

*Mr Connelly*

## TRACTOR SAFETY

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### A BILL INTITULED

#### **An Act to provide for the safer operation of tractors**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,  
5 as follows.

**1. Short Title**—This Act may be cited as the Tractor Safety Act 1964.

**2. Interpretation**—In this Act, unless the context otherwise requires—

10 “Minister” means the Minister of Labour:

“Testing Institution” means an institution declared to be a Testing Institution pursuant to this Act:

15 “Tractor” means any wheeled or crawler tractor used for agricultural purposes the motive power of which is greater than six horsepower.

No. 10—1

*Price 6d.*

**3. Institution may be declared a Testing Institution**—The Governor-General may by Order in Council make regulations declaring any institution, which is competent, to test and pass judgment on devices fitted to tractors, with the intent of improving the safety of persons working with them, to be a Testing Institution. 5

**4. Independent Committee of Approval**—The Governor-General may by Order in Council establish an Independent Committee of Approval which shall comprise:

- (a) Five persons, one each to be nominated by— 10
  - (i) The Minister of Labour:
  - (ii) The Minister of Agriculture:
  - (iii) The National Safety Association of New Zealand (Incorporated):
  - (iv) The Federated Farmers of New Zealand (Incorporated): 15
  - (v) New Zealand Workers' Industrial Union of Workers:
- (b) A registered engineer; and
- (c) Such other persons as the Governor-General may determine. 20

**5. Testing Institution to submit report**—Every Testing Institution shall submit a report on all its investigations and tests which relate to the subject-matter of this Act to the Independent Committee of Approval or, if he so requests, to the Minister. 25

**6. Independent Committee of Approval to examine reports**—(1) The Independent Committee of Approval shall examine all reports submitted to it by any Testing Institution and shall recommend to the Minister which such safety devices for tractors should be manufactured, imported, sold, hired, or used. 30

(2) The Independent Committee of Approval shall report, if he so requests, to the Minister.

**7. Only approved safety devices to be sold, etc.**—(1) Only such safety devices for tractors as are approved by the Minister shall be sold, hired, or used. 35

(2) No device shall be claimed to be, or sold as, or hired as, or fitted as a safety device unless it has been approved by the Minister. 40

**3. No safety device to be fitted unless approved**—No tractor shall be fitted with any safety device unless such device has been first approved by the Minister.

5 **9. Offence**—The Minister may from time to time declare it to be an offence to operate tractors unless they are fitted with approved safety devices, or otherwise to contravene the provisions of this Act.

10 **10. Appeals**—(1) An appeal against any report of a Testing Institution made under section 5 of this Act shall lie to the Magistrate's Court.

(2) An appeal against any recommendation or report of the Independent Committee of Approval made under section 6 of this Act shall lie to the Magistrate's Court.

15 (3) An appeal against any decision of the Minister under this Act shall lie to the Supreme Court.

20 **11. Incentive**—Notwithstanding anything to the contrary in the Land and Income Tax Act 1954, any taxpayer engaged in business, shall, in calculating the assessable income derived by him from that business in any year, be entitled to deduct any expenditure incurred in the business during the income year, and not deductible otherwise than under this section, in fitting to any tractor, any safety device approved by the Minister under this Act, for use on such tractor.

25 **12. Police Offences Act 1960 amended**—Section 5A of the Police Offences Act 1960 is hereby amended by adding, after the word "to", the words "ride on or".

30 **13. Accidents to be reported**—Every tractor accident resulting in personal injury or death shall be reported to the Secretary of Labour by the owner or hirer of the tractor or by his personal representative.

**14. Approved safety devices to be fitted to new tractors**—The Governor-General may by Order in Council determine that on and after a stipulated date all new tractors shall be fitted with an approved safety device.

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**15. Approved safety devices to be fitted to existing tractors**—The Governor-General may by Order in Council determine that on and after a stipulated date all existing or reconditioned or rebuilt tractors shall be fitted with approved safety devices.

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**16. Certificates of exemption**—Notwithstanding anything in this Act, the Minister may grant certificates exempting (for such periods as may be specified therein and subject to such conditions, if any, as may be so specified) particular cases or particular persons from the operation of the provisions of this Act.

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**17. Penalty**—Every person who commits an offence against this Act shall be liable on summary conviction to a fine not exceeding fifty pounds.

**18. Regulations**—The Governor-General may from time to time, by Order in Council, make regulations for all or any of the purposes of this Act.

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