

Version
as at 28 October 2021



Union Representatives Education Leave Act Repeal Act 1992

Public Act 1992 No 102
Date of assent 12 November 1992
Commencement see section 1(2)

Contents

	Page
Title	2
1 Short Title and commencement	2
2 Interpretation	2
Part 1	
Repeal of Act and dissolution of Authority	
3 Repeals	2
4 Dissolution of Authority	3
5 Vacation of office by members of Authority	3
6 Final report of Authority	3
Part 2	
Provisions incidental to repeal of Act and dissolution of Authority	
7 Power of Minister of Labour to exercise the Crown's powers as lessee	3

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Business, Innovation, and Employment.

8	Power of Secretary of Labour to exercise powers on behalf of the Crown	4
9	Certain matters not affected	4
10	Amendment to Public Bodies Contracts Act 1959	5
11	Amendment to Local Authorities (Members' Interests) Act 1968	5
12	Amendment to Ombudsmen Act 1975	5

An Act to repeal the Union Representatives Education Leave Act 1986, and to make provision incidental thereto

Be it enacted by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Union Representatives Education Leave Act Repeal Act 1992.
- (2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council.
- (3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 1(2): Union Representatives Education Leave Act Repeal Act 1992 brought into force, on 4 December 1992, by clause 2 of the Union Representatives Education Leave Act Repeal Act Commencement Order 1992 (SR 1992/331).

Section 1(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

2 Interpretation

In this Act, unless the context otherwise requires, **Authority** means the Trade Union Education Authority established by the Union Representatives Education Leave Act 1986.

Part 1
Repeal of Act and dissolution of Authority

3 Repeals

- (1) The Union Representatives Education Leave Act 1986 and the Union Representatives Education Leave Amendment Act 1991 are hereby repealed.

- (2) The following enactments are hereby consequentially repealed:
(a), (b) *Amendment(s) incorporated in the Act(s)*.

4 Dissolution of Authority

As from the commencement of this Act,—

- (a) the Authority shall be dissolved; and
- (b) all real and personal property of the Authority and all rights and liabilities of the Authority shall vest in the Crown; and
- (c) all proceedings pending by or against the Authority may be carried on, completed, or enforced by or against the Crown.

5 Vacation of office by members of Authority

- (1) Every person who, immediately before the commencement of this Act, holds office as a member of the Authority shall be deemed, as from the commencement of this Act, to have vacated that office.
- (2) No person who, under subsection (1), is deemed to have vacated office as a member of the Authority shall be entitled to compensation for loss of office as a member of the Authority.

6 Final report of Authority

- (1) As soon as reasonably practicable after the commencement of this Act, the Secretary of Labour shall arrange for a final report of the Authority to be sent to the Minister of Labour showing the Authority's operations for the period beginning with 1 July 1992 and ending with the commencement of this Act, and shall attach to the report a copy of the Authority's accounts for that period certified by the Audit Office.
- (2) A copy of the report and accounts shall be laid before the House of Representatives as soon as practicable after their receipt by the Minister of Labour.

Part 2

Provisions incidental to repeal of Act and dissolution of Authority

7 Power of Minister of Labour to exercise the Crown's powers as lessee

- (1) Notwithstanding any Act, rule of law, or agreement or any other provision of this Act, where the estate or interest of the lessee under any deed of lease or memorandum of lease is, by virtue of section 4(b), vested in the Crown, the Minister of Labour may, on behalf of the Crown,—
 - (a) surrender any such deed of lease or memorandum of lease for such consideration and on such terms and conditions as the Minister of Labour may agree with the lessor for the time being; or

- (b) assign any such deed of lease or memorandum of lease for such consideration and on such terms and conditions as the Minister of Labour may agree with the assignee; or
 - (c) sublet the premises demised by any such deed of lease or memorandum of lease or any part of those premises for such consideration and on such terms and conditions as the Minister of Labour may agree with the sublessee; or
 - (d) exercise any of the lessee's rights, powers, and authorities under any such deed of lease or memorandum of lease.
- (2) The Minister of Labour shall lay before the House of Representatives any contract or other document entered into pursuant to paragraph (a) or paragraph (b) or paragraph (c) of subsection (1) within 12 sitting days after the date of that contract or document.

8 Power of Secretary of Labour to exercise powers on behalf of the Crown

Notwithstanding any Act, rule of law, or agreement, the Secretary of Labour may, on behalf of the Crown, exercise—

- (a) in respect of any real or personal property vested in the Crown by section 4(b), any powers (other than powers conferred on the Minister of Labour by section 7 in relation to any deed of lease or memorandum of lease to which that section applies) that the Authority could have exercised in respect of that property had it not been dissolved; and
- (b) in respect of any rights or liabilities vested in the Crown by section 4(b) and in respect of any proceedings to which section 4(c) applies, any of the rights, powers, and authorities that the Authority could have exercised in respect of any such rights, liabilities, or proceedings had it not been dissolved.

9 Certain matters not affected

Nothing effected or authorised by this Act—

- (a) shall be regarded as placing the Authority, or the Crown, or any other person in breach of contract or confidence or as otherwise making any of them guilty of a civil wrong; or
- (b) shall be regarded as giving rise to a right for any person to terminate or cancel any contract or arrangement or to accelerate the performance of any obligation; or
- (c) shall be regarded as placing the Authority, or the Crown, or any other person in breach of any enactment or rule of law or contractual provision prohibiting, restricting, or regulating the assignment or transfer of any property or the disclosure of any information; or
- (d) shall release any surety wholly or in part from any obligation; or
- (e) shall invalidate or discharge any contract or security.

10 Amendment to Public Bodies Contracts Act 1959

Amendment(s) incorporated in the Act(s).

11 Amendment to Local Authorities (Members' Interests) Act 1968

Amendment(s) incorporated in the Act(s).

12 Amendment to Ombudsmen Act 1975

Amendment(s) incorporated in the Act(s).

Notes**1 *General***

This is a consolidation of the Union Representatives Education Leave Act Repeal Act 1992 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Secondary Legislation Act 2021 (2021 No 7): section 3

Union Representatives Education Leave Act Repeal Act Commencement Order 1992 (SR 1992/31)