



Cabinet

Minute of Decision

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Land Transport Rule: Work Time in Large Passenger Service Vehicles 2019

Portfolio Transport

On 29 April 2019, Cabinet:

- 1 **noted** that public transport bus operators and councils have raised concerns about their ability to provide the 10-minute rest breaks required by the Employment Relations Amendment Act 2018 from 6 May 2019 safely without causing significant disruption to public transport services;
- 2 **noted** that under section 152A of the Land Transport Act 1998 ordinary land transport rules may be made, amended or revoked by the Governor-General by Order in Council, on the recommendation of the Minister of Transport;
- 3 **noted** that section 154A(2) of the Land Transport Act 1998 requires that the responsible Minister have regard to the criteria specified in section 164(2) of that Act before recommending the making of a Rule, by Order in Council, under section 152A(1);
- 4 **noted** the advice of the Minister of Transport that this requirement has been met;
- 5 **agreed** the Land Transport Rule: Work Time in Large Passenger Service Vehicles 2019 is the appropriate regulatory response to the safety and significant disruption risks referred to above;
- 6 **authorised** the submission to the Executive Council of Land Transport Rule: Work Time in Large Passenger Service Vehicles 2019;
- 7 **noted** that a waiver of the 28-day rule is sought:
 - 7.1 so that the Rule can come into force on 6 May 2019;
 - 7.2 on the grounds that the Rule responds to an emergency and confers only benefits on the public;
- 8 **agreed** to a waiver of the 28-day rule so that the Rule can come into force on 6 May 2019;
- 9 **noted** that the Minister of Transport and the Minister for Workplace Relations and Safety have also entered into a Memorandum of Understanding with bus operators, unions, and councils to support the transition to the new rest breaks;

- 10 **noted** that the Memorandum of Understanding, alongside the Rule, will help ensure an integrated, reliable, and responsive public transport system in the short to medium term while the impact of the rest breaks on staffing, vehicles and costs are being worked through by bus operators, unions, councils and government.

Michael Webster
Secretary of the Cabinet

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Prime Minister
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Minister of Transport