

7 February 2024

Hon Judith Collins, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Land Transport Management (Repeal of Regional Fuel Tax) Amendment Bill

1. We have considered whether the Land Transport Management (Repeal of Regional Fuel Tax) Amendment Bill (the Bill) is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (the Bill of Rights Act).
2. We have not yet received a final version of the Bill. This advice has been prepared in relation to the latest version of the Bill (PCO 25947/7.00). We will provide you with further advice if the final version includes amendments that affect the conclusions in this advice.
3. The Bill terminates the 10-cents-per-litre Auckland regional fuel tax and removes the legislative framework that allows new regional fuel taxes to be created. It revokes the Land Transport Management (Regional Fuel Tax Scheme—Auckland) Order 2018, which provides for the Auckland regional fuel tax, and repeals provisions in the Land Transport Management Act 2003 that allow for the establishment of regional fuel tax schemes. It establishes a number of ongoing requirements in relation to the Auckland regional fuel tax scheme, such as record-keeping provisions. Some of these will expire a year from the Bill's commencement, while others will remain in effect until all requirements have been fulfilled. Finally, the Bill also includes consequential amendments to other acts to repeal provisions relating to regional fuel tax schemes in those acts.
4. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.



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