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Simon Bridges  
Minister of Transport  
Private Bag 18041  
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WELLINGTON 6160

5 August 2016

Dear Simon

Fuel excise duty refund

I refer to your undated letter sent to us as an attachment to an email of 21 July 2015. Your files will contain all the relevant associated correspondence and attachments.

It has now been more than three years (beginning on 19 May 2013 in a letter to Gerry Brownlee, Minister of Transport) since the General Aviation Advocacy Group brought to the attention of the Ministry of Transport that aviators who use mogas (car petrol) are subsidising road users and are not willing to do so.

Since that time, we have pursued the matter in the hope of receiving a reasonable response and a sensible outcome. Neither has been achieved.

Despite promises of reviews, consultation, consideration and the addressing of this matter, we have been deafened by official silence.

The Hon Gerry Brownlee, in his letter of 11 June 2013, said that as part of the review of the Land Transport Management Act 2003, he had requested officials from the Ministry of Transport and the NZ Transport Agency to investigate enabling refunds for the use of petrol in aircraft.

On 30 September 2013, we received a letter from Martin Matthews, then the Ministry's Chief Executive, apologising for the delay and stating that the review had not yet commenced but initial analysis "is likely to be undertaken in October 2013". Mr Matthews concluded by saying that "*if consultation is required, you can expect to be contacted by Ministry officials.*"

Due to not having had any communication from Ministry officials, we once again initiated email correspondence on 12 February 2014 with James Ayling who had been assigned as project manager. In reply to that email, we received an email on the same day, February 12 2014, from Matthew Skinner and copied to James Ayling, who advised that the Ministry was due to report to the Minister of Transport in June 2014.

We received no further communication from the Minister or his officials on this issue until we once again wrote to the Minister six months later on 26 June 2014.

In his reply dated 21 July 2014, the Minister once again came up with a further excuse that the Ministry and the NZ Transport Agency were reviewing the links between the Land Transport Management (Apportionment and Refund of Excise-Equivalent Duty) Regulations 2004, and the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011. Included in this was to be the Accident Compensation (Motor Vehicle account levies) Regulations 2013.

The Minister then went on to say: *"the Ministry plans to consult with a selected group of stakeholders on the content of the refund regulations in 2014, in advance of the consultation on the ACC regulations. The outcome of consultation and advice on changes to the refund regulations will be provided to Cabinet for consideration before public consultation on the proposed changes to the ACC regulations in August 2015. This means the government will be in a position to consider any changes to the refund regulations following official ACC consultation in late 2015.*

*The Ministry has advised me that it will consult with your organisation when it reaches the initial consultation stage in December 2014".*

Once again, nothing further has been heard from the Office of the Minister of Transport or his Ministry officials.

All of this is inexcusable.

To avoid our now referring this matter to the Ombudsman, I require you to address this matter immediately and I await your substantive response within seven days of the date of this letter.

Yours sincerely



Des Lines  
Co-principal