

1979/61



THE TRANSPORT (ALLOCATION OF MOTOR SPIRITS
DUTY) ORDER 1979

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 26th day of March 1979

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Transport Act 1962 (as amended by section 28 of the Road User Charges Act 1977), His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Transport (Allocation of Motor Spirits Duty) Order 1979.

(2) This order shall come into force on the 1st day of April 1979.

2. Duty on motor spirits—Section 187 of the Transport Act 1962 (as substituted by section 2 (1) of the Transport Amendment Act 1975 and amended by section 2 of the Transport Amendment Act 1978) is hereby further amended by omitting from subsection (2) (a) the expression “7.70 cents”, and substituting the expression “8.45 cents”.

3. Refund of motor spirits duty—(1) Section 188 of the Transport Act 1962 (as amended by section 3 (1) of the Transport Amendment Act 1978) is hereby further amended—

(a) By omitting from column 3 of the table of refunds of motor spirits duty set out after subsection (5) the figure “5.0” wherever it occurs, and substituting in each case the figure “4.25”;

(b) By omitting from column 4 of the said table the figure “6.7” in both places where it occurs, and substituting in each case the figure “7.45”;

- (c) By omitting from column 4 of the said table the figure "4.7" where it occurs in respect of items 2 and 6, and substituting in each case the figure "5.45".
- (2) Notwithstanding subclause (1) of this clause, refunds under Part VIII of the Transport Act 1962 of motor spirits duty paid, whether before or after the day this order comes into force, in satisfaction of a liability for such duty incurred before the day this order comes into force shall be made as if this order had not been enacted.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 April 1979, amends section 187 of the Transport Act 1962 by increasing, from 7.7 cents per litre to 8.45 cents per litre, the amount of motor spirits duty that is credited to the Consolidated Account. Motor spirits duty that is not credited to the Consolidated Account is credited to the National Roads Fund.

This order also makes consequential changes to the table of refunds of motor spirits duty set out in section 188 of the Transport Act 1962.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 29 March 1979.
This order is administered in the Ministry of Transport.