

Hawke's Bay Agricultural and Pastoral Society Empowering Bill

Private Bill

Explanatory note

General policy statement

This Bill empowers the Hawke's Bay Agricultural and Pastoral Society (the **Society**) to sell its interests in the Tomoana Showgrounds, and any other land it may acquire (the **land**), and apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society. The Society must satisfy a number of conditions specified in the Bill in order to apply the proceeds of a sale of land in this way.

Currently, the provisions of the Agricultural and Pastoral Societies Act 1908 require the Society to invest the money received from the sale of land in purchasing other land suitable for the purposes of the Society. The Society is seeking to change these requirements as it considers that they prevent it from achieving optimal profit in the short and long term, whether that be through term deposit, investment, land purchase or other means. Achieving optimal profit would assist the Society to continue promoting its primary sector to a wide audience, facilitating events, acknowledging local history and heritage, developing educational programmes, awarding scholarships, and helping its sector and region to continue to develop, grow, and prosper.

To achieve the purpose of allowing the Society to apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society, the Bill treats certain provisions of the Agricultural and Pastoral Societies Act 1908, the Agricultural and Pastoral Societies Amendment Act 1912, and the Agricultural and Pastoral Societies Amendment Act 1920 as never having applied to the Society.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. The Act will come into force on the day after the date on which it receives the Royal assent.

Clause 3 identifies the purpose of the Act, which is to empower the Society to sell its interests in the land without being required to invest the money received from the sale in the purchase of other land suitable for the purposes of the Society. Instead, the Society is required to apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society.

Clause 4 is the interpretation section.

Clause 5 empowers the Society to sell the land without having to invest the money received from the sale in the purchase of other land suitable for the purposes of the Society, on the following conditions:

- it appears advantageous to the Society to sell the land:
- at least two-thirds of the members of the Society present at a general meeting of the Society have resolved to do so:
- not less than 14 days' notice of the general meeting and the proposal to sell the land has been given to members of the Society.

Clause 6 lists certain enactments that are not to apply to the Society in relation to the land.

Clause 7 provides that money received from sale of the land must be used towards purposes that are consistent with the objects of the Society.

Hon Meka Whaitiri

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Preamble

- (1) The Hawke's Bay Agricultural and Pastoral Society (the **Society**) owns fee simple interests in the Tomoana Showgrounds:
- (2) The Society wishes to sell its interests in the Tomoana Showgrounds, and any other land it may acquire (the **land**), without being required to invest the money received from the sale to purchase other land suitable for the purposes of the Society as required by the Agricultural and Pastoral Societies Act 1908: 5

- (3) The object of this Act is to remove the restrictions relating to the disposal of the land and to require the Society to apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society:
- (4) This object cannot be achieved without legislation:

The Parliament of New Zealand therefore enacts as follows: 5

1 Title

This Act is the Hawke's Bay Agricultural and Pastoral Society Empowering Act **2022**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 10

**Part 1
Preliminary provisions**

3 Purpose

The purpose of this Act is to— 15

- (a) empower the Hawke's Bay Agricultural and Pastoral Society (the **Society**) to sell its interests in the Tomoana Showgrounds, or any other land it may acquire, without being required to invest the money received from the sale in the purchase of other land suitable for the purposes of the Society; and 20
- (b) require the Society to apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society.

4 Interpretation

In this Act, unless the context otherwise requires,—

land means the land described in the **Schedule** or any other land acquired by the Society 25

Society means the Hawke's Bay Agricultural and Pastoral Society.

**Part 2
Power to sell land**

5 Power to sell land 30

- (1) Despite anything in the Agricultural and Pastoral Societies Act 1908, the Society may, if the conditions in **subsection (2)** are satisfied, sell the land described in the **Schedule**, or any other land it may acquire, without having to

invest the money received from the sale in the purchase of other land suitable for the purposes of the Society.

- (2) The conditions are that—
- (a) it appears advantageous to the Society to sell the land; and
 - (b) at least two-thirds of the members of the Society present at a general meeting of the Society have resolved to do so; and 5
 - (c) not less than 14 days' notice of the general meeting and the proposal to sell the land has been given to members of the Society.

6 Certain enactments not to apply

The following enactments do not apply and must be treated as never having applied to the Society in relation to the land: 10

- (a) sections 7 and 8(2) of the Agricultural and Pastoral Societies Act 1908:
- (b) section 3 of the Agricultural and Pastoral Societies Amendment Act 1912:
- (c) section 2 of the Agricultural and Pastoral Societies Amendment Act 1920. 15

7 Application of money received from sale

If the land is sold under **section 5(1)**, the Society must apply the money received from the sale towards purposes that are consistent with the objects of the Society. 20

**Schedule
Society's interests in Tomoana Showgrounds****s 4**

Record of title	Area (more or less)	Legal description
HBC4/350	7765 square metres	Lot 20 Deposited Plan 3005
HBM2/162	24.185 hectares	Lot 19 Deposited Plan 3005
HBM2/163	16.893 hectares	Lot 6 Deposited Plan 3005
HBM3/193	2.0448 hectares	Part Lot 18 Deposited Plan 3005