



Ministry of **Transport**
TE MANATŪ WAKA

BRIEFING TO THE INCOMING MINISTER OF TRANSPORT

DECEMBER 2011

Introduction to the Transport Portfolio



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Purpose

This briefing is designed to give you an overview of what your key responsibilities are as Minister of Transport, what the Ministry of Transport (the Ministry) does, and how the transport sector is structured and funded.

This briefing does not set out the Ministry's work programme. We will provide you with a copy of our Output Plan which reflects work agreed with the previous Minister. We look forward to discussions with you about how we can reflect your priorities in our work programme.

A responsive Ministry — serving the needs of ministers and the Government

The Ministry's role is to be a trusted, impartial and expert transport adviser to the Government. Our primary function is as a policy adviser to ministers and the Government. We will strive to provide you with our best advice at all times, and once you have taken your policy decisions, we will work conscientiously to implement those to the best of our ability.

The Ministry operates as a professional services organisation. This means that we utilise all of the Ministry's staff as a single resource (avoiding silos within the Ministry) and will focus staff on your highest priority initiatives. It also means that we are able to respond immediately to new issues or changed priorities by shifting people and other resources to where they are needed. Our staff are used to working in this way and look forward to the opportunities and challenges that this brings.

We have lifted our capability to provide you (and future ministers) with advice on the longer-term policy issues for transport. In addition to advice that we will provide you on current policy issues, we also have a focus on the broader issues for transport, through, for example, our sector reports that prompt new thinking and seek to identify future opportunities or challenges.

See Appendix 1 for further information on how the Ministry is developing its policy capability.

Section 1: The Ministry of Transport and the transport sector

Ministry functions

As the Government's principal adviser on transport policy, the vast majority of the Ministry's work is in providing advice and ongoing support to you and the Associate Transport Minister. The Ministry provides advice in two core areas:

1. Advice on transport issues and how you can achieve your goals through policy, funding and regulatory settings.
2. Advice on how to get the best out of the transport Crown entities, which play a key role in the implementation of Government policy.

In addition to our core policy and Crown entity oversight roles, the Ministry also has responsibility for other functions, including:

- administration of transport legislation, rules and regulations
- collection of vehicle licensing fees, road user charges and fuel excise duty (contracted to the New Zealand Transport Agency)
- representing New Zealand at international fora
- ensuring collaboration and coordination within the parts of the public sector that affect the transport sector
- licensing all international airlines operating to and from New Zealand
- managing the Milford Sound/Piopiotahi Aerodrome
- overseeing the Crown's interest in joint venture airports¹
- administering a contract with the Meteorological Service of New Zealand Limited (MetService) for the provision of a public weather warning and forecast service

Ministry operation and staffing

Ministry staff are located in the larger Head Office in Wellington and small offices in Christchurch and Auckland.

The Ministry currently has:

- 145.1 full-time equivalents
- 9 vacancies
- 19.91 percent annual turnover

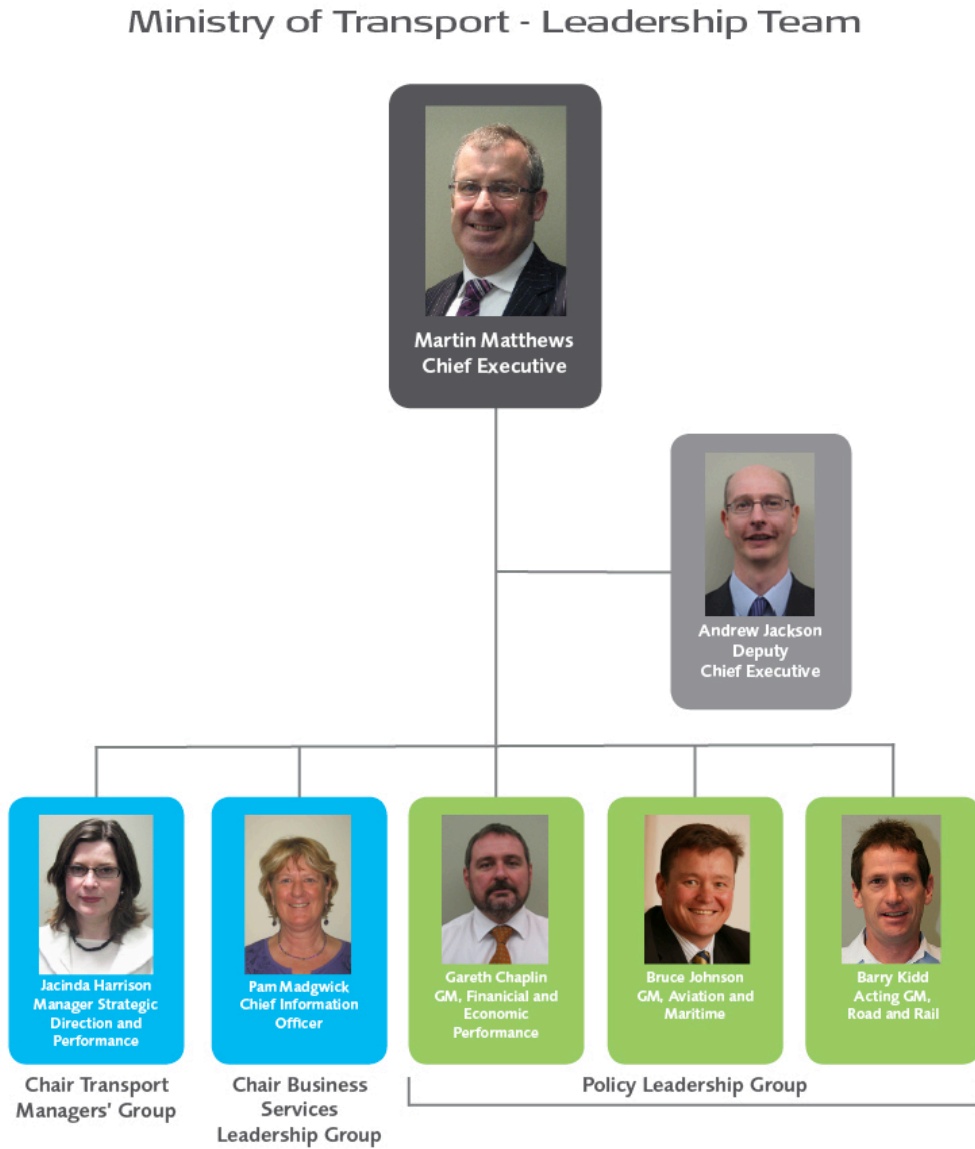
The Ministry recognised a need to reduce its costs (the Ministry is required to save \$957,000 each year from 2012/13 and also meet all additional operating costs) and has been actively managing down its staffing level. We have reduced our headcount by 20.3 percent (from 182) since December 2008. The important thing for the Ministry, however, has been ensuring our flexibility to focus resources on the highest priority initiatives for the Government while also reducing staffing levels.

