

APPENDIX 1

KEY SECTIONS OF THE AMENDED LAND TRANSPORT MANAGEMENT ACT 2003 RELEVANT TO THE GPS¹

84. Overview of the GPS

- (1) A GPS, which is issued by the Minister [of Transport] every three financial years, enables the Minister to—
 - (a) guide the [New Zealand Transport] Agency and land transport sector on the outcomes and objectives, and the short- to medium-term impacts, that the Crown wishes to achieve –
 - (i) through the national land transport programme; and
 - (ii) from the allocation of the national land transport fund; and
 - (b) link the amount of revenue raised from road users with the planned levels of expenditure from the national land transport fund.

- (2) This section is intended by way of explanation only, and if this section is inconsistent with another provision of this Act or any other Act, then the other provision prevails.

85. Status of the GPS

To avoid doubt, a GPS is not—

- (a) a direction for the purposes of Part 3 of the Crown Entities Act 2004; and
- (b) a regulation for the purposes of the Acts and Regulations Publication Act 1989; and
- (c) a regulation for the purposes of the Regulations (Disallowance) Act 1989.

86. Minister must issue a GPS before a national land transport programme

- (1) The Minister must issue a new GPS in advance of the expiry of the current national land transport programme.
- (2) A GPS must be in effect at all times over the same period as the current national land transport programme.

87. Preparation of the GPS

- (1) The Minister must, in preparing the GPS,—
 - (a) be satisfied that the GPS—
 - (i) contributes to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and
 - (ii) contributes to each of the following:
 - (A) assisting economic development;
 - (B) assisting safety and personal security;
 - (C) improving access and mobility;
 - (D) protecting and promoting public health;
 - (E) ensuring environmental sustainability; and
 - (iii) is consistent with any—
 - (A) national land transport strategy;

¹ There are other sections of the amended Land Transport Management Act 2003 where the GPS is mentioned that have not been included here.

- (B) national energy efficiency and conservation strategy; and
 - (b) take into account any relevant national policy statement that is in force under the Resource Management Act 1991; and
 - (c) have regard to the views of Local Government New Zealand and representative groups of land transport users and providers (including representative groups of coastal shipping users and providers).
- (2) Before issuing a GPS, the Minister must consult with the Agency about the proposed GPS.

88. Content of the GPS

- (1) The GPS sets out how land transport funding is intended to improve the land transport sector in the context of land transport policy.
- (2) The GPS must include the following:
 - (a) the short to medium-term impacts that the Crown wishes to achieve through the allocation of funding from the national land transport fund:
 - (b) the activity classes to be funded from the national land transport fund:
 - (c) likely changes to the duties, fees, and charges paid into the national land transport fund for the first three year period covered by the GPS:
 - (d) an expenditure target for the national land transport programme for each of the first three years and any subsequent years that the Minister considers relevant:
 - (e) a maximum and minimum level of expenditure for the national land transport programme for each of the first three years and any subsequent years that the Minister considers relevant (subject to the ability to carry forward funds from the closing balance of the national land transport fund for a financial year to a future financial year):
 - (f) an allowable variation between expenses and capital expenditure incurred under the national land transport programme and the inflows received in the national land transport fund:
 - (g) funding ranges for each activity class for a period of six financial years:
 - (h) forecast funding ranges for each activity class for the period of four financial years following the first six financial years:
 - (i) overall investment likely to be made in the land transport sector over a period of 10 financial years and the likely or proposed funding sources:
 - (j) allowable reasons for varying the expenditure target identified in paragraph (d) when making funding allocation decisions:
 - (k) a statement of the Minister's expectations of how the Agency gives effect to the GPS.
- (3) The GPS may include the following:
 - (a) background, including any relevant transport outcomes and objectives and any relevant land transport policies:
 - (b) any relevant funding policy:
 - (c) subject to the Public Finance Act 1989, any additional expected funding for land transport activities, including (but not limited to) any money that Parliament may appropriate for the purpose:
 - (d) any other relevant matters.

89. Agency to give effect to the GPS in respect of funding of land transport system

- (1) The Agency must give effect to the GPS when performing its functions under subpart 1 of Part 2 in respect of land transport planning and funding.
- (2) To avoid doubt, the GPS may not impose an obligation on the Agency to approve or decline funding for a particular activity or any combinations of activities under section 20.

90. Amending the current GPS

- (1) The Minister may amend the current GPS at any time.
- (2) The provisions of this Act regarding the preparation and availability of a GPS—
 - (a) apply with the necessary modifications to an amendment to the current GPS; but
 - (b) do not apply if the amendment to the current GPS is not significant.
- (3) An amendment forms part of the GPS it amends.
- (4) For the purposes of this section, current GPS means the GPS that is in effect over the same period as the current national land transport programme.

91. Availability of the GPS

As soon as practicable after issuing a GPS, the Minister must—

- (a) present a copy of the GPS to the House of Representatives; and
- (b) arrange for a copy of the GPS to be given to each of the following:
 - (i) the Secretary [of Transport];
 - (ii) the Agency;
 - (iii) the Commissioner [of Police];
 - (iv) every approved organisation; and
- (c) make a copy of the GPS publicly available in accordance with section 108.