levy monies; and**
- (b) Allow for the transfer of certain employees from the Ministry of Commerce to the Department of Labour**

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

**1 Short Title and commencement**

- (1) This Act may be cited as the Ministry of Energy (Abolition) Amendment Act 1998, and is part of the Ministry of Energy (Abolition) Act 1989 (“the principal Act”).
- (2) This Act comes into force on 1 July 1998.

**Amendments to Ministry of Energy  
(Abolition) Act 1989**

**2 Purpose of levies**

This section inserted s 14(aa) of the principal Act.

**3 Repeal of certain levies and administration charge**

Sections 15 to 21, 25, and 25A of the principal Act are repealed.

**4 Petroleum fuels monitoring levy**

This section amended s 24(3) of the principal Act.

**5 Due dates for payment**

This section amended s 27 of the principal Act.

- 6 Ministry of Energy (Levies) Regulations 1989 amended**  
Regulations 2 to 6, 9, and 9A of the Ministry of Energy (Levies) Regulations 1989 (SR 1989/381) are revoked.

### Validations

- 7 Validation of past expenditure of levy revenues**  
Regardless of section 14 of the principal Act, all applications made before 31 October 1997 of levies recovered under Part 3 of that Act for any purpose are validated and deemed to have been lawfully imposed, recovered, and applied.
- 8 Payments into Crown Bank Account**  
Regardless of sections 14 and 26 of the principal Act, the payment into the Crown Bank Account of any levies payable before 30 June 1997 under section 24 of that Act is validated and deemed to have been lawfully paid into that account.

### Transfer of employees from Ministry of Commerce to Department of Labour

- 9 Transfer of employees**
- (1) Every person employed in the Ministry of Commerce immediately before the date of commencement of this Act who the chief executive of the Department of Labour has agreed to transfer to the Department of Labour is to be treated as having been transferred to the Department of Labour on that date.
  - (2) This section prevails over section 61A of the State Sector Act 1988.
- 10 Protection of terms and conditions of employment**
- (1) The employment of a person who is transferred to the Department of Labour under section 9(1) must be on terms and conditions no less favourable to the transferred employee than those applying at the date of transfer.
  - (2) Subsection (1) continues to apply to the terms and conditions of employment of a transferred employee until the terms and conditions of employment of the transferred employee are

varied by agreement between the transferred employee and the chief executive of the Department of Labour.

**11 No compensation for technical redundancy**

A person who is transferred to the Department of Labour under section 9(1) is not entitled to any compensation for redundancy by reason only of the person ceasing to be employed by the Ministry of Commerce.

**12 Saving of appointments, etc**

The appointment of every statutory officer who is transferred to the Department of Labour under section 9(1) continues until the earliest of the following occurs:

- (a) The term of the appointment expires:
- (b) The person ceases employment in the Department of Labour:
- (c) The appointment is revoked.