¹ Joint venture airports (JVAs) are airports operated by local authorities in partnership with the government.

Ministry Leadership Team

The structure of the Ministry Leadership Team is set out in Figure 1 below.

Figure 1: The Ministry Leadership Team

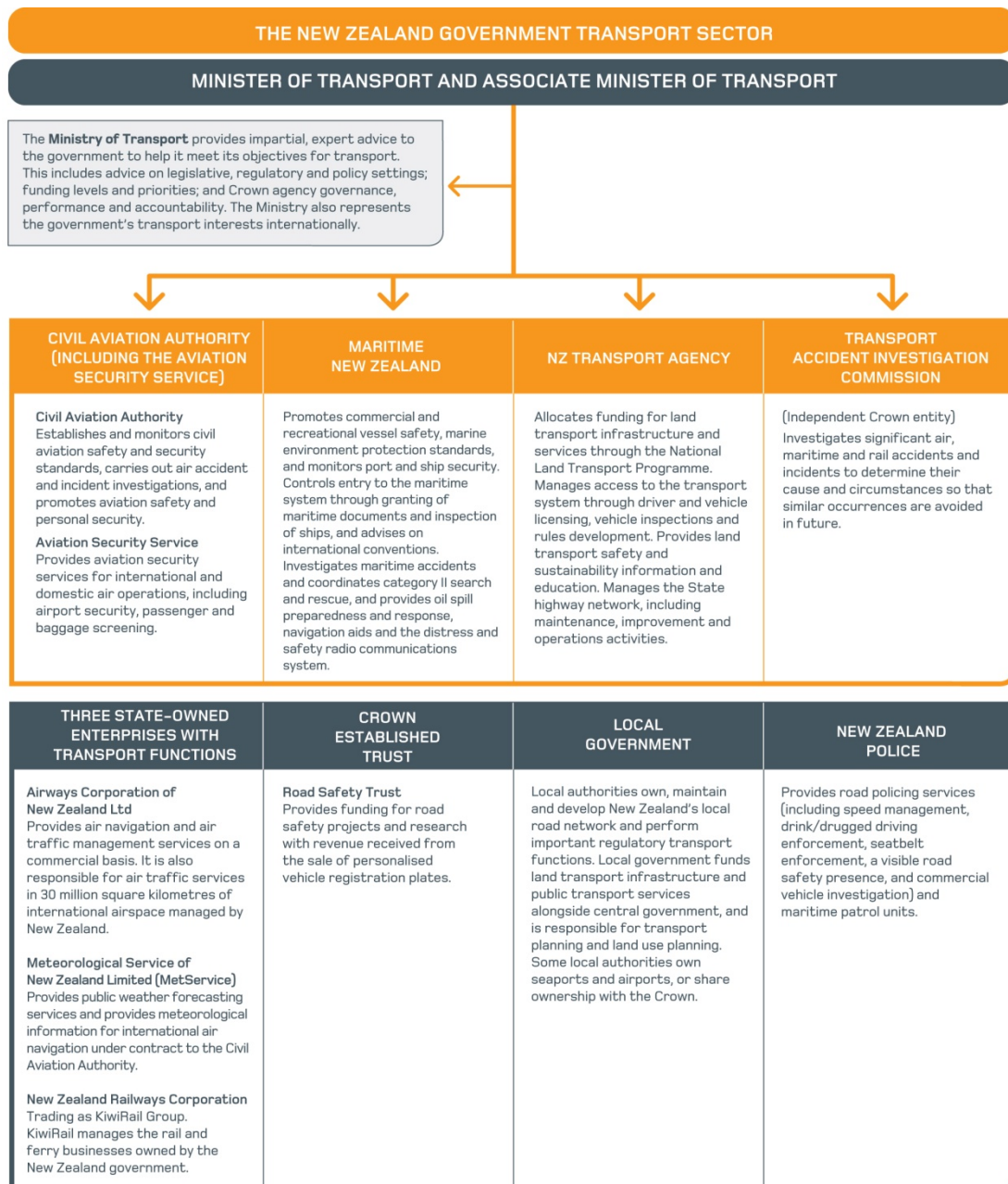


The transport sector

Overview of the transport sector

The New Zealand Government transport sector includes you, the Associate Transport Minister, the Ministry, four Crown entities, three state-owned enterprises, and one Crown-established trust. The functions and responsibilities are briefly outlined below.

Figure 2: Overview of the New Zealand government transport sector



Each of the transport Crown entities has a Board, appointed by you as the Minister of Transport, to administer its functions as set out in legislation. The Road Safety Trust also has a Board, established by a trust deed. These entities are primarily responsible for the delivery of government activities in the transport sector. More detailed descriptions of each of the Crown entity's operations will be found in their respective briefings to you.

