

House of Representatives

Supplementary Order Paper

Wednesday, 2 July 2008

Waste Minimisation Bill

Proposed amendments

Hon Trevor Mallard, in Committee, to move the following amendments:

Part 1 heading

To omit this heading (lines 4 and 5 on page 6):

To insert the following heading after *clause 2* (after line 12 on page 6):

Part 1

Preliminary provisions

Clause 54

Subclause (2): to omit “commercially” (line 17 on page 77).

New subclause (2A)

To insert the following subclause after *subclause (2)* (line 27 on page 77):

(2A) In **subsection (2)**, **persons**—

- (a) includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but
- (b) does not include individuals who collect and transport waste for personal reasons (for example, a person taking household garden waste to a landfill).

Clause 62

Heading: to omit “**or having effect**” (line 8 on page 80).

Subclause (1): to omit “or having effect” (line 10 on page 80).

New clause 97

To insert the following clause after *clause 96* (after line 28 on page 99):

- 97 Nominations before commencement of this Part must be treated as complying with section 91**
- (1) This section applies to any process undertaken before the commencement of this Part—
 - (a) in the manner set out in **section 91(2)**; and
 - (b) for the purpose of receiving nominations for members of the Board.
 - (2) For the purposes of this Act, the process must be treated as complying with **section 91**.
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Explanatory note

This Supplementary Order Paper amends the Waste Minimisation Bill.

The amendments to the *Part 1 heading* and *clause 62* are technical drafting amendments.

The amendment to *clause 54(2)* clarifies that territorial authorities may make licensing bylaws under this section that apply to all organisations that collect and transport waste, not just commercial operators. The amendment brings the clause into line with current practice in parts of New Zealand. *New subclause 54(2A)* makes it clear that any licensing regime is not intended to include individuals who collect and transport waste for personal reasons.

New clause 97 is a validation provision. It is considered beneficial to have the Waste Advisory Board established and operating as soon as possible after the enactment of this Bill so that it can advise on implementation issues. As it may take several months to establish the Board, it is beneficial to begin the nominations process prior to the relevant provisions in the Bill commencing.
