

**Reprint
as at 21 April 2005**



**New Zealand Trade and Enterprise
Act 2003**

Public Act 2003 No 27
Date of assent 24 June 2003
Commencement see section 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 Economic Development.

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- 1 Title**
This Act is the New Zealand Trade and Enterprise Act 2003.

Part 1

Preliminary provisions

- 2 Commencement**
This Act comes into force on 1 July 2003.
- 3 Purpose**
- (1) The purpose of this Act is to support the development of internationally competitive New Zealand business by establishing New Zealand Trade and Enterprise.
 - (2) New Zealand Trade and Enterprise is the Crown entity responsible for facilitating (in co-operation with industry, central and local government, and relevant community groups) the devel-

opment and implementation of strategies, programmes, and activities for trade, industry, and regional development as directed by the Government.

4 Overview

In this Act,—

- (a) this Part deals with preliminary matters, including the purpose of this Act, interpretation, and the application of this Act to the Crown:
- (b) Part 2 and Schedules 1 to 3 contain provisions regarding a new Crown entity called New Zealand Trade and Enterprise and include—
 - (i) provisions relating to the establishment of NZTE (sections 7 to 13), the membership, role, and accountability of the board of NZTE (sections 14 to 16), the Minister's role (sections 17 and 18), special advisers to the board (section 19), and committees of the board (sections 25 to 27) and supplementary provisions regarding the board's and members' duties, membership of the board, and procedure of the board (Schedules 1 to 3 respectively):
 - (ii) provisions regarding the Chief Executive of NZTE, employees, superannuation, and the liability of members, and employees (sections 28 to 42):
 - (iii) provisions regarding dealings with third parties by NZTE (sections 43 to 47), financial provisions (sections 48 to 53), provisions relating to the preparation of statements of intent (sections 54 to 64), and annual reporting provisions (sections 65 to 72):
- (c) Part 3 deals with the dissolution of the New Zealand Trade Development Board and of Industry New Zealand (section 74), transitional matters (sections 75 to 82), the application of the Public Records Act 2005 (section 83), consequential amendments to other Acts (section 84 and Schedule 4), and repeals (section 85).

Section 4(c): amended, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

5 Interpretation

In this Act, unless the context otherwise requires,—

board means the board of NZTE

enactment includes this Act

former agency means either or both of the following (as the context requires):

- (a) Industry New Zealand;
- (b) Trade New Zealand

industry means a business, trade, manufacturing or commercial undertaking, profession, occupation, or undertaking relating to the supply or acquisition of goods or services

Industry New Zealand means the Crown entity established under section 7 of the Industry New Zealand Act 2000

Minister means the Minister or Ministers of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, are for the time being responsible for the administration of this Act

NZTE—

- (a) means New Zealand Trade and Enterprise established under section 7; and
- (b) *[Repealed]*

subsidiary has the same meaning as Crown entity subsidiary does in section 7 of the Crown Entities Act 2004

Trade New Zealand means the New Zealand Trade Development Board established under section 3 of the New Zealand Trade Development Board Act 1988

transferred employee means a person who,—

- (a) immediately before the commencement of this Act, is employed by a former agency; and
- (b) is transferred to NZTE under section 76.

Section 5 **borrow**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **chairperson**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **committee**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **deputy chairperson**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **equal employment opportunities programme**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **fees framework**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **good employer**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **member**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **NZTE** paragraph (b): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 5 **subsidiary**: substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

6 Act binds the Crown

This Act binds the Crown.

Part 2

New Zealand Trade and Enterprise

Establishment of NZTE

7 Establishment

This section establishes New Zealand Trade and Enterprise.

8 Crown entity status

- (1) NZTE is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
- (2) The Crown Entities Act 2004 applies to NZTE except to the extent that this Act expressly provides otherwise.
- (3) Members of NZTE are the board for the purposes of the Crown Entities Act 2004.