Working with the Crown entities

As the Minister, you are responsible for the Crown's relationship with the transport Crown entities. You have a statutory role in participating in setting the strategic direction for each entity and in appointing a Board to deliver the entity's functions in line with Government expectations. The Board of each entity is responsible for the entity's overall performance. There are a range of functions that the entities exercise independently from the Government.

Your primary relationship with the Crown entities will be with the Board, generally through the Chair. The most direct levers that you have available to influence entity performance are through the annual letters of expectations, decisions on the funding level of the organisation and the appointment of Board members. Our view is that a carefully selected and well-run Board, appropriate levels of funding and a clear steer from you on strategic direction should result in a high-performing organisation.

The Ministry assists you to engage with each Crown entity in setting its strategic direction and targets, reviewing each Crown entity's draft Statement of Intent and assessing its progress against agreed objectives. The Ministry will also provide you with advice on the entity performance and capability.

Given the significant influence of Crown entities in the Transport portfolio, particularly the NZ Transport Agency (NZTA), we would encourage regular engagement with the Chair of each Board. Notwithstanding this, you have several formal mechanisms for managing this engagement.

You communicate the Government's expectation of strategic direction through an annual letter of expectation. The Ministry will provide you with advice on these letters following your initial discussions with the entities.

Crown entity boards will report quarterly to you on the entity's performance. You are also able to commission the Ministry to conduct reviews of the Crown entities' capability, funding, and performance on your behalf.

The Ministry has a central role in ensuring collaboration and coordination within the transport sector. We seek to ensure that the sector is aligned to delivering government objectives.

Other key stakeholders

Regional councils and territorial authorities own and manage transport infrastructure, develop local transport policy, and provide public transport services within their own areas of responsibility. As such, they are important players in the transport sector and it is important that central and local government work together in the planning, funding and delivery of transportation throughout New Zealand.

The private sector is a major contributor to the operation of the transport modes and it has a significant impact on the achievement of the Government's policy outcomes. Businesses have direct interests in a safe, reliable and sustainable transport system. They make choices that have a significant impact on the nature and direction of the demand for transport infrastructure and services.

The transport modes

This section is intended to provide you with an understanding of the Government's role in each of the transport modes.

Aviation

The Government's role in the aviation sector is largely as the policy maker and regulator of the safety and security aspects of the sector. The Government also seeks to enable the adoption of new technology that has safety and economic benefits. The Ministry is responsible for aviation policy, negotiation of international air services agreements, and licensing of international airlines. It also administers the Crown's interest in six regional airports (New Plymouth, Taupō, Westport, Whakatāne, Wanganui, and Whangārei) and currently operates the Milford Sound/Piopiotahi aerodrome in the Fiordland National Park. The Civil Aviation Authority is responsible for safety and security oversight and the Aviation Security Service provides security functions at airports.

International air services are governed by treaty-level bilateral and multilateral air services agreements with other states. New Zealand has a liberal approach. International Air Service Licences are a statutory requirement and primarily prescribe the routes and capacity that may be operated by the airline concerned. You are the licensing authority for New Zealand international airlines, and the Chief Executive of the Ministry is the licensing authority for services to and from countries with which open aviation market arrangements have been negotiated.

Ownership of, and investment in, aviation infrastructure and air services is a mixture of private, State-owned enterprises and council or Crown shareholdings or interests. The air-traffic system and most airports have been corporatised or placed into council-controlled organisations. The Crown has 100 percent shareholding in the air traffic services provided by the Airways Corporation of New Zealand Ltd, and the majority shareholding (74 percent) in Air New Zealand Ltd. The Crown retains up to 50 percent shareholdings in Christchurch International Airport Ltd, Dunedin Airport Ltd, Hawke's Bay Airport Ltd and Invercargill Airport Ltd. These Crown interests are all managed by the Treasury.

Maritime

The Government's key role in the maritime sector is as the policy maker and safety regulator of all maritime activity that occurs in New Zealand. Maritime New Zealand has responsibility for this regulatory oversight. Port ownership is largely the preserve of local authorities with limited private-sector ownership in some port companies. The Southport (Bluff), Lyttelton and Tauranga port companies are traded on the New Zealand Stock Exchange. The efficient operation of the port sector is critical to New Zealand's export and import industries, and therefore to economic performance.

Domestic sea freight is moved through a mix of New Zealand operated and internationally operated ships. Coastal shipping is regulated by the Maritime Transport Act. Section 198 of this Act restricts the services that foreign ships can provide in coastal shipping.

Rail

Freight

New Zealand Railways Corporation (KiwiRail) is a State-owned enterprise consisting of the rail freight business, the infrastructure group, the passenger group (such as Tranz Metro, Tranz Scenic) and the ferry group (Interislander).

KiwiRail is implementing a 10 year Turnaround Plan, to become a sustainable freight business. The Government has committed to providing seed funding of \$750 million for the first 3 years of the \$4.6 billion plan, with the majority of the investment coming from business revenues. The approval of the final \$250 million tranche of seed funding is due in the 2012 Budget.

The financial performance of KiwiRail is the responsibility of the Ministers of Finance and State-owned enterprises. Advice on KiwiRail's financial performance is provided by the Crown Ownership Monitoring Unit within the Treasury, with the Ministry providing a second opinion and supporting advice. You, however, are responsible for monitoring the economic impact of investment in KiwiRail under the Turnaround Plan, and the Ministry takes the lead in providing this advice.

Metro rail

Wellington and Auckland regions run metro rail services as part of their public transport network. Central government, through KiwiRail, owns and maintains the network. Currently, the Crown is also funding significant infrastructure upgrades in both Wellington and Auckland.

