

**[This Bill was formerly Part I of, and the Schedule to,
the Transport Amendment Bill: 157-2.]**

[AS REPORTED FROM THE GOVERNMENT ADMINISTRATION
COMMITTEE]

House of Representatives, 23 June 1992.

**Words struck out are shown in italics within bold
round brackets, or with black rule at beginning and after
last line; words inserted are shown in roman underlined
with a single rule, or with single rule before first line and
after last line.**

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

House of Representatives, 25 June 1992.

Hon. W. Rob Storey

TRANSPORT AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the Transport Act 1962

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

1. Short Title and commencement—(1) This Act may be cited as the Transport Amendment Act 1992, and shall be read together with and deemed part of the Transport Act 1962 (hereinafter referred to as the principal Act). 5

(2) This Act shall come into force on the 1st day of July 1992.

2. Interpretation—Section 2 (1) of the principal Act is hereby amended by repealing the definition of the term “enforcement authority” (as substituted by section 2 (2) of the Transport Amendment Act 1980), and substituting, in their appropriate alphabetical order, the following definitions: 10

“‘Commissioner’ means the Commissioner of Police:

“‘Enforcement authority’, in relation to an infringement offence or an overloading infringement, means— 15

“(a) The New Zealand Police, in the case of an alleged infringement offence or overloading infringement offence detected by a sworn or non-sworn member of the Police: 20

“(b) The Ministry of Transport, in the case of an alleged infringement offence detected by an officer of the Ministry:

“(c) The local authority, in the case of an alleged infringement offence detected by an officer of a local authority: 25

“(d) The airport authority, in the case of an alleged infringement offence detected by an officer of an airport authority:

“‘Enforcement officer’ means a traffic officer or a constable.”. 30

3. Appointment of traffic officers—The principal Act is hereby amended by repealing section 6 (as inserted by section 3 of the Transport Amendment Act 1987), and substituting the following section: 35

“6. (1) Subject to subsection (2) of this section, the Minister of Police may appoint any person to hold the office of traffic officer, and, in making such an appointment, the Minister may specify such of the powers of a traffic officer that the person may or may not exercise. 40

“(2) No person shall be appointed under **subsection (1)** of this section unless the Minister of Police is satisfied that the person has been trained to a standard that will enable the person to carry out satisfactorily the duties of a traffic officer.

5 “(3) Every non-sworn member of the Police who held the office of traffic officer immediately before the 1st day of July 1992 is hereby deemed to have been appointed under **subsection (1)** of this section.

10 “(4) Every person, other than a person referred to in **subsection (3)** of this section, who held the office of traffic officer immediately before the 1st day of July 1992 is hereby deemed to have been appointed under **subsection (1)** of this section until the close of the 30th day of June 1993.

15 “(5) The Minister may, on an application made before the close of the 31st day of December 1992 by or on behalf of any person to whom **subsection (4)** of this section applies, extend that person’s appointment under that subsection; and that appointment shall be extended for the period specified by the Minister.”

20 **4. Infringement offences—**

New

(1) Section 42A of the principal Act (as substituted by section 17 of the Summary Proceedings Amendment Act 1987) is hereby amended—

25 (a) By omitting from subsection (2) the words “expressions ‘traffic officer’ and ‘officer’ include traffic officers respectively”, and substituting the words “expression ‘officer’ includes officers”:

30 (b) By inserting in subsection (3), before the words “traffic officer” in both places where they occur, the words “constable or”:

(c) By inserting in subsection (5), before the word “officer” where it first occurs, the words “sworn or non-sworn member of the Police or any”:

35 (d) By inserting in subsection (5), before the words “traffic officer”, the word “constable,”.

