



Cabinet Legislation Committee

Minute of Decision

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Amendment to the Land Transport (Infringement and Reminder Notices) Regulations 2012

Portfolio Transport

On 23 February 2023, the Cabinet Legislation Committee:

- 1 **noted** that the Land Transport (Drug Driving) Amendment Act 2022 provides a medical defence if a person has taken their medication as prescribed or administered by their health practitioner;
- 2 **noted** that in accordance with the Cabinet Manual, the Minister of Transport has authorised consequential amendments to the Land Transport (Infringement and Reminder Notices) Regulations 2012 to include information about the medical defence;
- 3 **noted** that the Land Transport (Infringement and Reminder Notices) Amendment Regulations 2023 (the Regulations) give effect to the decision referred to in paragraph 2 above;
- 4 **authorised** the submission to the Executive Council of the Land Transport (Infringement and Reminder Notices) Amendment Regulations 2023 [PCO 25209/3.0];
- 5 **noted** that a waiver of the 28-day rule is sought:
 - 5.1 so that the Regulations can come into force on 11 March 2023;
 - 5.2 on the grounds that amending infringement and reminder notices to notify recipients of a statutory defence confers only benefits on the public;
- 6 **agreed** to waive the 28-day rule so that the Regulations come into force on 11 March 2023;
- 7 **noted** that Ministers consider that a waiver of the 28-day rule could have been avoided in relation to these Regulations and noted the need for officials to factor compliance with the 28-day rule into their legislation timeline planning, to avoid this happening in the future.

Rebecca Davies
Committee Secretary

Attendance: see over

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon Peeni Henare
Hon Barbara Edmonds
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials' Committee for LEG

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TE MANATU WAKA MINISTRY OF TRANSPORT