Cabinet agreed in 2009 to fund metro rail capital projects directly from Crown funds rather than the National Land Transport Fund (NLTF). Consequently, consideration of major new metro rail capital projects is primarily a role for the Ministry, not the NZTA.

During 2011, metro rail ownership, funding and operating issues have been agreed with Greater Wellington Regional Council and Auckland Council.

Each agreement includes Government funding for infrastructure (including Auckland electrification) and rolling-stock upgrades. Ownership of rolling stock is now vested with the region with core infrastructure remaining with KiwiRail. An operating subsidy from the NLTF ensures the regions pay an appropriate track access charge as part of operating costs to KiwiRail.

These arrangements ensure that the responsibilities for metro rail are clearly defined and operating and capital costs are appropriately funded by passengers, local government, the NLTF and central government.

In the future, the Government's involvement in metro rail will be focused on funding and evaluating new metro rail capital project bids for Crown funding.

The Ministry's oversight of KiwiRail includes the management of capital bids through the Budget process and the overview of the metro operations to ensure that they are being managed on a sustainable business basis.

Road

The Government owns and fully funds the State highway network. The NZTA is the Crown entity responsible for the allocation of central government funding through the NLTF and for construction and maintenance of the State highways. Most other roads (local roads) are owned by local councils and funded jointly by local and central government.²

The Government also sets the rules by which all users can access and use the roading network. This includes determining road user requirements, including driver and operator licensing standards, and motor vehicle safety and environmental standards.

The Land Transport Management Act 2003

The Land Transport Management Act 2003 (LTMA) is the main transport planning and funding statute. Two other relevant key Acts are the Local Government Act 2002 and the Resource Management Act 1991.

The LTMA provides the framework for the allocation of central government funding for State highways, local roads and public transport services, and the associated planning processes. These activities are delivered by regional councils, city/district councils and the NZTA (using private-sector contractors). The NZTA is statutorily independent in relation to making individual project and procurement decisions.

The revenue for land transport comes mostly from road users through fuel excise duty (petrol tax), charges on diesel and heavy vehicles (road user charges) and vehicle licensing and registration charges. The LTMA hypothecates, or reserves, this revenue for land transport purposes in the NLTF. Local government also contributes an average of 50 percent of the cost of its land transport activities from rates and borrowing. This contribution is known as the local share. Other sources of revenue, including tolling, are also available under the LTMA.

Government Policy Statement

The Government Policy Statement on Land Transport Funding (GPS) is the major lever available to Government for influencing how and where investment in the land transport system is made by the NZTA and local government, and how revenue will be raised. The GPS is your document. When you issue the GPS you can decide how much to allocate to activities such as new and improved infrastructure for State highways, and public transport.

² There are some Crown-owned roads, such as those providing access to ski fields, on Department of Conservation land.

The GPS is issued every 3 years on a time frame which enables it to inform local governments' 3-year planning cycle. The current GPS (GPS 2009) was issued in May 2009 and will continue to be in force until 30 June 2012.

The NZTA must give effect to the GPS as it administers the NLTF. To do so, the NZTA develops a 3-yearly National Land Transport Programme.

From 1 July 2012, a new GPS (the GPS 2012) will come into effect. The GPS 2012 was released in July 2011 to guide the development of the next National Land Transport Programme and regional planning documents.

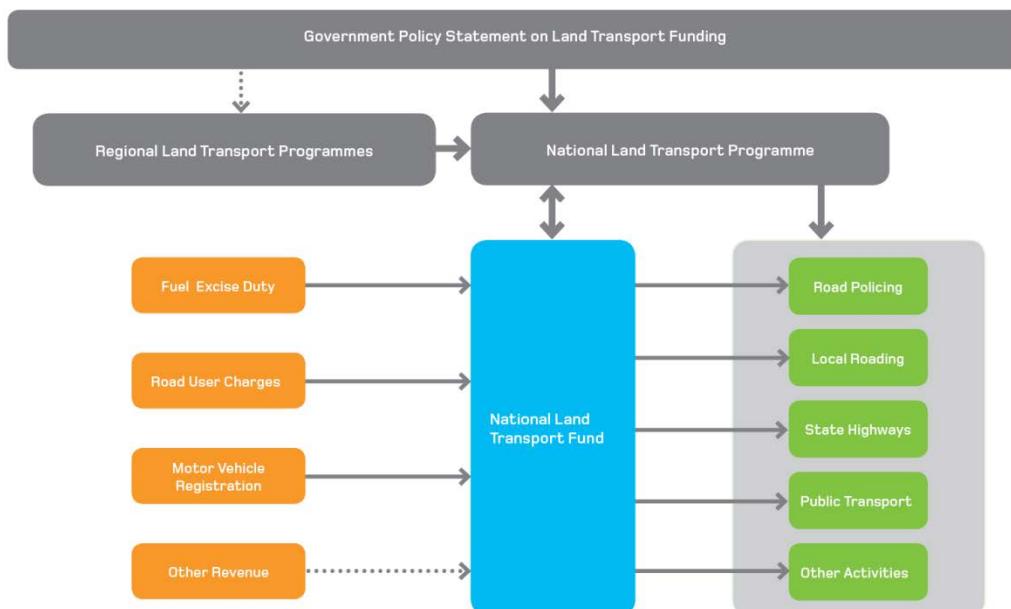
The GPS 2012 will make around \$2.95 billion available in 2012/13 for investment in the land transport sector, rising to \$3.25 billion in 2014/15. Over a 10-year period, the GPS 2012 makes around \$36 billion available for land transport.

The GPS 2012 builds on and advances the long-term programme of change put in place by the current GPS (GPS 2009). The GPS 2012 has three focus areas or priorities, which are to direct land transport investment into activities that:

- support economic growth and productivity
- achieve strong value for money
- improve road safety.

