

Section 20

SECOND SCHEDULE
ENACTMENTS REPEALED

- 1972, No. 32—The Police Amendment Act 1972: Sections 2, 3, and 4. (R.S. Vol. 17, p. 600.)
 1978, No. 103—The Police Amendment Act 1978: Sections 2, 3, 4 (1), 6, and 7. (R.S. Vol. 17, p. 601.)
 1976, No. 154—The Police Amendment Act 1976: Sections 2, 5, and 7. (R.S. Vol. 17, p. 602.)
 1978, No. 32—The Police Amendment Act 1978: Sections 2, 3, 4, 5, 8 (1), 8 (3), 9, 10, 11 (2), and 12. (R.S. Vol. 17, p. 603.)
 1980, No. 130—The Police Amendment Act 1980: Section 2 (1). (R.S. Vol. 17, p. 604.)
 1981, No. 86—The Police Amendment Act 1981: Sections 2 and 3 (2). (R.S. Vol. 17, p. 605.)
 1983, No. 133—The Police Amendment Act 1983: Sections 2 and 3 (1). (R.S. Vol. 17, p. 605.)
 1987, No. 77—The Labour Relations Act 1987: Section 347 (2).
 1987, No. 125—The Police Amendment Act 1987.
 1988, No. 3—The Police Amendment Act 1988: Sections 2 to 9.
 1988, No. 28—The Police Amendment Act (No. 2) 1988.

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 This Act is administered in the Police Department.



ANALYSIS

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1. Short Title and commencement		5. Department of Lands abolished
2. Interpretation		6. Consequential amendments
3. Certain provisions of principal Act repealed		7. Amendments to Land Act Regulations 1949
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12a. Commissioner of Crown Lands		9. Savings Schedule

1989, No. 139

An Act to amend the Survey Act 1986

[19 December 1989]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Survey Amendment Act (No. 3) 1989, and shall be read together with and deemed part of the Survey Act 1986 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of February 1990.

2. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definitions of the terms "Director-General", "Minister", and "Surveyor-General", and substituting the following definitions:

"Director-General" means the chief executive of the Department:

"Minister" means the Minister of the Crown for the time being responsible for the administration of this Act:

"Surveyor-General" means the Surveyor-General appointed under section 7 of this Act; and includes the Deputy Surveyor-General appointed under section 8 (1) of this Act."

(2) The said section 2 is hereby further amended by adding, as subsection (2), the following subsection:

"(2) The chief executive of the Department shall be known as the Director-General of Survey and Land Information."

3. Certain provisions of principal Act repealed—Sections 3, 4 (a), 5, 6, and 10 of the principal Act are hereby repealed.

4. New sections inserted—(1) The principal Act is hereby amended by inserting, after section 12, the following sections:

"12A. **Commissioner of Crown Lands**—(1) There shall from time to time be appointed under the State Sector Act 1988 a Commissioner of Crown Lands.

"(2) The Commissioner shall report directly to the Minister on the exercise and performance of the Commissioner's statutory powers and functions.

"12B. **Delegation of Commissioner's functions, duties, and powers**—The Commissioner may, under section 41 of the State Sector Act 1988, delegate to employees of the Department, in the same manner and to the same extent as if the Commissioner were the chief executive of the Department, any power—

"(a) By statute conferred on the Commissioner; or

"(b) Pursuant to statute delegated to the Commissioner by a Minister of the Crown."

(2) Section 2 of the principal Act is hereby consequentially amended by inserting, after the definition of the term "Chief Surveyor", the following definition:

"'Commissioner' means the Commissioner of Crown Lands appointed under section 12A of this Act."

5. Department of Lands abolished—The Department of Lands that existed immediately before the commencement of this Act is hereby abolished.

6. Consequential amendments—The enactments specified in the Schedule to this Act are hereby consequentially amended in the manner indicated in that Schedule.

7. Amendments to Land Act Regulations 1949—(1) The Land Act Regulations 1949 are hereby amended by omitting the words "Director-General of Conservation" (as substituted by section 65 (3) of the Conservation Act 1987), wherever they

appear (otherwise than in Part V), and substituting, in each case, the word "Commissioner".

(2) The Land Act Regulations 1949 may be amended or revoked as if the amendments effected by subsection (1) of this section had been effected by regulation and not by this Act.

8. Repeals—The following enactments are hereby consequentially repealed:

(a) Sections 3 and 3A of the Land Act 1948:

(b) Section 32 (5) of, and clauses 15 and 16 of Part III of the Fourth Schedule to, the State-Owned Enterprises Act 1986:

(c) Section 6 of the Second Schedule to the Conservation Act 1987 as relates to the State-Owned Enterprises Act 1986.