(2) Section 42A (9) of the principal Act (as *substituted by section 17 of the Summary Proceedings Amendment Act 1987* so substituted) is hereby amended—

- (a) By omitting the words “other than the Department”, and substituting the words “that is a local authority or an airport authority”;
- (b) By omitting the word “Secretary” in both places where it occurs, and substituting in each case the word “Commissioner”. 5

5. Entitlement to infringement fees—Section 43 (4) of the principal Act (as substituted by section 6 of the Transport Amendment Act 1987) is hereby amended by omitting the word “Department” in both places where it occurs, and substituting in each case the word “Commissioner”. 10

6. Interpretation—Section 57A of the principal Act (as substituted by section 7 of the Transport Amendment Act (No. 2) 1988) is hereby amended by repealing the definition of the term “enforcement officer”. 15

7. Procedure for dealing with blood specimens—Section 58F of the principal Act (as substituted by section 7 of the Transport Amendment Act (No. 2) 1988) is hereby amended by omitting the words “Secretary for Transport” and “Secretary” wherever they occur, and substituting, in each case, the word “Commissioner”. 20

8. Certificates and presumptions in blood-alcohol proceedings—Section 58G (1) (c) (iii) of the principal Act (as substituted by section 7 of the Transport Amendment Act (No. 2) 1988) is hereby amended by omitting the words “Secretary for Transport”, and substituting the word “Commissioner”. 25

9. Traffic officer may arrest for assault on traffic officer—Section 62A of the principal Act (as inserted by section 15 of the Transport Amendment Act 1987) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”. 30

10. Constable or traffic officer may prohibit or prevent driving—Section 63 (2) of the principal Act (as substituted by section 16 (1) of the Transport Amendment Act 1987) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”. 35

11. Duties of motor drivers in cases of accidents—

(1) Section 65 (3) of the principal is hereby amended—

5 (a) By omitting the words “or to the nearest office of the Road Transport Division of the Department” (as inserted by section 18 (2) of the Transport Amendment Act 1974):

(b) By inserting, after the words “traffic officer” (as so inserted), the words “who is a non-sworn member of the Police”.

10 (2) Section 65 of the principal Act is hereby amended by repealing subsection (3A) (as inserted by section 18 (3) of the Transport Amendment Act 1974), and substituting the following subsection:

Struck Out

15 “(3A) Where an accident report is made pursuant to subsection (3) of this section, the Commissioner shall cause a copy of the report to be forwarded as soon as practicable to the Secretary.”

New

20 “(3A) Where an accident to which subsection (3) of this section applies is reported to or attended by the Police, the Commissioner shall—

“(a) Prepare in a form approved by the Secretary a report of the accident; and

25 “(b) Cause a copy of the report to be forwarded to the Secretary as soon as practicable.”

12. User of vehicle to stop when required and give name and address, etc.—(1) Section 66 (1) (a) of the principal Act (as substituted by section 10 of the Transport Amendment Act (No. 2) 1988) is hereby amended by omitting the words “cap, hat, or helmet identifying the officer as a traffic officer”, and substituting the words “distinctive cap, hat, or helmet with a badge of authority affixed thereto”.

30 (2) Section 66 (5) of the principal Act (as so substituted) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”.

13. Entry on premises for purposes of exercising powers in relation to breath-alcohol offences—(1) Section 66A (1) of the principal Act (as inserted by section 2 of the Transport Amendment Act (No. 2) 1989) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”. 5

(2) Section 66A (2) (a) of the principal Act (as so inserted) is hereby amended by inserting, after the word “herself”, the words “as a constable or a traffic officer”.

(3) Section 66A of the principal Act (as so inserted) is hereby amended by repealing subsection (4), and substituting the following subsection: 10

“(4) Where any constable or traffic officer exercises any power conferred by subsection (1) of this section, the constable or traffic officer shall, within 5 days after the day on which the power is exercised, furnish to the Commissioner a written report on the exercise of the power and the circumstances in which it came to be exercised.” 15

14. Powers of constables and traffic officers—(1) Section 68B (1) of the principal Act (as inserted by section 8 (1) of the Transport Amendment Act (No. 2) 1967 and amended by section 53 (3) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986) is hereby amended by inserting, after the words “and any regulations or notices in force under that Act”, the words “, and the Transport Services Licensing Act 1989 and any regulations in force under that Act”. 20 25

New

(2) Section 68B (1c) of the principal Act (as inserted by section 20 (2) of the Transport Amendment Act 1987) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”. 30

15. Jurisdiction of traffic officers—(1) Section 68D (1) of the principal Act (as substituted by section 19 (1) of the Transport Amendment Act (No. 3) 1983) is hereby amended by omitting the words “an officer of the Department, or a traffic officer who is appointed as such by a territorial authority,”, and substituting the words “a non-sworn member of the Police”. 35

New

5 (2) Section 68D (2) of the principal Act (as so substituted) is hereby amended by omitting from paragraphs (a) and (b) (i) the words “has been appointed”, and substituting in each case the words “is employed”.