Figure 3 below illustrates how the GPS provides direction for investment in land transport.

Figure 3: New Zealand's land transport planning and funding regime



Public transport, walking and cycling

The Government has a role in regulating how public transport services are provided and funded in New Zealand, and provides funding for public transport services and infrastructure through the NLTF. The Government also provides funding for other related initiatives such as the SuperGold Card off-peak travel scheme.

Public transport services are regulated under the Public Transport Management Act 2008. This Act confers powers to regional councils to set standards for public transport services provided in their regions, and helps regional councils and the NZTA obtain the best value for money in achieving an affordable, integrated, safe, responsive and sustainable public transport system.

Over the last 10 years, increases in government spending on public transport have not been met with commensurate increases in public transport patronage. The Ministry has been working with the public transport sector to develop a new public transport operating model for bus and ferry services to help close the gap between funding and patronage growth.

At present, walking is a key part of most transport journeys in New Zealand, with cycling making a relatively small contribution. Both walking and cycling can make a significant contribution to initiatives that aim to improve health and physical activity and reduce emissions. The Government currently supports walking and cycling through NLTF investment in initiatives that contribute to congestion relief, improve pedestrian and cyclist safety, and walking and cycling infrastructure.

Section 2: Legislative responsibilities

The Ministry administers more than 24 pieces of primary legislation, many regulations, and land transport, civil aviation, maritime, and marine protection rules.

You have various functions and powers under primary legislation; including the appointment of members of Crown entity Boards, approval of plans, approval of forms, and approval of equipment. Many of your powers may be delegated in accordance with section 28 of the State Sector Act 1988.

Other legislative powers and functions

As Minister of Transport, you have:

- powers in relation to the transportation of coastal cargo (Maritime Transport Act)
- power to notify a major maritime event where special enforcement powers are exercisable (Maritime Transport Act)
- power to give directions to Maritime New Zealand, a regional council, or an on-scene commander if expedient to do so in the circumstances (Maritime Transport Act)
- the ability to amend, replace, or disallow bylaws if they are inconsistent with an enactment or are unreasonable or undesirable in so far as a bylaw relates to, or may affect, traffic (Land Transport Act)
- power to require screening, searching, and seizing to enhance aviation security (Civil Aviation Act)
- power to grant scheduled international air service licences, and to suspend or revoke licences (Civil Aviation Act)
- powers in respect of the establishment, maintenance and operation of aerodromes and facilities (Civil Aviation Act)
- power to establish, maintain, and operate a search and rescue co-ordination centre (Civil Aviation Act)
- full powers of control of all government roads (Government Roding Powers Act 1989)
- screening and searching powers to enhance maritime security (Maritime Security Act 2004)
- powers of investigation and direction in relation to unfair practices (Shipping Act 1987)
- responsibility for completing a national land transport strategy and for issuing a new government policy statement in advance of the expiry of the current National Land Transport Programme (Land Transport Management Act 2003)

A full list of current transport Acts, and regulations is attached as Appendix 2.

Transport rules

Transport rules are delegated legislation, developed by the NZTA, the Civil Aviation Authority, and Maritime New Zealand with assistance from the Ministry. They are a key means of legislating in the transport sector.

Under the Land Transport Act 1998, the Civil Aviation Act 1990, the Maritime Transport Act 1994 and the Railways Act 2005, as Minister you may make 'ordinary' rules (as opposed to emergency rules). You may not delegate this power.

An annual rules programme is prepared by the Ministry with input from the relevant transport agencies each year and your agreement is sought in March for the following year. This is generally agreed by Cabinet.

Appendix 3 lists the Acts, regulations and rules that were made during the 2010/11 year and the 2011/12 year to date.

Bills currently being considered by Parliament

The only transport legislation currently in the legislative process is the Road User Charges Bill which is part way through the whole House stage. This Bill has been under development since 2009. The previous Government had indicated that a new road user charges system would be in operation by mid-2012.

The Ministry is currently in the process of drafting legislation on the LTMA and the Public Transport Operating Model. Both pieces of legislation were due for introduction in 2012.

Section 3: Vote Transport

Overview

You are accountable for appropriations in Vote Transport totalling \$4.6 billion in 2011/12.

Appendix 4 provides a detailed breakdown of the Vote by appropriation type.

Below is an explanation of the breakdown of the Vote by recipient:

Recipients of funding	\$000
National Land Transport Programme and other road funding	3,415,739
Rail	1,046,909
Crown entities	22,991
Other	114,784
Sub total	4,600,423
Department	54,291
Total	\$4,654,714

Road tax revenue

Road tax revenue is forecast to be \$2.8 billion in 2011/12. The vast majority of road tax revenue (\$2.5 billion) is fully hypothecated to the NLTF. \$298 million of road tax revenue is allocated to Vote Police for road policing and \$7 million is allocated to search and rescue activities.

National Land Transport Programme and other road funding

The road tax revenue collected is allocated by permanent legislative authority (PLA) as required to deliver the National Land Transport Programme in line with the current GPS. In addition, there is some short-term funding from the Crown for roading.

Appropriation	2011/12 \$000
National Land Transport Programme PLAs	
Operating	1,799,000
Capital	674,451
Crown funding to the National Land Transport Programme	12,288
Sub total	2,485,739
Short-term loan facilities	930,000
Total funding	3,415,739

The National Land Transport Programme is a 3-year programme. To allow the NZTA flexibility to manage cash flow pressures over the year, the Crown has approved two short-term loan facilities, shown in the previous table, as they will be repaid from future road tax revenue.

