

**Reprint  
as at 1 May 2012**



**Accident Compensation (Motor  
Vehicle Account Levies)  
Regulations 2010**

(SR 2010/73)

Accident Compensation (Motor Vehicle Account Levies) Regulations 2010:  
revoked, on 1 May 2012, by regulation 8(1) of the Accident Compensation  
(Motor Vehicle Account Levies) Regulations 2012 (SR 2012/40).

Anand Satyanand, Governor-General

**Order in Council**

At Wellington this 29th day of March 2010

Present:

His Excellency the Governor-General in Council

Pursuant to sections 213(7), 329, and 333 of the Accident Compensation Act 2001, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for ACC, makes the following regulations.

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**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.

**These regulations are administered by the Department of Labour.**

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## Regulations

- 1 Title**  
These regulations are the Accident Compensation (Motor Vehicle Account Levies) Regulations 2010.
- 2 Commencement**  
These regulations come into force on 1 May 2010.
- 3 Interpretation**  
In these regulations,—

**Act** means the Accident Compensation Act 2001

**ambulance** has the same meaning as in section 2(1) of the Land Transport Act 1998

**current portion**, in relation to the motor vehicle levy, means the portion of that levy that is necessary to provide for the purposes referred to in section 213(7)(a) of the Act

**exempted vehicle** has the same meaning as in regulation 3(1) of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004

**fire brigade** has the same meaning as in section 2(1) of the Land Transport Act 1998

**fire brigade vehicle** means a vehicle used by a fire brigade

**fuel levy** means the levy payable under section 213(2)(c) of the Act

**goods-service vehicle** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**licensing period** means the period for which a licence is issued under section 13 or 34 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**moped** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**motor cycle** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**motor vehicle**—

- (a) has the same meaning as in section 2(1) of the Land Transport Act 1998; and
- (b) includes the vehicles classified in the Schedule of these regulations

**motor vehicle levy** means the levy payable under section 214(1) and (2) of the Act

**motorcar** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**Motorcycle Safety levy** means the levy payable under section 214(3) of the Act

**non-petrol driven**, in relation to a motor vehicle, means using a fuel other than petrol as the primary fuel for operation, regardless of whether the vehicle has an alternative fuel

**non-registered vehicle** means a vehicle, other than a motor cycle, described in Schedule 1 of the Transport (Vehicle Registration and Licensing) Regulations 1994

**passenger service vehicle** has the same meaning as in section 2(1) of the Land Transport Act 1998

**petrol driven**, in relation to a motor vehicle, means using petrol as the primary fuel for operation, regardless of whether the vehicle has an alternative fuel

**residual portion**, in relation to the motor vehicle levy, means the portion of that levy that is necessary to provide for the purposes referred to in section 213(7)(b) of the Act

**tractor** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**trade licence** means a trade licence issued under section 34 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**trailer** has the same meaning as in section 2(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986

**veteran vehicle** has the same meaning as in regulation 3B(b) of the Transport (Vehicle Registration and Licensing) Regulations 1994

**vintage vehicle** has the same meaning as in regulation 3B(c) of the Transport (Vehicle Registration and Licensing) Regulations 1994.

#### 4 Schedule classifies motor vehicles

The Schedule—

- (a) classifies kinds of motor vehicles and holders of trade licences; and
- (b) specifies the annual rates of—
  - (i) the current portion and residual portion of the motor vehicle levy for the motor vehicles and holders of trade licences in each class; and
  - (ii) the Motorcycle Safety levy, if applicable to a class.

#### 5 Rates of levies prescribed

- (1) The annual rates of the current portion and residual portion of the motor vehicle levy and the Motorcycle Safety levy are the rates specified in the Schedule beside the classification description of each class of vehicle.
- (2) The rate of fuel levy is 9.90 cents per litre of motor spirits.
- (3) In subclause (2), **motor spirits** has the same meaning as in section 79A(2) of the Customs and Excise Act 1996.

**6 Payment of levies**

- (1) The motor vehicle levy and the Motorcycle Safety levy are payable—
  - (a) for each licensing period that commences on or after 1 July 2010; and
  - (b) on application for one of the following licences:
    - (i) a motor vehicle licence, under section 10 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986; or
    - (ii) a trade licence, under section 31 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.
- (2) The fuel levy is payable—
  - (a) on and after 1 July 2010; and
  - (b) with any excise or excise-equivalent duty payable on the motor spirit.

**7 Levies exclusive of GST**

Levies calculated by applying the rates specified in regulation 5 are exclusive of goods and services tax.

**8 Revocation and saving**

- (1) The Injury Prevention, Rehabilitation, and Compensation (Motor Vehicles Levies) Regulations 2009 (SR 2009/60) are revoked.
- (2) Despite subclause (1), the Injury Prevention, Rehabilitation, and Compensation (Motor Vehicles Levies) Regulations 2009 continue to apply to the period starting on 1 July 2009 and ending on 30 June 2010 as if they had not been revoked.

