

Resource Management Amendment Act 2004

Public Act 2004 No 46
Date of assent 19 May 2004

Contents

| | Page |
|---|------|
| 1 Title | 1 |
| 2 Commencement | 1 |
| 3 Appointment of Environment Judges and alternate Environment Judges | 2 |
| 4 Principal Environment Judge | 2 |
| 5 Appointment of Environment Commissioner or Deputy Environment Commissioner | 2 |
| 6 Resignation | 2 |
| 7 Protection from legal proceedings | 2 |

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Resource Management Amendment Act 2004.
- (2) In this Act, the Resource Management Act 1991 is called “the principal Act”.

2 Commencement

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

3 Appointment of Environment Judges and alternate Environment Judges

- (1) Section 250(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.
- (2) Section 250 of the principal Act is amended by adding the following subsection:
 - “(4) For the purposes of subsection (3)(a),—
 - “(a) an Environment Judge who is acting on a full-time basis counts as 1:
 - “(b) an Environment Judge who is acting on a part-time basis counts as an appropriate fraction of 1:
 - “(c) the aggregate number (for example, 7.5) must not exceed the maximum number of Environment Judges that is for the time being permitted.”

4 Principal Environment Judge

Section 251(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

5 Appointment of Environment Commissioner or Deputy Environment Commissioner

Section 254(1) of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

6 Resignation

Section 257 of the principal Act is amended by omitting the words “Minister of Justice”, and substituting the words “Attorney-General”.

7 Protection from legal proceedings

Section 261 of the principal Act is amended by adding, as subsection (2), the following subsection:

- “(2) In addition, a member of the Environment Court who is a District Court Judge also has the immunities conferred by section 119 of the District Courts Act 1947 (which confers on District

Court Judges, at all times, the same immunities as a Judge of the High Court).”

Legislative history

12 May 2004

Divided from Judicial Matters Bill (Bill 71-2) as
Bill 71-3I

13 May 2004

Third reading