The short-term loan facilities above represent facilities of \$250 million and \$90 million respectively (a total of \$340 million). They provide flexibility to the NZTA to manage large contracts within approved funding and cash flows. The total appropriation shown in the table is \$930 million because it is intended that the NZTA repay the loan as cash balances allow, and then redraw it as required. The appropriations are based on the drawdowns made, excluding any repayments, and so are greater than the maximum loan balance of \$340 million.

Rail

Appropriation	2011/12 \$000
KiwiRail Turnaround Plan	250,000
Funding for particular projects	343,139
Other funding	3,770
Sub total	596,909
Loan funding	450,000
Total funding	1,046,909

The Government has committed \$750 million over 3 years to the KiwiRail Turnaround Plan. The funding above is the second tranche of \$250 million. The third tranche is expected to be appropriated as part of Budget 2012.

The project funding is for various ongoing but finite projects — the most significant of which are the ongoing metro rail works in Auckland (\$202 million) and Wellington (\$126 million).

There are two elements to the loan funding.

- \$250 million relates to the rollover of existing loans to KiwiRail.
- The other \$200 million is the first year of the \$500 million funding to introduce electric multiple units to Auckland. The loan is to Auckland Transport.

Crown entities

Appropriation	2011/12 \$000
Maritime New Zealand and other search and rescue agencies	13,436
Transport Accident Investigation Commission	3,865
Aviation Security Service	448
Civil Aviation Authority	2,219
NZ Transport Agency	3,023
Total	22,991

The majority of the transport Crown entity funding comes from fees and levies from third parties.

Other

Appropriation	2011/12 \$000
Met Service of New Zealand — weather forecasts and warnings	18,574
SuperGold Card concessions and administration	23,000
Motor Vehicle Register (MVR)	40,866
Bad debt provision — MVR and road user charges	6,000
Membership of international organisations	743
Joint venture airport funding	601
Rena/Maritime oil response	25,000
Total	114,784

Departmental outputs

Appropriation	2011/12 \$000
Policy advice	29,944
Governance and performance advice for Crown agencies	1,048
Land Transport revenue forecasting and strategy	1,955
Search and Rescue PLA	1,136
Milford Sound / Piopiotahi aerodrome operation	200
Sub total	34,283
Road user charges collection, investigation and enforcement	18,829
Fuel excise duty refund administration	429
Total	53,541

Section 4: Participation in international fora

You and the Ministry have involvement in a range of international organisations and fora, including those listed below.

As Minister, you may choose to attend the following forums/conventions.

International Transport Forum (ITF)

The ITF is an inter-governmental organisation within the Organisation for Economic Co-operation and Development (OECD) family. Its aim is to foster a deeper understanding of the essential role played by transport in the economy and society. There is an annual meeting of Transport Ministers in Leipzig, Germany.

Standing Council on Transport and Infrastructure (SCOTI)

The SCOTI is largely a forum of Transport Ministers from Federal and Commonwealth governments in Australia. New Zealand has member status, but does not vote on matters pertaining to Australian domestic issues. The next meeting is scheduled for 18 May 2012 in South Australia.

International governing organisations

International Civil Aviation Organization (ICAO)

The ICAO sets standards and recommended practices in 18 Annexes to the Convention on International Civil Aviation (Chicago Convention) to achieve global uniformity. The Ministry is the State representative and pays New Zealand's annual assessment. The ICAO creates many rules and sets standards for international aviation.

International Maritime Organization (IMO)

The IMO is a specialised agency of the United Nations with 168 member States. The IMO's main task has been to develop and maintain a comprehensive regulatory framework for shipping. The IMO sets the rules for how shipping operates internationally.

Other international organisations

General Agreement on Trade in Services/World Trade Organization (GATS/WTO)

GATS has limited coverage of the land transport sector. However, under the Annex on Air Transport Services, GATS principles can apply to computer reservation systems, aircraft repair and maintenance, and the sale and marketing of airline services.

Asia-Pacific Economic Cooperation (APEC)

The Transportation Working Group of APEC usually meets biannually to work towards trade liberalisation and facilitation in the transport sector, economic and technical assistance, and capacity building.

Appendix 1: Developing policy capability

In 2010, Dr Graham Scott led a review to provide advice to the Government on the cost and quality of policy advice, as well as the alignment between policy expenditure and the Government's priorities.

In responding to the review report, the Government has required all policy advising agencies to report to incoming ministers as follows.

- A status report on the agency's policy capability.
- A list of actions the agency needs to take to improve policy performance, and a plan to complete this work.
- A proposed policy work plan for the upcoming term.
- A capability plan to ensure the agency can deliver on the proposed work plan.

The Ministry's policy capability and how we are improving policy performance

Approximately two thirds of the Ministry's staff are involved in the development of policy advice with the remainder of staff engaged in business services functions.

Over the past year, the Ministry has produced high-quality work on a number of projects which have involved the resolution of some difficult issues. For example, the Auckland City Centre Rail Link Review, the Public Transport Operating Model and the metro rail projects all involved complex policy issues and extensive stakeholder engagement.

Reviews show that our advice can be of high quality but the quality of our papers is not always consistent. We are also focusing on reducing costs.

Over the past 2 years, the Ministry's focus has been on creating a more flexible organisation that is closely aligned to the Government's priorities. We believe we have achieved that, and our focus is now on developing the Ministry as a first class policy shop. To do this, we are implementing the following.

Driving down the cost of our policy advice

We are focusing on our cost structures and have taken decisions to disestablish a policy manager position and reduce the number of principal adviser positions within our policy teams from 20 to 14. We are also focussing on reducing costs across the organisation and have disestablished a general manager and a manager position from our business services areas and are continuing to review the costs of these services.

Lifting the quality of our policy advice

We are one of a number of agencies that have the quality of our policy advice audited by the New Zealand Institute of Economic Research (NZIER). We have concluded that the quality of our highest priority policy work is good. However, we need to deliver that quality of work on a much more consistent basis. We are focusing our policy capability work around the professional development of our staff and ensuring that we become more consistent in the quality of advice that we provide.

