

31 May 2013

Gordon Harcourt
Reporter - Fair Go
gordon.harcourt@tvnz.co.nz

NATIONAL OFFICE
50 Victoria Street
Private Bag 6995
Wellington 6141
New Zealand
T 64 4 894 5400
F 64 4 894 6100
www.nzta.govt.nz

Dear Gordon

Request made under the Official Information Act 1982

Thank you for your email of 24 May 2013 requesting information relating to the New Zealand Industrial Fuel Duty Agency (NZIFDA) under the Official Information Act 1982. Your questions and my responses follow.

Is NZTA aware of the existence of NZIFDA, the "New Zealand Industrial Fuel Duty Agency" (nzifda.org)?

Yes.

Does NZTA have any arrangement to pay fuel duty refunds to "NZIFDA" to be passed on to those to whom the refunds rightfully belong?

The NZ Transport Agency (NZTA) has no 'arrangement to pay' refunds to any person, as such, but must act according to law when applications for refunds are received, including those where the user of relevant fuels has appointed an agent to act on their behalf. The NZTA has received a number of registrations for the refund of excise duty in which the users of the fuel have, in writing, appointed Excise Equities Limited to act as their agent. The relevant registration forms note the appointment of the company as an agent, and supply a bank account number for the payments to be made into. A blank copy of the relevant registration form is attached for your information.

*Has NZTA paid fuel duty refunds to any of the following parties: "New Zealand Industrial Fuel Duty Agency", Excise Equities Ltd, ***(names of natural persons removed)***, or Superb Trustee Ltd?*

The NZTA has not paid any refunds to any of the named companies to date. The NZTA cannot pay, and has not paid, refunds to something that is not a legal entity (NZIFDA is not a legal entity). To protect the privacy of natural persons, the NZTA will not release information about the natural persons named in your request. This part of your request is therefore refused under section 9(2)(a) of the Official Information Act 1982.

If yes, how much was paid and to what party or parties? Has NZTA received any complaints about fuel duty refunds paid to "NZIFDA" but not passed on?

Not applicable.

With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

Under section 28(3) of the Official Information Act 1982, you have the right to apply to an Ombudsman for an investigation and review of the decision to withhold this information. The address is:

Office of the Ombudsmen
PO Box 10152
Wellington

If you would like to discuss this reply with the NZTA, please contact Andy Knackstedt, National Media Manager, by email to andrew.knackstedt@nzta.govt.nz or by phone on (04) 894 6285.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A. Frost', with a large, stylized flourish extending upwards and to the right.

Allan Frost
Group Manager Organisational Support
For Chief Executive



Personal details

(to be completed by all applicants)

Fields marked with an * are compulsory

*Full name

*Title

Mr Mrs Miss Ms Other

*Company name

*Trading as
(if applicable)

If Trust or Partnership, supply full names of trustees or partners:

*Home address

*Postal address

*Telephone no

()

Mobile

()

Work

()

*Email address

Describe the commercial activity for which you are claiming (If farming what type and the farm size)

Please list plant/vehicles/lawn mowers/farm bikes that the fuel is used in (If necessary please attach a schedule)

Where do you purchase your fuel?

Advise estimated average fuel usage per quarter:

Do you have a bulk fuel tank and if so what volume of fuel does it hold? How will you gauge how much petrol is left in the tank at the end of each quarter?

Advise the type of security that is in place for your petrol supply to guard against theft or use for non-commercial purposes?

Do any vehicles or machinery that are used non-commercially extract fuel from the farm supply? If so supply list:

Are records of both commercial and private petrol usage kept?

If claiming on a vehicle licensed as an Exempt Class B vehicle, what system is in place to record off-road usage and usage on public roads?

Appoint an agent

I give authority to to act as my agent from / / to / /

(Must be a legal entity)

for all purposes associated with the preparation of future fuel excise claims. Where an agent acts on your behalf, payment of the refund of excise duty to an agent extinguishes the entitlement for that refund. The NZ Transport Agency, acting as delegate of the Chief Executive of the Ministry of Transport, will not be a party to any dispute between you and your agent.

Bank account details

Supply bank account number for refund to be direct credited to:

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Name of bank account:

Checklist

- GST Number
- Provide a copy of documentation from IRD confirming GST number
- A bank deposit slip verifying account number
- Completed application form
- Email address for direct credit remittance advice
- Signed the Declaration section

NOTE: Please ensure if there are any changes to the above information the NZ Transport Agency are advised

Declaration

WARNING: ANY PERSON MAKING A CLAIM OR FURNISHING ANY INFORMATION KNOWN TO BE FALSE IN ANY MATERIAL PARTICULAR IS LIABLE FOR PROSECUTION.

Authorised signature Phone no. ()

Name of contact person Date / /

Day Month Year

PLEASE POST TO: The Excise Duty Refund Section
NZ Transport Agency
Private Bag 11777
PALMERSTON NORTH 4442