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02-05 S. 2(2) of the Survey Amendment Act (No. 3) 1989. RPLD by s. 2(4) of 1996 No. 55.

76-78 S. 9(1) (that part after paragraph (b)) of the Survey Amendment Act (No. 3) 1989. READS as amended by s. 5 of 1996 No. 55:—
"entered into, made, granted, given, or executed before the commencement of this Act shall be read as references to the [Director-General within the meaning of section 2 of the Survey Act 1986]."

Department of Lands and Survey,—
entered into, made, granted, given, or executed before the commencement of this Act shall be read as references to the Director-General of Survey and Land Information.

(2) Subject to section 65 (2) of the Conservation Act 1987, and subsection (1) of this section, all references to the Director-General of Lands, a Commissioner of Crown Lands (whether or not for any particular District), or the Land Settlement Board in—

(a) Any Act, regulation, or other enactment, passed, made, or enacted before the commencement of this Act; or

(b) Any contract, agreement, deed, instrument, application, licence, notice, or other document entered into, made, granted, given, or executed before that commencement,—

shall be read as references to the Commissioner of Crown Lands appointed under section 12A of the Survey Act 1986.

(3) Subject to section 65 (2) of the Conservation Act 1987, all references to the Department of Lands, or the Department of Lands and Survey in—

(a) Any Act, regulation, or other enactment, passed, made, or enacted before the commencement of this Act; or

(2) The said section 2 is hereby further amended by adding, as subsection (2), the following subsection:

"(2) The chief executive of the Department shall be known as the Director-General of Survey and Land Information."

3. Certain provisions of principal Act repealed—Sections 3, 4 (a), 5, 6, and 10 of the principal Act are hereby repealed.

4. New sections inserted—(1) The principal Act is hereby amended by inserting the following sections:

"12A. Commissioner of Crown Lands—(1) The Commissioner of Crown Lands shall be appointed by the Governor-General in Council from time to time, and shall hold office for a term of not less than 3 years and not more than 5 years, and may be reappointed."

"(2) The Commissioner of Crown Lands shall be the chief executive of the Department of Lands and Survey, and shall be responsible to the Governor-General in Council for the management of the Department."

"12B. Director-General of Survey and Land Information—(1) The Director-General of Survey and Land Information shall be appointed by the Governor-General in Council from time to time, and shall hold office for a term of not less than 3 years and not more than 5 years, and may be reappointed."

"(2) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(3) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(4) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(5) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(6) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(7) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(8) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(9) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(10) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(11) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(12) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(13) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(14) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(15) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(16) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(17) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(18) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(19) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

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"(21) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(22) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(23) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(24) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(25) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(26) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(27) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

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"(29) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(30) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(31) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(32) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(33) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(34) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(35) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(36) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(37) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(38) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(39) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

"(40) The Director-General of Survey and Land Information shall be the chief executive of the Department of Survey and Land Information, and shall be responsible to the Governor-General in Council for the management of the Department."

5. Department of Lands abolished—The Department of Lands that existed immediately before the commencement of this Act is hereby abolished.

6. Consequential amendments—The enactments specified in the Schedule to this Act are hereby consequentially amended in the manner indicated in that Schedule.

7. Amendments to Land Act Regulations 1949—(1) The Land Act Regulations 1949 are hereby amended by omitting the words "Director-General of Conservation" (as substituted by section 65 (3) of the Conservation Act 1987), wherever they

appear (otherwise than in Part V), and substituting, in each case, the word "Commissioner".

(2) The Land Act Regulations 1949 may be amended or revoked as if the amendments effected by subsection (1) of this section had been effected by regulation and not by this Act.

8. Repeals—The following enactments are hereby consequentially repealed:

(a) Sections 3 and 3A of the Land Act 1948:

(b) Section 32 (5) of, and clauses 15 and 16 of Part III of the Fourth Schedule to, the State-Owned Enterprises Act 1986:

(c) So much of the Second Schedule to the Conservation Act 1987 as relates to the State-Owned Enterprises Act 1986.

9. Savings—(1) All references to the Director-General of Lands, a Commissioner of Crown Lands (whether or not for any particular District), or a District Manager of Lands in any—

(a) Contract of employment relating to one person only; or

(b) Agreement or lease relating to accommodation to be occupied by the Department of Lands or the Department of Lands and Survey,—

entered into, made, granted, given, or executed before the commencement of this Act shall be read as references to the Director-General of Survey and Land Information.