16. Search warrants relating to road user charges offences—Section 68E of the principal Act (as inserted by section 11 of the Transport Amendment Act 1989) is hereby amended by omitting the word “Secretary” in both places
10 where it occurs, and substituting in each case the word “Commissioner”.

17. Powers of traffic officers in respect of heavy motor vehicles—(1) Section 69A of the principal Act (as inserted by section 22 of the Transport Amendment Act 1968) is hereby
15 amended—

(a) By inserting in subsection (1) (as amended by section 22 (1) of the Transport Amendment Act 1987), before the words “traffic officer” wherever they occur, the words “constable or”;

20 (b) By inserting in subsection (1A) (as inserted by section 22 (2) of the Transport Amendment Act 1987), before the words “traffic officer” in both places where they occur, the words “constable or”;

25 (c) By inserting in subsection (2) and also in subsection (2A) (as substituted by section 21 (1) of the Transport Amendment Act 1974), before the words “traffic officer” wherever they occur, the words “constable or”;

30 (d) By inserting in subsection (4), before the words “traffic officer” in both places where they occur, the words “constable or”.

(2) Section 69A of the principal Act (as so inserted) is hereby amended by repealing subsection (5), and substituting the following subsection:

35 “(5) Where the load or any part of the load is removed from a motor vehicle for the purpose of complying with any direction given under subsection (2) or subsection (2A) of this section, none of the following persons, namely,—

- 40 “(a) The Crown; or
“(b) Any constable; or

“(c) Any traffic officer; or

“(d) Any employer of a traffic officer who is not a non-sworn member of the Police,—

shall be liable for any loss of or any damage to any part of the load so removed arising directly or indirectly from that removal.” 5

18. Overloading of Crown vehicles—(1) Section 69c of the principal Act (as substituted by section 23 (1) of the Transport Amendment Act 1987 and amended by section 12 of the Transport Amendment Act 1989) is hereby amended— 10

(a) By omitting the words “Permanent Head” wherever they occur, and substituting in each case the words “chief executive”:

(b) By omitting the word “Secretary” wherever it occurs, and substituting in each case the word “Commissioner”: 15

(c) By inserting in subsection (2), before the words “traffic officer” in both places where they occur, the words “constable or”.

(2) Section 69c (2) of the principal Act (as so substituted) is hereby amended by inserting in subsection (2), before the words “traffic officer” in both places where they occur, the words “constable or”. 20

19. Removal and retention of hubodometers by authorised officers—Section 69D (1) of the principal Act (as inserted by section 13 of the Transport Amendment Act 1989) is hereby amended by omitting the words “an officer of the Department”, and substituting the words “a non-sworn member of the Police”. 25

20. Traffic officer to order stopping of heavy motor vehicle until load is secured—Section 70A of the principal Act (as inserted by section 5 (1) of the Transport Amendment Act (No. 3) 1985) is hereby amended by inserting, before the words “traffic officer” wherever they occur, the words “constable or”. 30

21. Driving hours—Section 70B (6) of the principal Act (as substituted by section 15 (1) of the Transport Amendment Act 1989) is hereby amended by inserting, before the words “an officer of the Department”, the words “a constable or a traffic officer who is a non-sworn member of the Police or by”. 35

5 **22. Driver logbooks**—Section 70c (7) of the principal Act (as substituted by section 15 (1) of the Transport Amendment Act 1989) is hereby amended by inserting, before the words “the Secretary”, the words “a constable or a traffic officer who is a non-sworn member of the Police or by”.

23. Repeals—(1) Section 75 of the principal Act (as substituted by section 6 of the Transport Amendment Act 1965 and amended by section 17 (1) of the Transport Amendment Act (No. 2) 1985) is hereby repealed.