Section 8: substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

9 Functions

- (1) The functions of NZTE are to—
 - (a) contribute to a supportive environment for sustainable economic development by—

- (i) fostering collaborative networks and partnerships between central government, local government, industry, trade unions, regions, education and research organisations, potential investors, and individual enterprises; and
 - (ii) encouraging the development and delivery of economic development services by the private and non-government sector; and
 - (iii) co-ordinating the delivery of government economic development assistance to industry, regions, and individual businesses:
- (b) provide a conduit for input and advice from industry, trade unions, local government, regions, education and research organisations, potential investors, and individual enterprises on programmes to implement the Government's policies for economic, industry, and regional development:
- (c) enhance industry and regional enterprise and entrepreneurial capabilities by—
 - (i) providing information; and
 - (ii) facilitating access to skills, expertise, and resources:
- (d) contribute to increased exports from, and investment in, New Zealand by—
 - (i) strengthening global linkages through trade and investment promotion; and
 - (ii) providing appropriate business and market development assistance:
- (e) carry out any additional function in relation to trade, industry, and regional development that is added by the Minister in accordance with section 112 of the Crown Entities Act 2004.
- (f) *[Repealed]*
- (2) *[Repealed]*
- (3) *[Repealed]*

Section 9(1)(e): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 9(1)(f): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 9(2): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 9(3): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

10 NZTE is body corporate

[Repealed]

Section 10: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

11 Capacity and powers

[Repealed]

Section 11: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

12 Compliance with government policy

[Repealed]

Section 12: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

13 Requirements for notices and Ministerial directions

[Repealed]

Section 13: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Membership, role, and accountability of board

14 Membership of board

(1) The board must have at least 3 members, but not more than 9 members.

(2) *[Repealed]*

Section 14(2): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

15 Board's role

[Repealed]

Section 15: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

16 Accountability of members to Minister

[Repealed]

Section 16: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Minister's role

[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

17 Minister's role

[Repealed]

Section 17: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

18 Minister responsible to House of Representatives

[Repealed]

Section 18: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Special advisers

19 Special advisers

- (1) The Minister may appoint the persons referred to in subsection (2) as special advisers to assist the board in aligning its strategy and activities with government policy.
- (2) The persons are—
 - (a) the Secretary of Foreign Affairs and Trade; and
 - (b) the Chief Executive of the Ministry of Economic Development.
- (3) A special adviser is not a member, but may attend meetings of the board.
- (4) A special adviser may also attend meetings of any of the committees of the board, but is not to be regarded as a member of the committee.
- (5) For the purposes of subsection (3) or subsection (4), each special adviser must be given reasonable notice of the time and place of every meeting of the board or of its committees (as the case may be) and any written material or document that relates to matters to be considered at the meeting by,—

- (a) in the case of meetings of the board, the chairperson, the deputy chairperson, or the member or members calling the meeting; or
- (b) in the case of meetings of a committee, the member or members calling the meeting.

Delegation by board

20 Persons to whom board may delegate functions, duties, and powers

[Repealed]

Section 20: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

21 Certain powers must not be delegated

- (1) The board must not delegate any of the following powers:
 - (a) the power to acquire or dispose of real property:
 - (b) the power to form and register a subsidiary:
 - (c) the power to borrow money:
 - (d) the power to appoint a chief executive.
- (2) In other respects, section 73 of the Crown Entities Act 2004 applies.

Section 21(2): added, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

22 Effect of delegation

[Repealed]

Section 22: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

23 Presumption of acting in accordance with delegation

[Repealed]

Section 23: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

24 Other matters relating to delegation

[Repealed]

Section 24: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Committees
[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

25 Board may appoint committees
[Repealed]

Section 25: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

26 Membership of committee
[Repealed]

Section 26: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

27 Committee to regulate own procedure
[Repealed]

Section 27: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Chief Executive of NZTE

28 Appointment of chief executive

- (1) The board must appoint a chief executive.
- (2) The chief executive must not be a member.
- (3) The chief executive is responsible to the board for the efficient and effective administration of the affairs of NZTE.

