



# **New Zealand Productivity Commission Act Repeal Act 2024**

Public Act    2024 No 1  
Date of assent    5 February 2024  
Commencement    see section 2

## **Contents**

	Page
1    Title	2
2    Commencement	2
<b>Part 1</b>	
<b>Preliminary provisions</b>	
3    Purposes	2
4    Interpretation	2
5    Transitional, savings, and related provisions	2
6    Act binds the Crown	2
7    Repeal of this Act	3
<b>Part 2</b>	
<b>Disestablishment of New Zealand Productivity Commission</b>	
8    Repeal of New Zealand Productivity Commission Act 2010	3
9    New Zealand Productivity Commission disestablished	3
10    Residual assets, liabilities, agreements, leases, and licence arrangements, information, money payable, etc	3
11    Employment and appointments	3
12    Consequential amendments	4
<b>Schedule 1</b>	
<b>Transitional, savings, and related provisions</b>	
<b>Schedule 2</b>	
<b>Consequential amendments</b>	

**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the New Zealand Productivity Commission Act Repeal Act 2024.

**2 Commencement**

This Act comes into force on 29 February 2024.

**Part 1  
Preliminary provisions**

**3 Purposes**

The purposes of this Act are to—

- (a) repeal the New Zealand Productivity Commission Act 2010; and
- (b) disestablish the New Zealand Productivity Commission; and
- (c) provide for the consequences of that disestablishment; and
- (d) make consequential amendments to other Acts.

**4 Interpretation**

In this Act, unless the context otherwise requires,—

**appointment position** means membership of the New Zealand Productivity Commission

**assets** includes real or personal property of any description whether tangible or intangible (for example, intellectual property), money, rights, or interests

**Commission** means the New Zealand Productivity Commission established by section 6 of the New Zealand Productivity Commission Act 2010

**employee** has the same meaning as in section 10(1) of the Crown Entities Act 2004

**liabilities** includes debts, charges, duties, and other obligations, whether present, future, actual, contingent, payable, or to be observed or performed in New Zealand or elsewhere

**Ministry** means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act.

**5 Transitional, savings, and related provisions**

The transitional, savings, and related provisions set out in Schedule 1 have effect according to their terms.

**6 Act binds the Crown**

This Act binds the Crown.

**7 Repeal of this Act**

This Act is repealed on the close of 30 June 2025.

**Part 2****Disestablishment of New Zealand Productivity Commission****8 Repeal of New Zealand Productivity Commission Act 2010**

The New Zealand Productivity Commission Act 2010 (2010 No 136) is repealed.

**9 New Zealand Productivity Commission disestablished**

The Commission is disestablished.

**10 Residual assets, liabilities, agreements, leases, and licence arrangements, information, money payable, etc**

- (1) All residual assets, liabilities, agreements, leases, and licence arrangements of the Commission in existence immediately before the commencement of this Act are vested in the Crown as assets or liabilities of the Ministry.
- (2) All information held by the Commission immediately before the commencement of this Act is transferred to the Ministry.
- (3) All money payable to or by the Commission immediately before the commencement of this Act becomes payable to or by the Ministry.
- (4) Unless the context otherwise requires, anything done, omitted to be done, or to be done by, or in relation to, the Commission is to be treated as having been done, having been omitted to be done, or having to be done by, or in relation to, the Ministry.
- (5) However, despite subsections (1) and (4) and clause 1(1) of Schedule 1, the Ministry is not under any obligation to complete any reports or other work being undertaken by the Commission in carrying out the functions of the Commission at the time of its dissolution.

**11 Employment and appointments**

- (1) Section 10 and Schedule 1 do not apply to individual employment agreements or appointments.
- (2) All employment and appointment positions with the Commission are terminated.
- (3) To avoid doubt, any liability or responsibility of the Commission in relation to an employment or appointment matter becomes, on the dissolution of the Commission, the liability or responsibility of the Ministry.

**12 Consequential amendments**

The Acts set out in Schedule 2 are consequentially amended as set out in that schedule.

## Schedule 1

### Transitional, savings, and related provisions

s 5

#### Part 1

#### Provisions relating to this Act as enacted

##### 1 Proceedings and effect of Act

- (1) All proceedings or any other matters involving the Commission that are yet to be determined or completed at the commencement of this clause are to be determined or completed by the Ministry as if the Ministry were the Commission.
- (2) Nothing done or authorised by this Act—
  - (a) places the Commission, the Ministry, or any other person in breach of contract or confidence, or makes any of them liable for a civil wrong; or
  - (b) entitles a person to terminate or cancel an agreement, lease, or arrangement, or to accelerate the performance of an obligation, or to impose a penalty or an increased charge; or
  - (c) places the Commission, the Ministry, or any other person in breach of an enactment, a rule of law, or a provision of an agreement, lease, or arrangement that prohibits, restricts, or regulates the assignment or transfer of property or the disclosure of information; or
  - (d) invalidates or discharges an agreement, lease, or arrangement.
- (3) Subclause (1) is subject to section 10(5).

##### 2 Registers

- (1) The Registrar-General of Land or any other person charged with keeping books or registers is not required to change the name of the Commission to the Ministry in those books or registers, or in a document, solely because of the provisions of this Act.
- (2) If the Ministry presents an instrument referred to in subclause (3) to the Registrar or another person, the presentation of that instrument by the Ministry is, in the absence of proof to the contrary, sufficient evidence that the property is vested in the Ministry.
- (3) For the purposes of this clause, the instrument need not be an instrument of transfer but must—
  - (a) be executed or purport to be executed by the Ministry; and
  - (b) relate to a property held by the Commission immediately before the commencement of this clause; and

- (c) be accompanied by a certificate by the Ministry indicating that the property became vested in the Ministry by virtue of the provisions of this Act.

### **3 References to Commission**

- (1) This clause applies to—
  - (a) things that are in force or existing immediately before the commencement of this clause; and
  - (b) references in any thing, including (without limitation) enactments, rules, bylaws, deeds, agreements, leases, licence arrangements, proceedings, instruments, documents, and notices.
- (2) Unless the context otherwise requires, a reference to the Commission in any thing specified in subclause (1) is to be read as a reference to the Ministry.

## Schedule 2

### Consequential amendments

s 12

#### **Crown Entities Act 2004 (2004 No 115)**

In Schedule 1, Part 3, repeal the item relating to the New Zealand Productivity Commission.

#### **Ombudsmen Act 1975 (1975 No 9)**

In Schedule 1, Part 2, repeal the item relating to the New Zealand Productivity Commission.

#### **Legislative history**

25 January 2024	Introduction (Bill 9–1)
30 January 2024	First reading, second reading
31 January 2024	Committee of the whole House
1 February 2024	Third reading
5 February 2024	Royal assent

This Act is administered by the Treasury.