10 (2) The following enactments are hereby consequentially repealed:

(a) Section 6 of the Transport Amendment Act 1965:

(b) Section 17 of the Transport Amendment Act (No. 2) 1985.

15 **24. Notification of road hazards**—Section 76B of the principal Act (as inserted by section 17 of the Transport Amendment Act 1966) is hereby amended by inserting, before the words “traffic officer”, the words “constable or”.

25. Regulations—(1) Section 77 (1) of the principal Act is hereby amended by repealing paragraph (x) (as added by section 17 of the Transport Amendment Act 1968).

20 (2) Section 17 of the Transport Amendment Act 1968 is hereby consequentially repealed.

26. Piloting fees—(1) Section 78A (1) of the principal Act (as inserted by section 18 of the Transport Amendment Act 1968) is hereby amended—

25 (a) By omitting the words “traffic officers of the Department”, and substituting the words “constables or traffic officers who are non-sworn members of the Police”:

30 (b) By omitting the word “Secretary” where it secondly and thirdly occurs, and substituting in each case the word “Commissioner”:

(c) By omitting the word “Department”, and substituting the word “Police”.

35 (2) Section 78A (2) of the principal Act (as so inserted) is hereby amended by omitting the word “Secretary”, and substituting the word “Commissioner”.

27. Certificates of fitness—*New*

(1) Section 79 (1) of the principal Act (as substituted by section 20 (1) of the Transport Amendment Act 1989) is hereby amended by inserting, after the word “issued”, the words “by the Secretary”.

(2) Section 79 (2) of the principal Act (as *substituted by section 20 (1) of the Transport Amendment Act 1989* so substituted) is hereby amended—

- (a) By omitting the words “In addition to the powers conferred by section 9 of the Ministry of Transport Act 1968, the”, and substituting the word “The”;
- (b) By omitting the words “officer of a local authority”, and substituting the word “person”.

28. Revocation of certificate of fitness—Section 79A (4) of the principal Act (as substituted by section 20 (1) of the Transport Amendment Act 1989) is hereby amended by inserting, before the words “may remove”, the words “, or any constable or traffic officer who is a non-sworn member of the Police,”.

29. Inspection of vehicles required to have certificates of fitness or permits—(1) Section 80 (1) of the principal Act (as inserted by section 2 of the Transport Amendment Act (No. 2) 1983) is hereby amended by inserting, after the word “Secretary”, the words “, or any constable or any traffic officer (being a traffic officer who is a non-sworn member of the Police) authorised by the Commissioner,”.

(2) Section 80 (2) (a) of the principal Act (as so inserted) is hereby amended by inserting, after the word “Department”, the words “or any constable or any traffic officer who is a non-sworn member of the Police”.

30. Road Traffic Safety Research Council—(1) Section 91 (2) of the principal Act (as enacted by section 3 of the Ministry of Transport Act Repeal Act 1990) is hereby amended by inserting, after paragraph (a), the following paragraph: “(aa) The Commissioner of Police:”.

Struck Out

- (2) Section 91 (5) of the principal Act (as so enacted) is hereby amended—
- 5 (a) By inserting, after the words “Secretary for Transport”, the words “or the Commissioner”:
- (b) By inserting, before the words “as his or her deputy”, the words “or any sworn or non-sworn member of the Police nominated by the Commissioner, as the case may be,”.

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New

- (2) Section 91 of the principal Act (as so enacted) is hereby amended by repealing subsection (5), and substituting the following subsections:
- 15 “(5) In the absence from any meeting of the Council of the Secretary or the Commissioner,—
- “(a) Any other officer of the Ministry of Transport nominated by the Secretary as his or her deputy may attend the meeting in his or her stead:
- 20 “(b) Any sworn or non-sworn member of the Police nominated by the Commissioner as his or her deputy may attend the meeting in his or her stead.
- “(5A) While any person is attending any meeting under subsection (5) of this section as the Secretary’s deputy, he or she shall be deemed for all purposes to be both a member of the
- 25 Council and the Chairperson.”