We have also increased our focus on developing advice about the big issues for transport through the development of 'sector reports' which aim to identify challenges and opportunities across the transport sector.

Enhancing our management and leadership

We have undertaken individual assessments of all managers' capabilities and established higher performance expectations, in order to lift our management and leadership performance to be in line with a first rate policy advising agency. We have also created a Policy Leadership Group chaired by the deputy chief executive to drive excellence in policy analysis and advice.

Proposed policy work plan(s) for the upcoming term

We would like to discuss our policy work plan for the upcoming term with you to ensure that it reflects your priorities. We will work with your office to schedule this discussion with you as early as possible.

Capability plan

The Ministry is currently developing a plan for implementing the actions identified above over the next 2 years. The plan will be completed by Christmas and we will report to you on it early in 2012.

Appendix 2: Legislation

Major Acts

The Airport Authorities Act 1966
The Auckland Harbour Bridge Authority Dissolution Act 1983
The Auckland Airport Act 1987
The Wellington Airport Act 1990
The Christchurch-Lyttelton Road Tunnel Authority Dissolution Act 1978
The New Zealand National Airways Corporation Dissolution Act 1978
Civil Aviation Act 1990
Customs Law Act 1908
Land Transport Act 1998
Land Transport Management Act 2003
Maritime Security Act 2004
Maritime Transport Act 1994
Meteorological Services Act 1990
Port Companies Act 1998
Public Transport Management Act 2008
Railways Act 2005
Road User Charges Act 1977
Ship Registration Act 1992
Shipping Act 1987
Submarine Cables and Pipelines Protection Act 1996
Taranaki Harbours Act 1965
Government Roothing Powers (called Transit New Zealand Act until 1 August 2008)
Transport Accident Investigation Commission Act 1990
Waterfront Industry Restructuring Act 1989

Major statutory regulations

Airport Authorities (Airport Companies Information Disclosure) Regulations 1999
Carriage by Air (New Zealand Currency Equivalents) Notice (No 2) 1998
Civil Aviation (Aeronautical Information Service) Levies Order 2001
Civil Aviation (Cape Town Convention and Aircraft Protocol Declarations) Order 2010
Civil Aviation Charges Regulations (No 2) 1991
Civil Aviation (ANZA Mutual Recognition Agreement) Order 2007
Civil Aviation (Offences) Regulations 1997
Civil Aviation (Safety) Levies Order 2002
Direction to Require Screening Notice 2007
Engine Drivers' Examination Regulations 1952
Foreshore Licence Regulations 1960
Heavy Vehicle Regulations 1974
Land Transport (Administrative Fees for Recovery of Unpaid Tolls) Regulations 2008
Land Transport (Approved Laboratory and Analyst in Charge) Notice 2000
Land Transport (Assessment Centre and Accident Report Fees) Regulations 1998
Land Transport (Breath Tests) Notice 2009
Land Transport (Certification and Other Fees) Regulations 1999
Land Transport (Driver Licensing and Driver Testing Fees) Regulations 1999
Land Transport (Driver Licensing) Rule 1999
Land Transport (Infringement and Reminder Notices) Regulations 1998
Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011
Land Transport (Offences and Penalties) Regulations 1999
Land Transport (Ordering a Vehicle off the Road) Notice 1999

Land Transport (Requirements for Storage and Towage of Impounded Vehicles) Regulations 1999
Land Transport (Road User) Rule 2004
Land Transport (Storage and Towage Fees for Impounded Vehicles) Regulations 1999
Land Transport (Trade Plates) Notice 2011
Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004
Land Transport Management (Road Tolling Scheme for ALPURT B2) Order 2005
Marine Protection (Offences) Regulations 1998
Marine Safety Charges Regulations 2000
Maritime (Offences) Regulations 1998
Maritime Security Regulations 2004
Maritime Security (Designated Authority) Order 2004
Maritime Security (Maritime Security Organisations) Order 2004
Maritime Transport Act (Conventions) Order 1994
Maritime Transport (Certificates of Insurance) Regulations 2005
Maritime Transport (Fund Convention) Levies Order 1996
Maritime Transport (Infringement Fees for Offences Relating to Major Maritime Events) Regulations 1999
Maritime Transport (Marine Protection Conventions) Order 1999
Maritime Transport (Maximum Amounts of Liability for Pollution Damage) Order 2003
New Zealand Railways Corporation (Staff) Regulations 1982
Notice of Direction to Require Screening 2002
Oil Pollution Levies Order 1998
Railways Regulations 2008
Road User Charges (Rates) Order 2008
Road User Charges Regulations 1978
Ship Registration (Fees) Regulations 1992
Shipping (Charges) Regulations 2000
Submarine Cables and Pipelines Protection Order 2006
Submarine Cables and Pipelines Protection (Tui Area Development) Order 2007
Submarine Cables and Pipelines Protection (Kupe Gas Project) Order 2008
Submarine Cables and Pipelines Protection (Maari Development) Order 2008
Submarine Cables and Pipelines Protection Order 2009
Traffic Regulations 1976
Transport (Vehicular Traffic Road Closure) Regulations 1965
Transport (Towage Fees) Notice 2004
Transport Services Licensing Regulations 1989

Appendix 3: Legislation changes

The following Acts were passed during the 2010/11 year.

Title
Civil Aviation (Cape Town Convention and Other Matters) Amendment Act 2010
Land Transport (Road Safety and Other Matters) Amendment Act 2011

The following regulations were made during the 2010/11 year.