## Schedule Classifications and levies

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Class of vehicles	Classification description	Motorcycle Safety levy (\$)	Annual rate of current portion of motor vehicle levy (\$)	Annual rate of residual portion of motor vehicle levy (\$)	Total (\$)
1	Ambulances	Nil	Nil	Nil	Nil
	Fire brigade vehicles				
	Exempted vehicles				
	Trailers				
	Holders of trade licences for trailers/caravans				
2	Petrol driven—	Nil	93.71	104.75	198.46
	motorcars				
	self-propelled caravans				
	mobile cranes				
	passenger service vehicles				
	hearses				
	All petrol driven vehicles not classified elsewhere				
	Holders of trade licences for vehicles not classified elsewhere				

Schedule

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1 May 2012

<b>Class of vehicles</b>	<b>Classification description</b>	<b>Motorcycle Safety levy (\$)</b>	<b>Annual rate of current portion of motor vehicle levy (\$)</b>	<b>Annual rate of residual portion of motor vehicle levy (\$)</b>	<b>Total (\$)</b>
3	Petrol driven— tractors veteran vehicles vintage vehicles non-registered vehicles	Nil	32.80	36.66	69.46
4a	Petrol driven mopeds Holders of trade licences for mopeds and motorcycles 60cc or less	30.00	46.86	52.38	129.24
4b	Petrol driven motor cycles 600 cc or less	30.00	140.57	157.13	327.70
4c	Petrol driven motor cycles over 600 cc Holders of trade licences for motorcycles over 60cc	30.00	187.42	209.50	426.92
5	Petrol driven goods-service vehicles	Nil	112.45	125.70	238.15
6	Non-petrol driven— motorcars self-propelled caravans mobile cranes passenger service vehicles hearses All non-petrol driven motor vehicles not classified elsewhere	Nil	93.71	217.67	311.38

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Schedule

<b>Class of vehicles</b>	<b>Classification description</b>	<b>Motorcycle Safety levy (\$)</b>	<b>Annual rate of current portion of motor vehicle levy (\$)</b>	<b>Annual rate of residual portion of motor vehicle levy (\$)</b>	<b>Total (\$)</b>
7	Non-petrol driven— tractors veteran vehicles vintage vehicles non-registered vehicles	Nil	32.80	76.18	108.98
8a	Non-petrol driven mopeds	30.00	46.86	86.26	163.12
8b	Non-petrol driven motor cycles 600 cc or less	30.00	140.57	191.01	361.58
8c	Non-petrol driven motor cycles over 600 cc	30.00	187.42	242.66	460.08
9	Non-petrol driven goods-service vehicles	Nil	140.57	326.51	467.08

Schedule  
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 Reprinted as at  
 1 May 2012



Rebecca Kitteridge,  
Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 May 2010, revoke and replace the Injury Prevention, Rehabilitation, and Compensation (Motor Vehicles Levies) Regulations 2009 (**last year's motor vehicles levies regulations**).

The main differences between these regulations and last year's motor vehicles levies regulations arise as a result of the enactment of the Accident Compensation Amendment Act 2010. Those differences are as follows:

- the Title of these regulations reflects the change made to the Title of the principal Act, which is now called the Accident Compensation Act 2001:
- these regulations no longer set the Motor Vehicle Account Residual levy, which has now been folded into the motor vehicle levy:
- the motor vehicle levy now has 2 components, namely, the current portion and the residual portion. The current portion provides for essentially the same purposes as the motor vehicle levy that was set in last year's motor vehicles levies regulations, while the residual portion provides for essentially the same purposes as the Motor Vehicle Account Residual levy that was set in those regulations:
- these regulations also set the Motorcycle Safety levy, which is payable by a registered owner of a moped or motor cycle.

The purposes of these regulations are—

- to prescribe the annual rates of the motor vehicle levy, Motorcycle Safety levy, and fuel levy; and
- to state when the levies are payable.

The levies are payable on or after 1 July 2010.

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**Accident Compensation (Motor Vehicle  
Account Levies) Regulations 2010**

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Reprinted as at  
1 May 2012

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 30 March 2010.

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# **Accident Compensation (Motor Vehicle Account Levies) Regulations 2012**

(SR 2012/40)

Jerry Mateparae, Governor-General

## **Order in Council**

At Wellington this 26th day of March 2012

Present:

His Excellency the Governor-General in Council

Pursuant to sections 213(7), 329, and 333 of the Accident Compensation Act 2001, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for ACC, makes the following regulations.

## **Regulations**

### **1 Title**

These regulations are the Accident Compensation (Motor Vehicle Account Levies) Regulations 2012.

### **2 Commencement**

These regulations come into force on 1 May 2012.

### **8 Revocation and saving**

- (1) The Accident Compensation (Motor Vehicle Account Levies) Regulations 2010 (SR 2010/73) are revoked.
- (2) Despite subclause (1), the Accident Compensation (Motor Vehicle Account Levies) Regulations 2010 continue to apply to

the period starting on 1 July 2010 and ending on 30 June 2012  
as if they had not been revoked.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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Date of notification in *Gazette*: 29 March 2012.

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## **Notes**

### **1 *General***

This is a reprint of the Accident Compensation (Motor Vehicle Account Levies) Regulations 2010. The reprint incorporates all the amendments to the regulations as at 1 May 2012, 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)***

Accident Compensation (Motor Vehicle Account Levies) Regulations 2012 (SR 2012/40): regulation 8(1)

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