31. Admissibility of certain statements—Section 196A of the principal Act (as inserted by section 35 of the Transport Amendment Act 1987) is hereby amended by inserting, before the words “traffic officer” in both places where they occur, the

30 words “constable or”.

New

31A. Evidence of testing and accuracy of weighing devices and sites, and speed-measuring devices—

35 (1) Section 197 of the principal Act is hereby amended by omitting from subsection (1) (as substituted by section 3 (1) of

New

the Transport Amendment Act 1992), and also from subsection (3) (as substituted by section 36 of the Transport Amendment Act 1987), the words “an officer of the Department authorised by the Secretary”, and substituting in each case the words “a sworn or non-sworn member of the Police authorised by the Commissioner”.

(2) Section 197 (1) (b) of the principal Act (as so substituted) is hereby amended by inserting, after subparagraph (i), the following subparagraph:

“(ia) A sworn or non-sworn member of the Police; or”.

(3) Section 197 (5) of the principal Act (as substituted by section 36 of the Transport Amendment Act 1987) is hereby amended—

(a) By omitting the words “an officer”, and substituting the words “a person”:

(b) By omitting the words “the officer”, and substituting the words “the person”.

32. Fees for traffic officer accident reports—(1) Section 199A of the principal Act (as inserted by section 3 of the Transport Amendment Act 1988) is hereby amended by omitting the word “Secretary” wherever it occurs, and substituting in each case the word “Commissioner”.

Struck Out

(2) Section 199A (4) of the principal Act (as so inserted) is hereby amended by omitting the words “an officer of the “Department”, and substituting the words “a non-sworn member of the Police”.

New

(2) Section 199A of the principal Act (as so inserted) is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) In this section, the term ‘traffic officer accident report’ means a written report relating to an investigation of a traffic

New

accident, being a report by a constable or a traffic officer who is a non-sworn member of the Police.”

Struck Out

5 **33. Delegations**—The principal Act is hereby amended by inserting, after section 199A (as inserted by section 3 of the Transport Amendment Act 1988), the following section:

10 “199B. (1) Notwithstanding anything in the Police Act 1958 or any other Act, but subject to this section, the Secretary may from time to time, either generally or particularly, delegate to the Commissioner or any sworn or non-sworn member of the Police all or any of the functions or powers of the Secretary under this Act or the Transport (Vehicle and Driver Registration and Licensing) Act 1986, or under any regulations made under either of those Acts.

15 “(2) The Secretary shall not delegate any such functions or powers to a sworn or non-sworn member of the Police (other than the Commissioner) without the written consent of the Commissioner.

20 “(3) Every person purporting to act pursuant to a delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

25 “(4) Any delegation under this section may be made to a specified person or a specified class of persons or to the holder or holders for the time being of a specified office or specified class of offices.

30 “(5) No such delegation shall affect or prevent the exercise of any function or power by the Secretary, nor shall any such delegation affect the responsibility of the Secretary for the actions of any person acting under the delegation.

 “(6) Every delegation under this section shall be revocable in writing at will.

35 “(7) Any such delegation, until it is revoked, shall continue in force according to its tenor, notwithstanding that the Secretary by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of that Secretary.”

New

33. Transfer of functions and powers of Secretary—The principal Act is hereby amended by inserting, after section 199A (as inserted by section 3 of the Transport Amendment Act 1988), the following section:

“199B. (1) Notwithstanding anything in this Act or any other Act, but subject to this section, the Secretary may from time to time, either generally or particularly, after consultation with the Commissioner transfer to the Commissioner all or any of the functions or powers of the Secretary under this Act or the Transport (Vehicle and Driver Registration and Licensing) Act 1986, or under any regulations made under either of those Acts.

“(2) Every transfer under **subsection (1)** of this section shall be effected by an instrument in writing signed by the Secretary.

“(3) Where a function or power has been transferred under **subsection (1)** of this section, the Commissioner or any sworn or non-sworn member of the Police authorised by the Commissioner for the purpose may carry out the function or exercise the power as if the function or power had been conferred or imposed on him or her directly by this Act and not by transfer.