29 Terms and conditions of chief executive's employment
[Repealed]

Section 29: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

30 Delegation of functions, duties, or powers by chief executive
[Repealed]

Section 30: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Employees of NZTE
[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

31 Personnel policy
[Repealed]

Section 31: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

32 Equal employment opportunities programme
[Repealed]

Section 32: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Superannuation

33 Establishment of superannuation schemes
[Repealed]

Section 33: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

34 Government Superannuation Fund

- (1) A person who, immediately before becoming an employee of NZTE, was a contributor to the Government Superannuation Fund under Part 2 or Part 2A of the Government Superannuation Fund Act 1956 is, for the purposes of that Act, to be treated as if he or she were employed in the Government service as long as the person continues to be an employee of NZTE.
- (2) The Government Superannuation Fund Act 1956 applies to the person in all respects as if the person's service as an employee of NZTE were Government service.
- (3) A person employed by NZTE who ceases to be a contributor to the Government Superannuation Fund is not subsequently entitled to become a contributor.
- (4) For the purposes of applying the Government Superannuation Fund Act 1956 in accordance with subsection (2), **controlling authority**, in relation to that employee, means NZTE.

35 Employees not in service of the Crown

[Repealed]

Section 35: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

*Corruption and bribery, and corrupt use of
official information*

[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

36 Members and employees are officials

[Repealed]

Section 36: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

*Protections from liability of members and
employees*

[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

**37 Protections for members and employees from liabilities
of NZTE**

[Repealed]

Section 37: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**38 Immunity of members and employees from civil liability
to third parties**

[Repealed]

Section 38: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**39 Indemnity for members and employees for costs from
civil and criminal proceedings**

[Repealed]

Section 39: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

40 Insurance for members and employees*[Repealed]*

Section 40: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

41 Breach of indemnity and insurance limits*[Repealed]*

Section 41: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

42 Definitions for protections from liability*[Repealed]*

Section 42: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

*Dealings with third parties by NZTE**[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

43 Execution of documents*[Repealed]*

Section 43: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

44 Method of contracting*[Repealed]*

Section 44: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

45 Attorneys*[Repealed]*

Section 45: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

46 Dealings between NZTE and other persons*[Repealed]*

Section 46: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

47 Presumption of authority to execute document

[Repealed]

Section 47: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Financial provisions

[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

48 Funds of NZTE

[Repealed]

Section 48: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

49 Bank accounts

[Repealed]

Section 49: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

50 Investment of money

[Repealed]

Section 50: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

51 NZTE not to borrow without consent of Minister of Finance

[Repealed]

Section 51: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

52 Auditor-General to be auditor of NZTE

[Repealed]

Section 52: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

53 NZTE deemed to be public authority

[Repealed]

Section 53: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Planning—Statement of intent
[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

54 Purpose of statement of intent

[Repealed]

Section 54: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

55 Obligation to prepare statement of intent

[Repealed]

Section 55: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

56 Form and content of statement of intent

[Repealed]

Section 56: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

57 Ministerial involvement in statements of intent

[Repealed]

Section 57: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

58 Process for providing statement of intent to Minister

[Repealed]

Section 58: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

59 Application and term of statement of intent

[Repealed]

Section 59: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

60 Amendments to statement of intent

[Repealed]

Section 60: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

61 Optional amendments by NZTE

[Repealed]

Section 61: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

62 Mandatory amendments

[Repealed]

Section 62: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

63 Amendments to statement of intent by Minister

[Repealed]

Section 63: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

64 Minister to present statement of intent and amendments to House of Representatives

[Repealed]

Section 64: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Reporting—Annual report

[Repealed]

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

65 Obligation to prepare annual report

[Repealed]

Section 65: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

66 Form and content of annual report

[Repealed]

Section 66: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

67 Form and content of statement of service performance

[Repealed]

Section 67: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

68 Form and content of annual financial statements*[Repealed]*

Section 68: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

69 Statement of responsibility*[Repealed]*

Section 69: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

70 Audit*[Repealed]*

Section 70: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

71 Obligation to provide annual report to Minister*[Repealed]*

Section 71: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

72 Minister to present annual report to House of Representatives*[Repealed]*

Section 72: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

*Review of NZTE's operations and performance**[Repealed]*

Heading: repealed, on 25 January 2005, pursuant to section 200 of the Crown Entities Act 2004 (2004 No 115).