(2) Subject to section 65 (2) of the Conservation Act 1987, and subsection (1) of this section, all references to the Director-General of Lands, a Commissioner of Crown Lands (whether or not for any particular District), or the Land Settlement Board in—

(a) Any Act, regulation, or other enactment, passed, made, or enacted before the commencement of this Act; or

(b) Any contract, agreement, deed, instrument, application, licence, notice, or other document entered into, made, granted, given, or executed before that commencement,—

shall be read as references to the Commissioner of Crown Lands appointed under section 12A of the Survey Act 1986.

(3) Subject to section 65 (2) of the Conservation Act 1987, all references to the Department of Lands, or the Department of Lands and Survey in—

(a) Any Act, regulation, or other enactment, passed, made, or enacted before the commencement of this Act; or

(b) Any contract, agreement, deed, instrument, application, licence, notice, or other document entered into, made, granted, given, or executed before that commencement,—

shall be read as references to the Department of Survey and Land Information.

(4) All references in—

(a) Any Act (not being an Act amended by section 6 of this Act), regulation, or other enactment, passed, made, or enacted before the commencement of this Act; or

(b) In any contract, agreement, deed, instrument, application, licence, notice, or other document, entered into, made, granted, given, or executed, before that commencement,—

to the Minister of Survey and Land Information shall be read as references to the Minister of the Crown for the time being responsible for the administration of the Survey Act 1986.

SCHEDULE

Section 6

CONSEQUENTIAL AMENDMENTS

Enactment	Amendment
1908, No. 33—The Crown Grants Act 1908 (R.S. Vol. 2, p. 1)	By repealing section 2 (as substituted by section 81 (1) of the principal Act), and substituting the following section: “2. Interpretation —In this Act, unless the context otherwise requires,— “ <i>Surveyor</i> means the Surveyor of a land district constituted under the Land Act 1944; and “ <i>Surveyor-General</i> means the Surveyor-General of the Department of Survey and Land Information.”
06-07 S. 9(3) (that part after paragraph (b)) of the Survey Amendment Act (No. 3) 1989.	READS as amended by s. 5 of 1996 No. 55:— “shall be read as references to the [department within the meaning the Survey Act 1986].”
1946, No. 3—The New Zealand Geographic Board Act 1946 (R.S. Vol. 10, p. 483)	By repealing the definition of the term “Minister” (as substituted by section 81 (1) of the principal Act) in section 2, and substituting the following definition: “‘Minister’ means the Minister of the Crown for the time being responsible for the administration of this Act.”
1948, No. 64—The Land Act 1948 (R.S. Vol. 23, p. 559)	By repealing the definitions in section 2 of the terms “Commissioner”, “Department”, “Deputy Director-General”, “Director-General”, and “Land Settlement Board” or “Board”, and inserting, in their appropriate alphabetical order, the following definitions: “‘Commissioner’ means the Commissioner of Crown Lands appointed under section 12A (1) of the Survey Act 1986; “‘Department’ means the Department of Survey and Land Information; “‘Director-General’ means the Commissioner; “‘Land Settlement Board’ or ‘Board’ means the Commissioner.”

(b) Any contract, agreement, deed, instrument, application, licence, notice, or other document entered into, made, granted, given, or executed before that commencement,—
shall be read as references to the Department of Survey and Land Information.

(4) All references in—

(a) Any Act (not being an Act amended by section 6 of this Act), regulation, or other enactment, passed, made, or enacted before the commencement of this Act,—

(b) In any application, entered before

to the Minister
references to
responsible for

SCHEDULE

Section 6

CONSEQUENTIAL AMENDMENTS

Enactment	Amendment
1908, No. 33—The Crown Grants Act 1908 (R.S. Vol. 2, p. 1)	By repealing section 2 (as substituted by section 81 (1) of the principal Act), and substituting the following section: “2. Interpretation —In this Act, unless the context otherwise requires,— “‘Chief Surveyor’ means the Chief Surveyor of a land district constituted under the Land Act 1948, appointed under section 9 of the Survey Act 1986; and, in relation to any lands, or any subject matter affecting any lands, means the Chief Surveyor of the land district in which the lands are situated: “‘Director-General’ means the chief executive of the Department of Survey and Land Information: “‘Minister’ means the Minister of the Crown for the time being responsible for the administration of this Act.”
1946, No. 3—The New Zealand Geographic Board Act 1946 (R.S. Vol. 10, p. 483)	By repealing the definition of the term “Minister” (as substituted by section 81 (1) of the principal Act) in section 2, and substituting the following definition: “‘Minister’ means the Minister of the Crown for the time being responsible for the administration of this Act.”
1948, No. 64—The Land Act 1948 (R.S. Vol. 23, p. 559)	By repealing the definitions in section 2 of the terms “Commissioner”, “Department”, “Deputy Director-General”, “Director-General”, and “Land Settlement Board” or “Board”, and inserting, in their appropriate alphabetical order, the following definitions: “‘Commissioner’ means the Commissioner of Crown Lands appointed under section 12A (1) of the Survey Act 1986: “‘Department’ means the Department of Survey and Land Information: “‘Director-General’ means the Commissioner: “‘Land Settlement Board’ or ‘Board’ means the Commissioner.”

