



ANALYSIS

Title
1. Short Title

2. Minister of Overseas Trade and Marketing, Minister of Regional Development, and Minister of Consumer Affairs may exercise powers of Minister
3. Control of imports
4. Continuation of licensing of certain industries

1987, No. 72

An Act to amend the Trade and Industry Act 1956

[8 April 1987

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Trade and Industry Amendment Act 1987, and shall be read together with and deemed part of the Trade and Industry Act 1956 (hereinafter referred to as the principal Act).

2. Minister of Overseas Trade and Marketing, Minister of Regional Development, and Minister of Consumer Affairs may exercise powers of Minister—(1) The principal Act is hereby amended by repealing section 2A (as inserted by section 2 (1) of the Trade and Industry Amendment Act 1977 and amended by section 2 (1) of the Trade and Industry Amendment Act 1985), and substituting the following section:

“2A. Any right, power, discretion, or authority that may be exercised by the Minister of Trade and Industry under this Act may also be exercised, at any time and in his or her own name by the Minister of Overseas Trade and Marketing or the Minister of Regional Development or the Minister of Consumer Affairs severally; and, where any such right, power, discretion,

or authority, is so exercised by the Minister of Overseas Trade and Marketing or the Minister of Regional Development or the Minister of Consumer Affairs, all the provisions of this Act that would apply in respect thereof if that right, power, discretion, or authority had been exercised by the Minister of Trade and Industry shall apply (with all necessary modifications) in respect thereof as if every reference in those provisions to the Minister of Trade and Industry were a reference to the Minister of Overseas Trade and Marketing or the Minister of Regional Development or the Minister of Consumer Affairs, as the case may be.”

(2) Section 2 (1) of the Trade and Industry Amendment Act 1977 and section 2 (1) of the Trade and Industry Amendment Act 1985 are hereby consequentially repealed.

3. Control of imports—(1) Section 16B of the principal Act (as inserted by section 4 of the Trade and Industry Amendment Act 1973 and as amended by section 2 (1) of the Trade and Industry Amendment Act 1980) is hereby amended by repealing subsection (3), and substituting the following subsection:

“(3) Any such conditional prohibition may allow—

“(a) The importation of goods—

“(i) Under the authority of a licence or a permit (whether granted before or after the importation of the goods) to be granted by the Minister or by any other prescribed person upon or subject to such terms or conditions (if any), not inconsistent with the provisions of the prohibition, as may be imposed by the Minister or other person granting the licence or permit; or

“(ii) On or subject to any other prescribed conditions whatsoever:

“(b) Payment of consideration to the Crown in respect of the application for or the granting of the licence or permit under paragraph (a) (i) of this subsection.”

(2) It is hereby declared that any payment received by the Crown on or after the 1st day of August 1984 and before the commencement of this Act as consideration for the granting of a licence or permit for the importation of goods into New Zealand pursuant to section 16B (3) of the principal Act shall be deemed to be, and always to have been, lawfully made and received.

(3) The Trade and Industry Amendment Act 1980 is hereby consequentially amended by repealing section 2.

4. Continuation of licensing of certain industries—The principal Act is hereby amended by repealing section 19 and paragraphs (a) and (b) of section 20 (2).

This Act is administered in the Department of Trade and Industry.