“(4) After consultation with the Commissioner, the Secretary may at any time, by an instrument in writing, resume on a date specified by the Secretary all or any of the functions or powers transferred under **subsection (1)** of this section; and, in that case, neither the Commissioner nor any sworn or non-sworn member of the Police may carry out functions or exercise powers resumed under this subsection.

“(5) Except as otherwise provided in an instrument under **subsection (1)** of this section, the Secretary shall not carry out any function or exercise any power that has been transferred under that subsection.

“(6) Any such transfer, until it is revoked, shall have effect according to its tenor, notwithstanding that the Secretary by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of the Secretary.

“(7) Nothing in this section limits or affects the functions, duties, or powers that may be carried out or are exercisable by any person appointed as an agent under section 42 of the

New

Transport (Vehicle and Driver Registration and Licensing) Act 1986.”

5 **34. Amendments to Wanganui Computer Centre Act 1976**—(1) The Schedule to the Wanganui Computer Centre Act 1976 is hereby amended by inserting in the part headed *Ministry of Transport Records*, in the third column opposite the item “Demerit points”, the word “Police”.

10 (2) The Schedule to the Wanganui Computer Centre Act 1976 (as amended by section 20 of the Wanganui Computer Centre Amendment Act 1989) is hereby amended by inserting, in its appropriate alphabetical order in the part headed *Ministry of Transport Records*, the following item:

15	“Transport licensing register	National register of all transport licences	Transport Police”.
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20 (3) The Schedule to the Wanganui Computer Centre Act 1976 is hereby amended by repealing the item “Traffic offence and infringement enforcement and document processing” in the part headed *Ministry of Transport Records*.

 (4) The Schedule to the Wanganui Computer Centre Act 1976 (as so amended) is hereby amended by inserting, in its appropriate alphabetical order in the part headed *Police Records*, the following item:

25	“Traffic offence and infringe- ment enforce- ment and document processing	Traffic offence and infringement enforcement processing, including infringement fees enforcement and preparation of documents in relation to offences not otherwise provided for by the Department of Justice (All names and addresses shall be deleted from the record after the determination of the proceedings unless the Policy Committee determines otherwise)	Police Transport”.
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35			

40 **35. Amendments to other enactments**—The enactments specified in the Schedule to this Act are hereby amended in the manner indicated in that Schedule.

New

<p>35A. Repeal—The Transport Amendment Act 1986 is hereby repealed.</p>
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[Parts II to V of this Bill, as reported from the 5
Government Administration Committee (157-2), are
now the Police Amendment Bill (No. 2) (157-3A), the
Transport Services Licensing Amendment Bill (No. 2)
(157-3B), the Transit New Zealand Amendment Bill
(No. 3) (157-3c), and the Local Government Amendment 10
Bill (No. 5) (157-3D).]

SCHEDULE
ENACTMENTS AMENDED

Section 35

Enactment	Amendment
1977, No. 124—The Road User Charges Act 1977 (R.S. Vol. 21, p. 759)	By inserting in section 19 (2) (as added by section 10 (2) of the Road User Charges Amendment Act 1989), before the words “traffic officer”, the words “constable or”.
1983, No. 46—The Civil Defence Act 1983	By omitting from section 18 (1) the words “Secretary for Transport” and “Minister of Transport”, and substituting in each case, the words “Commissioner of Police”. By omitting from section 18 (4) the words “Secretary for Transport”, and substituting the words “Commissioner of Police”.
1986, No. 6—The Transport (Vehicle and Driver Registration and Licensing) Act 1986	By omitting from section 48A (2) (d) (as inserted by section 9 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987) the words “power on Chief Traffic Officers who are officers of the Department”, and substituting the words “on members of the Police holding any specified rank power”.
1989, No. 24—The Children, Young Persons, and Their Families Act 1989	<p style="text-align: center;"><i>Struck Out</i></p> <div style="border: 2px solid black; padding: 5px; margin: 5px 0;">By repealing section 214 (3) (b).</div> <p style="text-align: center;"><i>New</i></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">By repealing paragraph (b) of section 214 (3), and substituting the following paragraph: “(b) Where that enforcement officer is a traffic officer who is a non-sworn member of the Police, to the Commissioner of Police.”.</div>