SCHEDULE—continued

CONSEQUENTIAL AMENDMENTS—continued

Enactment	Amendment
1975, No. 9—The Ombudsmen Act 1975 (R.S. Vol. 21, p. 657)	By repealing the item relating to the Department of Lands and Survey in Part I of the First Schedule. By repealing the item relating to the Land Settlement Board in Part II of the First Schedule.
1975, No. 114—The Treaty of Waitangi Act 1975 (R.S. Vol. 8, p. 877)	By omitting from sections 8A(2)(b), 8A(2)(c), 8D(1), 8E(1), 8E(2), 8E(4), and 8H(b), the words "Survey and Land Information", and substituting, in each case, the words "the Crown for the time being responsible for the administration of the Survey Act 1986".

This Act is administered in the Department of Survey and Land Information.

ENERGY (FUELS, LEVIES, AND REFERENCES) ACT 1989

AMENDMENT ACTS:—

- 1993 No. 140. In force 28/9/93 being its assent date.
 1997 No. 50. In force 28/7/97 being its assent date.
 1998 No. 68. In force 1/7/98 by s. 1(2) of that Act. See ss. 9 to 12 of that Act for the transitional and savings provisions.
 1999 No. 40. In force 7/5/99 being its assent date.
 2000 No. 72. In force (except where indicated otherwise in these annotations) 12/12/2000 by s. 2(2) of that Act.
 2001 No. 43. In force 8/8/2001 by s. 2 of that Act.
 2006 No. 73. In force 5/12/2006 by s. 2 of that Act.
 2007 No. 54. In force 20/9/2007 by s. 2 of that Act. See s. 5(1)(b) of that Act as to every reference in an enactment or document to the Ministry of Energy (Abolition) Act 1989 being read as a reference to the Energy (Fuels, Levies, and References) Act 1989.
 2008 No. 60. In force 1/10/2008 by s. 2 of that Act. See s. 18 of that Act as to every reference in an enactment or document to the petroleum fuels monitoring levy being read as a reference to the petroleum and engine fuel monitoring levy.
 2008 No. 110 (Energy (Fuels, Levies, and References) Biofuel Obligation Repeal Act 2008). In force 23/12/2008 by s. 2 of that Act.

REFERENCES:—

- 1991 No. 69 (Resource Management Act 1991). In force (in its application to this Act) 1/10/91 by s. 1(2) of that Act.
 1991 No. 70 (Crown Minerals Act 1991). In force (in its application to this Act) 1/10/91 by s. 1(2) of that Act.
 1992 No. 96 (Health and Safety in Employment Act 1992). In force 1/4/93 by s. 1(2) of that Act.
 1992 No. 122 (Electricity Act 1992). In force (in its application to this Act) 1/4/93 by s. 1(2) of that Act.
 1992 No. 124 (Gas Act 1992). In force (in its application to this Act) 1/4/93 by s. 1(2) of that Act.
 2001 No. 32 (Commerce Amendment Act 2001). In force (in its application to this Act) 26/5/2001 by s. 2(1) of that Act.
 2009 No. 61 (Customs and Excise Amendment Act 2009). In force (in its application to this Act) 1/1/2010 by s. 2(2) of that Act.
 2010 No. 116 (Electricity Industry Act 2010). In force (in its application to this Act) 1/11/2010 by s. 2(2) of that Act. See ss. 132 to 144 of that Act for the transitional provisions.
 2013 No. 94 (WorkSafe New Zealand Act 2013). In force 16/12/2013 by s. 2 of that Act. See s. 18 of that Act for a transitional provision.

REGULATIONS:—

- Engine Fuel Specifications Regulations 2011/352.
 Energy Services (Gas) Order 2003/57.
 Ministry of Energy (Abolition) Act Commencement Order 1990/355.
 Ministry of Energy (Levies) Regulations 2000/183.

ANALYSIS ALTERATIONS:—

- Energy (Fuels, Levies, and References) Act 1989**
 1. Title and commencement
 1A. Act binds the Crown
 1B. Interpretation
 Part 2 (12 and 13). *Repealed*
 15 to 21. *Repealed*