

From: PARSONS, David (Dave) [REDACTED]
Sent: Friday, 15 April 2011 3:30 PM
To: Chris Roblett Withheld under Section 9(2)(a) of the Official Information Act 1982
Cc: [REDACTED]
Subject: RE: Amendments to land transport regulations

Withheld due to being out of scope of the request

Hi Chris. [REDACTED]
[REDACTED]

The first thing I have noticed without going through it all is that the schedule amendments for police forms has included 'sex' as part of the particulars police would request of a driver. The Land Transport Act 1998 s. 114 as amended back in 2009, does not include 'sex' as part of the particulars that may be requested. Not a big issue, but I just wonder at the requirements in a 'prescribed' form going further than the empowering provisions in the Act. I ask as I had already included the additional items of occupation and telephone number on all our offence notices back in 2009, but wonder now if I should be getting them amended for future prints to include 'sex'. Other than the very rare customer who may be of 'unknown' sex, it is not an issue and I wonder why it has been included in the amending regulations.

Withheld due to being out of scope of the request
[REDACTED]

Dave

Dave Parsons

Inspector

Road Policing Support

Police National Headquarters | 180 Molesworth Street | P.O.Box 3017 | Wellington | New Zealand
[REDACTED]

Withheld under Section 9(2)(a) of the Official Information Act 1982

From: Chris Roblett
Sent: Tuesday, April 19, 2011 11:20 AM
To: PARSONS, David (Dave) [REDACTED]
Cc: [REDACTED] Leo Mortimer;
Alan Dixon; Judy Voyce; Hugh Hanna **Withheld under Section 9(2)(a) of the Official Information Act 1982**
Subject: RE: Amendments to land transport regulations

Hi Dave,

Withheld under Section 9(2)(h) of the Official Information Act 1982

[REDACTED]

I have included provision for gender to be recorded because of regulation 15B(3)(b) of the Summary Proceedings Regulations 1958

15B Reminder notice for infringement offence

(1) The particulars of a reminder notice referred to in section 21(4)(a) of the Act are—

- (a) the number of the reminder notice; and
- (b) the name and address of the informant; and
- (c) the full name and full address of the defendant; and
- (d) details of the alleged infringement offence, including the date, time, place of the offence, the enactment and provision contravened, and the registration number of the vehicle (if any) used in the offence; and
- (e) the infringement fee, or the amount of the infringement fee remaining unpaid, other fees, and any other penalties specified in respect of the alleged offence; and
- (f) the name or number (if any) of the officer who issued the infringement notice.

(2) The particulars of a reminder notice referred to in section 21(4)(b) of the Act are—

- (a) the date and method of service of the infringement notice; and
- (b) the date and method of service of the reminder notice; and
- (c) the full address at which the reminder notice was served.

(3) The particulars of a reminder notice referred to in section 21(4)(c) of the Act are—

- (a) the defendant's date of birth; and
- (b) the defendant's gender; and
- (c) the defendant's occupation; and
- (d) the defendant's telephone number or numbers; and
- (e) the defendant's driver licence number (if a vehicle was used in the offence).

(4) The particulars specified in subclause (3) apply only if known.

(5) The particular specified in subclause (3)(e) applies only if relevant.]]

Section 21(4)(c) of the Summary Proceedings Act 1957 sets out particulars of reminder notices that are required when commencing proceedings in respect of an infringement notice, in particular enforcement as a fine by electronic filing of the particulars of the reminder notice.

For the purposes of subsections (1), (3), and (3D) and subsections (4A) to (5A), the particulars of a reminder notice are—

- (a) the contents of the reminder notice, or such parts of the reminder notice that are prescribed as the particulars for the purposes of this subsection; and
- (b) any particulars relating to the service of the infringement notice and reminder notice that may be prescribed; and
- (c) any other particulars that may be prescribed.

Withheld under Section 9(2)(h) of the Official Information Act 1982

[Redacted]

Withheld due to being out of scope of the request

[Redacted]

Regards,

Chris
Chris Roblett
Senior Solicitor
Ministry of Transport – Te Manatū Waka

Withheld under Section 9(2)(a) of the Official Information Act 1982

[Redacted]

www.transport.govt.nz

Withheld under Section 9(2)(a) of the Official Information Act 1982

From: Angela Holmes [REDACTED]
Sent: Tue 19/04/2011 5:56 p.m.
To: Dave Parsons; [REDACTED]
Cc: [REDACTED]; Alan Dixon;
Hugh Hanna; Judy Voyce; Leo Mortimer
Subject: Re: Fw: Amendments to land transport regulations

Tena korua Chris and Dave

Hugh has forwarded your emails to me.

Collections encourages the collection of the sex of the offender because this assists with subsequent enforcement action. By this stage, all we have are the details provided by the issuer and the more info we have, the more likely we are to be able to convince the person that this really is their fine. Gender is very useful for asexual and unusual names.

In terms of the Land Transport (Infringement and Reminder Notice) Amendment Regulations, I've suggested to Judy that we delay amending Schedule 5 (Reminder Notice for all but Toll Road Offences) to expand the info required to be provided when liability is transferred for *Stationary Vehicle Offences* by the registered person in line with new s133A until the Courts and Criminal Matters Bill passes and the same requirements will also apply to *Moving Vehicle Offences*. We were expecting the Courts and Criminal Matters Bill to pass first and to ensure that the LT (RSOM) Bill did not "override" our amendments to the TA re *Stationary Vehicle Offences*, these amendments were replicated in new s133A, LTA. So we are now in the unexpected position of having different info requirements for liability transfers for *stationary* vehicle and *moving* vehicle offences. I don't think this warrants the cost to Police and local authorities of having to reprint the reminder notice twice in a short period - once to set different info requirements for *Stationary Vehicle Offences* and the second time to standardise the info requirements again.

Naku noa na

Angela Holmes
Senior Policy Analyst
Service Design - Collections
Ministry of Justice | Tāhū o te Ture

[REDACTED]
Vogel Centre | 19 Aitken Street Withheld under Section 9(2)(a) of the Official Information Act 1982
PO Box 180 | Wellington

[REDACTED]
Withheld under Section 9(2)(a) of the Official Information Act 1982

From: Chris Roblett

Sent: Tuesday, 7 June 2011 11:54 a.m. **Withheld under Section 9(2)(a) of the Official Information Act 1982**

To: [REDACTED] 'Emma Quigley' [REDACTED] 'Ashlar Colebrook' [REDACTED]; 'reception@justice.govt.nz'

Cc: [REDACTED] Russell Brown [REDACTED]

Subject: Amendment to land transport regulations

Good morning,

Please find attached a draft LEG paper in respect of proposed transport regulations, the –

- Land Transport (Offences and Penalties) Amendment Regulations 2011
- Land Transport (Infringement and Reminder Notices) Amendment Regulations 2011

Current drafts of these proposed regulations are also attached.

Withheld due to being out of scope of the request

[REDACTED]

The Land Transport (Infringement and Reminder Notices) Amendment Regulations 2011 make editorial changes to infringement and reminder notices prescribed for transport offences to better align them with the current procedure for infringement offences, including enforcement in the Summary Proceedings Act.

Withheld due to being out of scope of the request

[REDACTED]

[REDACTED]

Kind Regards,

Chris Roblett

Senior Solicitor

Ministry of Transport – Te Manatū Waka

Withheld under Section 9(2)(a) of the Official Information Act 1982

[REDACTED] |
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