73 Review of NZTE's operations and performance*[Repealed]*

Section 73: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Part 3

Miscellaneous provisions

Dissolution of former agencies

- 74 Former agencies dissolved**
The former agencies are dissolved.

Transitional provisions

- 75 Assets and liabilities vest in NZTE**
All rights, assets, liabilities, and debts that a former agency had immediately before the commencement of this Act must be treated as the rights, assets, liabilities, and debts of NZTE on that commencement.
- 76 Transfer of employees**
NZTE may, after consulting the employee concerned, transfer a person who is employed by a former agency immediately before the commencement of this Act to NZTE.
- 77 Terms and conditions of employment for transferred employee**
- (1) The employment of a transferred employee must be on terms and conditions no less favourable to the transferred employee than those applying to the employee immediately before the date of the person's transfer to NZTE.
 - (2) Subsection (1)—
 - (a) continues to apply to the terms and conditions of employment of a transferred employee until those terms and conditions are varied by agreement between the transferred employee or his or her representative and NZTE; but
 - (b) does not apply to a transferred employee who receives any subsequent employment with NZTE.
- 78 Continuity of employment**
- (1) Every transferred employee becomes an employee of NZTE on the date of transfer.

- (2) However, for the purposes of every enactment, law, determination, contract, and agreement relating to the employment of the employee,—
- (a) the contract of employment of that employee must be treated as unbroken; and
 - (b) the employee's period of service with a former agency, and every other period of service of that employee that is recognised by a former agency as continuous service, must be treated as a period of service with NZTE.

79 No compensation for technical redundancy

A transferred employee is not entitled to receive any payment or any other benefit solely on the ground that—

- (a) the position held by the person in a former agency has ceased to exist; or
- (b) the person has ceased (as a result of the transfer to NZTE) to be an employee of a former agency.

80 Final reports and accounts

- (1) As soon as practicable after the commencement of this Act, NZTE must arrange for the final report of each former agency to be delivered to the Minister.
- (2) The report must—
 - (a) describe the former agency's operations for the period beginning on 1 July 2002 and ending with the close of 30 June 2003; and
 - (b) include—
 - (i) financial statements of that agency prepared, in accordance with Part 5 of the Public Finance Act 1989, for that period; and
 - (ii) an audit report prepared by the Auditor-General and a statement of responsibility relating to those financial statements.
- (3) The Minister must present a copy of every report under this section to the House of Representatives under section 44A of the Public Finance Act 1989.

81 References to former agency

Unless the context otherwise requires, every reference to a former agency in any enactment, agreement, deed, instrument, application, notice, or in any other document in force immediately before the commencement of this Act must, on or after that commencement, be read as a reference to NZTE.

82 Proceedings of former agency

- (1) Any proceedings to which a former agency is a party before the commencement of this Act may be continued, completed, and enforced by or against NZTE.
- (2) This section is for the avoidance of doubt.

Application of Public Records Act 2005

Heading: substituted, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

83 Public Records Act 2005 to apply

NZTE is a public office for the purposes of the Public Records Act 2005.

Section 83: substituted, on 21 April 2005, by section 67(1) of the Public Records Act 2005 (2005 No 40).

Consequential amendments

84 Consequential amendments

The Acts specified in Schedule 4 are amended in the manner indicated in that schedule.

Repeals

85 Repeals

The New Zealand Trade Development Board Act 1988 (1988 No 160) and the Industry New Zealand Act 2000 (2000 No 27) are repealed.

Schedule 1
Members' duties

s 14(2)

[Repealed]

Schedule 1: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 2
Membership of board

s 14(2)

[Repealed]

Schedule 2: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 3
Procedure of board

s 14(2)

[Repealed]

Schedule 3: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 4
Acts amended

s 84

[Repealed]

Schedule 4: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
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Notes

1 *General*

This is a reprint of the New Zealand Trade and Enterprise Act 2003. The reprint incorporates all the amendments to the Act as at 21 April 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

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/legislation/reprints.shtml> or Part 8 of the *Tables of 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)*

Public Records Act 2005 (2005 No 40): section 67(1)
Crown Entities Act 2004 (2004 No 115): section 200
