(SR 2007/398)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 17th day of December 2007

Present:
His Excellency the Governor-General in Council

Pursuant to section 36(1) of the Energy Efficiency and Conservation Act 2000, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Energy (having satisfied the requirements of section 36(2) of that Act), makes the following regulations.

Note
Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.
A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.
These regulations are administered by the Ministry for the Environment.
Title
These regulations are the Energy Efficiency (Vehicle Fuel Economy Labelling) Regulations 2007.

Commencement
These regulations come into force on 7 April 2008.

Interpretation
In these regulations, unless the context requires another meaning,—

fuel economy information has the meaning given by regulation 7(4)

fuel economy label has the meaning given by regulation 6(6)
**fuelsafer information** has the meaning given by regulation 4
**fuelsafer website** means the website at www.fuelsafer.govt.nz on the commencement of these regulations, or any website that replaces it
**gross laden weight** has the same meaning as in section 2(1) of the Land Transport Act 1998
**Minister** has the same meaning as in section 3 of the Energy Efficiency and Conservation Act 2000
**motor cycle** has the same meaning as in section 6(1) of the Motor Vehicle Sales Act 2003
**motor vehicle**—
(a) has the same meaning as in section 6(1) of the Motor Vehicle Sales Act 2003; but
(b) includes a road vehicle that is drawn or propelled by mechanical power and is not of a kind ordinarily acquired by consumers for personal, domestic, or household use
**motor vehicle trader** has the same meaning as in section 7 of the Motor Vehicle Sales Act 2003
**person** includes a motor vehicle trader
**promotional vehicle** has the meaning given by regulation 6(2)
**sale** has the same meaning as in section 6(1) of the Motor Vehicle Sales Act 2003.

4 **Fuelsaver information defined**
In these regulations, **fuelsafer information**, in relation to a motor vehicle, means the following information that is available for the vehicle on the fuelsafer website:
(a) vehicle make:
(b) vehicle model:
(c) fuel economy (cost per year):
(d) fuel economy (rating out of 6 stars):
(e) fuel economy (litres per 100 km):
(f) basis for calculating fuel economy (cost per year):
(g) reference details.

5 **Motor vehicles to which these regulations apply**
These regulations apply to all motor vehicles except—
(a) motor vehicles with a gross laden weight of more than 3 500 kg; and
(b) motor cycles.

6 Motor vehicle traders must display fuel economy labels for certain motor vehicles on display

(1) This regulation applies to a motor vehicle if—
   (a) a motor vehicle trader offers the vehicle for sale by displaying it at any location; and
   (b) any fuelsaver information is available for the vehicle when the trader first displays the vehicle.

(2) This regulation also applies to a motor vehicle if—
   (a) a motor vehicle trader displays the vehicle (promotional vehicle) at any location to promote the sale of any other vehicle of the same or similar type; and
   (b) any fuelsaver information is available for the promotional vehicle when the trader first displays the vehicle.

(3) However, this regulation does not apply to—
   (a) a motor vehicle offered for sale, if the vehicle is offered for sale only to other motor vehicle traders; or
   (b) a promotional vehicle, if the promotional vehicle is displayed only to promote the sale of any other vehicle or vehicles of the same or similar type to other motor vehicle traders.

(4) The motor vehicle trader must display at the location a fuel economy label for all vehicles to which this regulation applies (whether vehicles offered for sale under subclause (1), promotional vehicles under subclause (2), or both).

(5) The fuel economy label for a vehicle must be displayed—
   (a) clearly and prominently; and
   (b) so that its text can be read from a reasonable distance; and
   (c) so that it obviously relates to the vehicle, for example, by—
      (i) firmly attaching the label to the vehicle so that it is clearly visible from outside the vehicle; or
      (ii) displaying the label on an information stand next to the vehicle.
(6) In this regulation, fuel economy label, in relation to a motor vehicle, means a label—
(a) printed in the form set out in Schedule 1 (colour) or Schedule 2 (greyscale), so it is at least 196 mm wide and 136 mm high; and
(b) that includes the fuelsaver information available for the vehicle when the motor vehicle trader first displays the vehicle (or information updated in accordance with regulation 9 or 10), with that information printed in each appropriate space on the label in a font size appropriate for the size of the space (as in the example set out in Schedule 3).

7 Persons must display fuel economy information for certain motor vehicles offered for sale on websites
(1) This regulation applies to a motor vehicle if—
(a) a person offers the vehicle for sale on a website; and
(b) the principal purpose of the website is to offer goods for sale; and
(c) any fuelsaver information is available for the vehicle when the person first offers it for sale.
(2) The person must display on the website the fuel economy information for the vehicle.
(3) The fuel economy information must be displayed—
(a) clearly and prominently on the same webpage as the vehicle; and
(b) so that its text can be easily read; and
(c) so that it obviously relates to the vehicle.
(4) In this regulation, fuel economy information, in relation to a motor vehicle, means the fuelsaver information specified in regulation 4(a) to (e) that is available for the vehicle when the person first offers it for sale (or information updated in accordance with regulation 9 or 10).

8 Period for which fuel economy label or fuel economy information must be displayed
(1) A motor vehicle trader who displays a motor vehicle to which regulation 6 applies must display the fuel economy label for the vehicle at all times while the vehicle is—
9 Person must update information before specified date
(1) The Minister may, by notice in the Gazette, specify a date before which any fuel economy label or fuel economy information must be updated.
(2) A person who is still required by regulation 8 to display a fuel economy label or fuel economy information for a motor vehicle must, before the date specified in a notice under subclause (1), update the label or information to set out the fuelsaver information available for the vehicle when the update is made.

10 Person may update information at any time
A person who is still required by regulation 8 to display a fuel economy label or fuel economy information for a motor vehicle may, at any time, update the label or information to set out the fuelsaver information available for the vehicle when the update is made.

11 Strict liability offences
(1) A person commits an offence who—
(a) breaches regulation 6, 7, 8, or 9; or
(b) alters a fuel economy label or the fuel economy information required to be displayed by these regulations so that the label or information—
   (i) does not comply with regulation 6, 7, 9, or 10; or
   (ii) sets out information that is inconsistent with the fuelsaver information required by regulation 6, 7, 9, or 10.
(2) A person who commits an offence against subclause (1) is liable on conviction to a fine not exceeding $5,000.

(3) In any prosecution for an offence against subclause (1), it is not necessary to prove that the defendant intended to commit the offence.

(4) To avoid doubt, a person does not commit an offence against subclause (1) only because the person displays incorrect information for a motor vehicle, if the information is the fuelsaver information required by regulation 6, 7, 9, or 10.

Schedule 1

Form of fuel economy label (colour)
Schedule 2

Form of fuel economy label (greyscale)
Schedule 3

Example of fuel economy label
Rebecca Kitteridge, for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in Gazette: 20 December 2007.
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Notes
1 General
This is a reprint of the Energy Efficiency (Vehicle Fuel Economy Labelling) Regulations 2007. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see http://www.pco.parliament.govt.nz/reprints/.

2 Status of reprints
Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared
A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked
are omitted. For a detailed list of the editorial conventions, see http://www.pco.parliament.govt.nz/editorial-conventions/ or Part 8 of the Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force.

4 **Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

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• position of the date of assent (it now appears on the front page of each Act)
• punctuation (eg, colons are not used after definitions)
• Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
• case and appearance of letters and words, including:
  • format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  • small capital letters in section and subsection references are now capital letters
• schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
• running heads (the information that appears at the top of each page)
• format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 List of amendments incorporated in this reprint (most recent first)

Criminal Procedure Act 2011 (2011 No 81): section 413