Title
Canterbury Earthquake (Land Transport Rule: Operator Licensing) Order 2011
Canterbury Earthquake (Road User Charges Act) Order 2010
Canterbury Earthquake (Transport Legislation) Order 2010
Canterbury Earthquake (Transport Legislation) Amendment Order 2011
Canterbury Earthquake (Transport Legislation) Order 2011
Civil Aviation (Cape Town Convention and Other Matters) Amendment Act Commencement Order 2010
Civil Aviation (Cape Town Convention and Aircraft Protocol Declarations) Order 2010
Civil Aviation Charges Regulations (No 2) 1991 Amendment Regulations 2010
Civil Aviation Charges Regulations (No 2) 1991 Amendment Regulations 2011
Civil Aviation (Montreal Convention) Order 2010.
Civil Aviation (Offences) Amendment Regulations 2010
Land Transport Amendment Act 2009 Commencement Order 2011
Land Transport (Assessment Centre and Accident Report Fees) Amendment Regulations 2010
Land Transport (Certification and Other Fees) Amendment Regulations (No 2) 2010
Land Transport (Driver Licensing and Driver Testing Fees) Amendment Regulations (No 2) 2010
Land Transport (Infringement and Reminder Notices) Amendment Regulations 2011
Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Amendment Regulations 2010
Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Amendment Regulations (No 2) 2010
Land Transport Management (Road Tolling Scheme for ALPURT B2) Amendment Order 2010
Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011
Land Transport (Offences and Penalties) Amendment Regulations 2011
Land Transport (Trade Plates) Notice 2011
Marine Safety Charges Amendment Regulations 2010
Ship Registration (Fees) Amendment Regulations 2010
Transport (Fees for Details of Register) Amendment Regulations 2010
Transport Services Licensing Amendment Regulations 2010

The following rules were made during the 2010/11 or the 2011/12 years.

Land transport rules

Title	Minister signed	In-force date
Rules made during the 2010/11 year		
Operator Licensing Amendment (No 2) 2010	21 December 2010	1 February 2011
Traffic Control Devices Amendment	28 October 2010	1 April 2011
Vehicle Lighting Amendment	1 March 2011	1 April 2011
Omnibus Amendment Rule (2010)	1 March 2011	1 April 2011
Rules made during the 2010/11 year to come into force during 2011/12 year		
Omnibus Amendment Rule (2011)	22 August 2011	1 October 2011
Driver Licensing Amendment Rule	26 August 2010	1 October 2011
Road User Amendment Rule	29 August 2011	1 October 2011 (Give way changes take effect at 5am on 25 March 2012)
Driver Licensing Amendment Rule (No 2)	Order in Council process	6 October 2011

Civil Aviation rules

Title	Minister signed	In-force date
Rules made during the 2010/11 year		
Part 121 Extended Diversion Time Operations (EDTO)	26 September 2010	1 November 2010
Rules made during the 2011/12 year (to date)		
ICAO Part 125 Update	18 August 2011	1 October 2011
Part 115 – Adventure Aviation	11 October 2011	10 November 2011

Maritime and Marine Protection rules

Title	Minister signed	In-force date
Rules made during the 2010/11 year		
Maritime Rule Part 91 — Navigation Safety Rules	13 September 2010	1 April 2011
Maritime Rule Part 90 — Pilotage	13 September 2010	1 April 2011
Maritime Rule Part 81 — Rafting	13 September 2010	1 April 2011
Maritime Protection (Various Amendments) Rule	28 September 2010	1 October 2010
Maritime Rule Part 21 — Safe Ship Management Fast Track Amendment	19 October 2010	1 December 2010
Maritime Rule Part 34 — Medical Standards	18 March 2011	1 April 2011
Maritime Omnibus Amendment Rules	01 March 2011	1 April 2011

Appendix 4: Vote Transport non-departmental appropriations 2011/12

Non-departmental appropriations 2011/12 as at October 2011	\$000
Annual appropriations	
<i>Outputs to be supplied by organisations other than department</i>	
Maritime safety regulation and monitoring	5,689
Policy advice civil aviation	2,219
Search and rescue activities	3,274
Accident or incident invests reporting	3,865
Weather forecasts and warnings	18,574
Maritime security port screening	145
Ministerial servicing by the NZTA	548
Licensing activities	2,475
Waikato rail funding	5,415
Canterbury transport project	5,000
Regional Development Transport Fund	2,000
Motor Vehicle Registry	40,866
SuperGold Card administration	95
Sub-total	90,165
Other expenses	
Memberships of international Organisations	743
New Zealand Railways Corporation — public policy projects	3,270
Railway safety	500
Bad debt provision motor vehicle registry and road user charges	6,000
SuperGold Card enhanced transport concessions	22,905
Rena/Maritime Oil Response	25,000
Rail: Metro rail rolling stock and infrastructure (Wellington)	117,442
Sub-total	175,860
Capital investment in organisations other than departments	
Aviation Security Service	303
New & improved infrastructure for State highways Crown contribution	5,288
New Zealand Railways Corporation loans	250,000
Kiwirail Turnaround Plan	250,000
Wellington rail metro upgrade costs	8,552
NLTF borrowing facility for short term advances	750,000
NLTF borrowing facility for 2011/12	180,000
Rail: Auckland EMU loan	200,000
Sub-total	1,644,143
Other appropriations	
<i>Outputs to be supplied by other than the departments</i>	
Search and Rescue and Recreational Boating (permanent legislative authority)	4,473
National Land Transport Program (permanent legislative authority)	1,799,000
Sub-total	1,803,473
Other expenses	
Auckland rail development (multi-year appropriation)	201,583
Rail network and rolling stock upgrade (multi-year appropriation)	10,147
Sub-total	211,730
Capital investment in organisations other than departments	
New Infrastructure for and renewal of State highways (permanent legislative authority)	674,451
Joint venture airports Crown contribution (multi-year appropriation)	601
Sub-total	675,052
Total non-departmental appropriations	\$4,600,423