



# Accident Compensation (Motor Vehicle Account Levies) Regulations 2012

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.

## Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
4 Schedule classifies motor vehicles	5
5 Rates of levies prescribed	5
6 Payment of levies	6
7 Levies exclusive of GST	6
8 Revocation and saving	6

---

**Schedule**  
**Classifications and levies**

---

7

---

**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.

**3 Interpretation**

In these regulations,—

**Act** means the Accident Compensation Act 2001

**Agency** means the New Zealand Transport Agency established under section 93 of the Land Transport Management Act 2003

**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

**event**—

(a) means a trade show, promotional event, or specific customer demonstration for display or demonstration purposes; and

(b) includes an agricultural fair or a boat show

**exempted vehicle**—

(a) means—

(i) a motor vehicle that is described in regulation 77(3)(a), (b), (c), or (f) of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; or

(ii) a motor vehicle that is the kind described in the Schedule of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004; or

- (iii) a trailer that is attached to or being drawn by a motor vehicle to which subparagraph (ii) applies; or
- (iv) any of the following if used on a road only between a place of business of a motor vehicle trader (within the meaning of the Motor Vehicle Sales Act 2003) and the location of an event:
  - (A) a new agricultural vehicle; and
  - (B) a new boat trailer and associated new boat; and
  - (C) a new heavy motor vehicle; and
  - (D) a new caravan; but
- (b) does not include a vehicle that—
  - (i) is licensed; or
  - (ii) is displaying trade plates issued under the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011

**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**—

- (a) means a motor vehicle designed exclusively or principally for the carriage of goods (including animals and mail); but
- (b) does not include a tractor

**licensing period** means the period for which a licence has been issued under section 244(2) of the Land Transport Act 1998

**moped** means a motor vehicle running on 2 or 3 wheels that is—

- (a) fitted with a motor having a power output not exceeding 2 kilowatts; and
- (b) designed to be ridden at a speed not exceeding 50 kilometres per hour under normal conditions of use

**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** means a motor vehicle (other than a motorcycle or moped) designed exclusively or principally for the carriage of persons not exceeding 9 in number inclusive of the driver

**motorcycle—**

- (a) means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and
- (b) includes a vehicle with motorcycle controls that is approved as a motorcycle by the Agency; but
- (c) does not include a moped

**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) a motor vehicle that is described in regulation 77(3)(e) of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; or
- (b) a motor vehicle specified in Part 2 of Schedule 2 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; or
- (c) a motor vehicle specified in Part 3 of Schedule 2 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, if a licence for the motor vehicle was issued before the close of 1 August 2011 and the licence has not expired

**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** means a motor vehicle (other than a traction engine) designed principally for traction at speeds not exceeding 50 kilometres per hour

**trade plate** means a trade plate issued under section 262 of the Land Transport Act 1998

**trailer**—

- (a) means a vehicle without its own power source that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable; but
- (b) does not include—
  - (i) a sidecar attached to a motorcycle; or
  - (ii) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power

**veteran vehicle** means a motor vehicle that was manufactured before 1 January 1919

**vintage vehicle** means a motor vehicle that—

- (a) was manufactured on or after 1 January 1919; and
- (b) is at least 40 years old on the date that it is registered or reregistered.

#### **4 Schedule classifies motor vehicles**

The Schedule—

- (a) classifies kinds of motor vehicles and holders of trade plates; 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 plates 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 2012; and
  - (b) on application for one of the following:
    - (i) a licence for a motor vehicle, under section 244 of the Land Transport Act 1998; or
    - (ii) a trade plate, under section 262 of the Land Transport Act 1998.
- (2) The fuel levy is payable—
  - (a) on and after 1 July 2012; and
  - (b) with any excise or excise-equivalent duty payable on the motor spirits.

## **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 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.

**Schedule  
Classifications and levies**

rr 4, 5

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 plates for trailers/caravans				
2	Petrol driven—	Nil	125.27	73.19	198.46
	motorcars				
	self-propelled caravans				
	mobile cranes				
	passenger service vehicles				
	hearses				
	All petrol driven vehicles not classified elsewhere				
	Holders of trade plates for vehicles not classified elsewhere				

2012/40

Accident Compensation (Motor Vehicle  
Account Levies) Regulations 2012

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>
3	Petrol driven— tractors veteran vehicles vintage vehicles non-registered vehicles	Nil	43.84	25.62	69.46
4a	Petrol driven mopeds Holders of trade plates for mopeds and motorcycles 60 cc or less	30.00	66.30	32.94	129.24
4b	Petrol driven motorcycles 600 cc or less	30.00	220.85	76.85	327.70
4c	Petrol driven motorcycles over 600 cc Holders of trade plates for motorcycles over 60 cc	30.00	294.45	102.47	426.92
5	Petrol driven goods-service vehicles	Nil	150.32	87.83	238.15
6	Non-petrol driven— motorcars self-propelled caravans mobile cranes passenger service vehicles hearses	Nil	238.19	73.19	311.38
	All non-petrol driven motor vehicles not classified elsewhere				

Class of vehicles	Classification description	Motorcycle Safety levy (\$)	Annual rate of current portion of motor vehicle	Annual rate of residual portion of motor vehicle	Total (\$)
			levy (\$)	levy (\$)	
7	Non-petrol driven— tractors veteran vehicles vintage vehicles non-registered vehicles	Nil	83.36	25.62	108.98
8a	Non-petrol driven mopeds	30.00	100.18	32.94	163.12
8b	Non-petrol driven motorcycles 600 cc or less	30.00	254.73	76.85	361.58
8c	Non-petrol driven motorcycles over 600 cc	30.00	327.61	102.47	460.08
9	Non-petrol driven goods-service vehicles	Nil	357.29	109.79	467.08

2012/40

Accident Compensation (Motor Vehicle Account Levies) Regulations 2012

Schedule

Rebecca Kitteridge,  
Clerk of the Executive Council.

---

### **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 2012,—

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

The levies are payable on or after 1 July 2012.

The regulations revoke and replace the Accident Compensation (Motor Vehicle Account Levies) Regulations 2010.

---

Issued under the authority of the Acts and Regulations Publication Act 1989.

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

These regulations are administered by the Department of Labour.

---