



ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p>2. Functions of regional councils</p> <p>3. Regional petrol tax reimposed until close of 31 January 1996</p>	<p>4. Expiry of Part XI^A of principal Act</p> <p>5. Penalties for damage to roads</p> <p>6. Divestment of assets in transport-related enterprises to be subject to Part XXXIV^B of this Act</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1995, No. 40

An Act to amend the Local Government Act 1974 [25 July 1995]

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

1. Short Title and commencement—(1) This Act may be cited as the Local Government Amendment Act (No. 2) 1995, and shall be read together with and deemed part of the Local Government Act 1974 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the day on which it receives the Royal assent.

2. Functions of regional councils—Section 37s (1) (h) of the principal Act (as enacted by section 6 of the Local Government Amendment Act 1992) is hereby amended by omitting the words “and the Transport Services Licensing Act 1989”, and substituting the words “, the Transport Services Licensing Act 1989, and the Land Transport Act 1993”.

3. Regional petrol tax reimposed until close of 31 January 1996—(1) As from the close of the 14th day after this Act receives the Royal assent, there shall be payable on all petrol delivered or used—

- (a) In the Auckland Regional Council's regional petrol tax area, a regional petrol tax at the rate of 0.95 cents a litre; and
- (b) In the Wellington Regional Council's regional petrol tax areas, a regional petrol tax—
 - (i) At the rate of 1.5 cents a litre in Wellington, Porirua, and the Hutt Valley; and
 - (ii) At the rate of 0.5 cents a litre in Kapiti up to and including Waikanae; and
- (c) In the Canterbury Regional Council's regional petrol tax area, a regional petrol tax at the rate of 0.62 cents a litre; and
- (d) In the Otago Regional Council's regional petrol tax area, a regional petrol tax at the rate of 0.5 cents a litre; and
- (e) In Waikato Regional Council's regional petrol tax area, a regional petrol tax at the rate of 0.2 cents a litre.

(2) The rates of regional petrol tax specified in subsection (1) of this section are exclusive of any goods and services tax payable under the Goods and Services Tax Act 1985.

(3) Notwithstanding anything in Part XIA of the principal Act (as inserted by section 2 of the Local Government Amendment Act (No. 2) 1992),—

- (a) The regional petrol taxes imposed by subsection (1) of this section are hereby deemed to be regional petrol taxes levied pursuant to and in accordance with that Part of that Act:
- (b) The rate of any regional petrol tax specified in subsection (1) of this section may from time to time be altered in the manner provided in that Part of that Act:
- (c) Subject to the provisions of this section, that Part of that Act shall apply in respect of every regional petrol tax imposed by this section as if there were omitted from section 200c (5) of that Act the expression "30th day of June 1995", and there were substituted the expression "31st day of January 1996", and with any other necessary modifications.

(4) For the purposes of this section, a regional council's regional petrol tax area or regional petrol tax areas shall be the tax area or tax areas approved by the Minister of Transport, for the purposes of the corresponding regional petrol tax levied by the council, under section 200c (6) of the principal Act.

4. Expiry of Part XI_A of principal Act—(1) Part XI_A of the principal Act (as inserted by section 2 of the Local Government Amendment Act (No. 2) 1992) shall expire with the close of the 31st day of January 1996.

(2) Part XI_A of the principal Act (as so inserted) and section 2 of the Local Government Amendment Act (No. 2) 1992 shall, as from the close of the 31st day of January 1996, be deemed to have been repealed.

5. Penalties for damage to roads—Section 357 (1) of the principal Act (as enacted by section 2 of the Local Government Amendment Act 1978) is hereby amended—

(a) By omitting the expression “\$200”, and substituting the expression “\$1,000”;

(b) By omitting the expression “\$20”, and substituting the expression “\$50”.

6. Divestment of assets in transport-related enterprises to be subject to Part XXXIV_B of this Act—The principal Act is hereby amended by inserting, after section 707_U (as inserted by section 68(1) of the Local Government Amendment Act 1992), the following section:

“707_{UA}. Notwithstanding section 707_{ZJ} (1) (c) of this Act or any other provision of this Part of this Act, the transfer, pursuant to this Part of this Act, of any securities, interests, or undertakings to which Part XXXIV_B of this Act applies shall be, and shall be deemed always to have been, subject to the provisions of that Part.”

This Act is administered in the Department of Internal Affairs.
