

**Reprint  
as at 25 January 2005**



**Animal Control Products Limited  
Act 1991**

Public Act    1991 No 36  
Date of assent    12 June 1991  
Commencement    see section 1(2)

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**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.

**This Act is administered by the Ministry of Agriculture and Forestry.**

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**An Act to provide for the incorporation of a company to take over certain business of the Agricultural Pests Destruction Council**

**1 Short Title and commencement**

- (1) This Act may be cited as the Animal Control Products Limited Act 1991.
- (2) Except as provided in section 20(3), this Act shall come into force on the date on which it receives the Royal assent.

**2 Interpretation**

In this Act, unless the context otherwise requires,—

**Animal Control Products** means the trading arm of the Council known as Animal Control Products which operates the Council's poison factory business

**appointed day** means the date appointed by the Governor-General by Order in Council made under section 6(3)

**the company** means Animal Control Products Limited, a company to be incorporated in accordance with section 5

**the Council** means the Agricultural Pests Destruction Council constituted under the Agricultural Pests Destruction Act 1967

**liabilities** means liabilities, debts, charges, duties, and obligations of every description (whether present or future, actual or contingent, and whether payable or to be observed or performed in New Zealand or elsewhere)

**poison factory business** means the business operated by Animal Control Products at the poison factories in Wanganui and Waimate and consisting of the manufacture, sale, and other disposal of poison and poisoned baits

**property** means property of every kind whether tangible or intangible, real or personal, corporeal or incorporeal and, without limiting the generality of the foregoing, includes—

- (a) choses in action and money:
- (b) goodwill:
- (c) rights, interests, and claims of every kind in or to property, whether arising from, accruing under, created or evidenced by, or the subject of, an instrument or otherwise and whether liquidated or unliquidated, actual, contingent, or prospective

**rights** means all rights, powers, privileges, and immunities, whether actual, contingent, or prospective

**Shareholding Ministers** means the Minister of Agriculture and the Minister of Finance.

Compare: 1986 No 129 s 2; 1988 No 166 s 2

### **3 Act to bind the Crown**

This Act shall bind the Crown.

### **4 Responsibility of Ministers**

*[Repealed]*

Section 4: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

### **5 Incorporation of company to take over poison factory business**

*[Repealed]*

Section 5: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

### **6 Vesting of poison factory business in company**

*[Repealed]*

Section 6: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

- 7 Consequential provisions on vesting of poison factory business in company**  
*[Repealed]*  
Section 7: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).
- 8 Additional provisions relating to vesting of land, etc, in company**  
*[Repealed]*  
Section 8: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).
- 9 Certain matters not affected by vesting of poison factory business in company**  
*[Repealed]*  
Section 9: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).
- 10 Firefighter business not to be treated as part of poison factory business**  
*[Repealed]*  
Section 10: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).
- 11 Officers and employees**  
Notwithstanding any other provision of this Act—
- (a) on the appointed day each employee of the Council or Animal Control Products who is employed in respect of the poison factory business shall cease to be an employee of the Council or Animal Control Products and shall become an employee of the company but, for the purposes of every enactment, law, award, determination, contract, and agreement relating to the employment of each such employee, his or her contract of employment shall be deemed to have been unbroken and the period of his or her service with the Council or Animal Control Products shall be deemed to have been a period of service with the company; and
  - (b) the terms and conditions of the employment of each transferred employee with the company shall on the ap-

pointed day (and thereafter until varied) be identical with the terms and conditions of his or her employment with the Council or Animal Control Products immediately before the appointed day and be capable of variation in the same manner; and

- (c) a transferred employee shall not be entitled to receive any payment or other benefit by reason only of his or her ceasing by virtue of this Act to be an employee of the Council or Animal Control Products; and
- (d) nothing in this Act, other than paragraph (c), shall affect any rights or liabilities under any provident, benefit, superannuation, or retirement fund or scheme relating to employees of the Council or Animal Control Products.

Compare: 1988 No 166 s 12

## **12 Crown shareholding**

*[Repealed]*

Section 12: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

## **13 Books and documents to remain evidence**

*[Repealed]*

Section 13: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

## **14 Taxes and duties**

*[Repealed]*

Section 14: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

## **15 Crown entity**

*[Repealed]*

Section 15: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

## **16 Final report of Council in respect of poison factory business**

*[Repealed]*

Section 16: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

**17 Amendment to Agricultural Pests Destruction Act 1967***[Repealed]*

Section 17: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

**18 Amendment to Income Tax Act 1976***[Repealed]*

Section 18: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

**19 Amendment to Official Information Act 1982***[Repealed]*

Section 19: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

**20 Amendments consequential on disposal by the Crown of shares in company***[Repealed]*

Section 20: repealed, on 25 January 2005, by section 5 of the State-Owned Enterprises Amendment Act 2004 (2004 No 116).

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## **Notes**

### **1 *General***

This is a reprint of the Animal Control Products Limited Act 1991. The reprint incorporates all the amendments to the Act as at 25 January 2005, 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”)



- 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)*

State-Owned Enterprises Amendment Act 2004 (2004 No 116): section 5

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