

**Reprint
as at 27 November 2010**



**Subordinate Legislation
(Confirmation and Validation)
Act 2009**

Public Act 2009 No 67
Date of assent 17 December 2009
Commencement see section 2

Subordinate Legislation (Confirmation and Validation) Act 2009: repealed, on 27 November 2010, by section 6 of the Subordinate Legislation (Confirmation and Validation) Act 2010 (2010 No 127).

Contents

	Page
1 Title	2
2 Commencement	2
Part 1	
General and technical provisions	
3 Purpose	2
4 Validations to prevent expiry do not cure invalidity, etc	2
5 Act binds the Crown	3
6 Repeal	3
Part 2	
Confirmations and validations	
7 Animal Products Act 1999	3

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

8	Commodity Levies Act 1990	3
9	Customs and Excise Act 1996	3
10	New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 1964	4
11	Road User Charges Act 1977	4
12	Tariff Act 1988	4
13	War Pensions Act 1954	4
14	Wine Act 2003	5

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Subordinate Legislation (Confirmation and Validation) Act 2009.

2 Commencement

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

Part 1

General and technical provisions

3 Purpose

- (1) The purpose of this Act is to confirm and validate certain subordinate legislation that, in accordance with confirmation and validation provisions in the Acts under which it is made, lapses at a stated time unless earlier confirmed or validated by Act of Parliament.
- (2) The validations effected by sections 10, 12, and 13 are limited by section 4 because their purpose is only to prevent the expiry of the enactments validated.

4 Validations to prevent expiry do not cure invalidity, etc

In the light of their purpose, the validations effected by sections 10, 12, and 13 do not—

- (a) express an intention to give legislative force to the provisions of the enactments validated; or

- (b) apply to any reason for invalidating any of those enactments; or
- (c) override any presumption that would otherwise apply to any of those enactments.

5 Act binds the Crown

This Act binds the Crown.

6 Repeal

The Subordinate Legislation (Confirmation and Validation) Act 2008 (2008 No 102) is repealed.

**Part 2
Confirmations and validations**

7 Animal Products Act 1999

The Animal Products (Fees, Charges, and Levies) Amendment Regulations 2009 (SR 2009/167) are confirmed.

8 Commodity Levies Act 1990

The following orders are confirmed:

- (a) Commodity Levies (Passionfruit) Order 2008 (SR 2008/343):
- (b) Commodity Levies (Summerfruit) Order 2008 (SR 2008/344):
- (c) Commodity Levies (Satsuma Mandarins) Order 2008 (SR 2008/369):
- (d) Commodity Levies (Wheat Grain) Order 2008 (SR 2008/370):
- (e) Commodity Levies (Milksolids) Order 2009 (SR 2009/9):
- (f) Commodity Levies (Non-proprietary and Uncertified Herbage Seeds) Order 2009 (SR 2009/62).

9 Customs and Excise Act 1996

The following orders are confirmed:

- (a) Customs Export Prohibition Order 2008 (SR 2008/240):

- (b) Customs Import Prohibition Order 2008 (SR 2008/241):
- (c) Excise and Excise-equivalent Duties (Tobacco Products Indexation) Amendment Order 2008 (SR 2008/441):
- (d) Customs Export Prohibition (Toothfish) Order 2009 (SR 2009/64):
- (e) Customs Import Prohibition (Toothfish) Order 2009 (SR 2009/65):
- (f) Excise and Excise-equivalent Duties (Alcoholic Beverages Indexation) Amendment Order 2009 (SR 2009/146):
- (g) Excise and Excise-equivalent Duties (Motor Spirits) Amendment Order 2009 (SR 2009/221).

10 New Zealand Superannuation and Retirement Income Act 2001 and Social Security Act 1964

The Social Security (Rates of Benefits and Allowances) Order 2009 (SR 2009/27) is validated and confirmed.

11 Road User Charges Act 1977

The Road User Charges (Rates) Order 2009 (SR 2009/220) is confirmed.

12 Tariff Act 1988

The following orders are validated and confirmed:

- (a) Tariff Amendment Order 2008 (SR 2008/221):
- (b) Tariff (Other Spirits Restructure) Amendment Order 2008 (SR 2008/259):
- (c) Tariff Amendment Order (No 2) 2008 (SR 2008/337).

13 War Pensions Act 1954

The War Pensions (Rates of Pensions, Lump Sum Payments, and Allowances) Order 2009 (SR 2009/21) is validated and confirmed.

14 Wine Act 2003

The Wine (Non-grape Wine Levy) Order 2008 (SR 2008/249)
is confirmed.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Subordinate Legislation (Confirmation and Validation) Act 2009. The reprint incorporates all the amendments to the Act as at 27 November 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Subordinate Legislation (Confirmation and Validation) Act 2010 (2010 No 127): section 6
