

## APPLE AND PEAR MARKETING AMENDMENT BILL

### EXPLANATORY NOTE

THIS Bill contains miscellaneous amendments to the Apple and Pear Marketing Act 1948.

*Clause 2* provides for the appointment of a permanent Deputy Chairman of the Board and makes consequential amendments.

*Clause 3* authorises the Board to buy or erect houses or to make advances for the purchase of houses for the accommodation of its officers. The clause also permits the Board to insure its members against loss from personal accident suffered in the exercise of their duties.

*Clause 4:* Section 17 (4) of the principal Act authorises the Board to make allowances to growers in respect of the transport of fruit. The limit allowed is the amount which would be payable for transport if the fruit were sent from Nelson or Hawke's Bay to the district of the grower, according to which of those districts is more convenient of access to the grower. The amendment will enable the Minister, if he thinks fit, to authorise payments in excess of this limit.

*Hon. Mr Skinner*

## APPLE AND PEAR MARKETING AMENDMENT

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### ANALYSIS

Title	2. Deputy Chairman
1. Short Title	3. Provisions as to staff
	4. Cost of transportation

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### A BILL INTITULED

**An Act to amend the Apple and Pear Marketing Act 1948**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,  
5 as follows:

**1. Short Title**—This Act may be cited as the Apple and Pear Marketing Amendment Act 1959, and shall be read together with and deemed part of the Apple and Pear Marketing Act 1948 (hereinafter referred to as the principal  
10 Act).

**2. Deputy Chairman**—(1) Section three of the principal Act is hereby amended by inserting, after subsection two A, as inserted by section two of the Apple and Pear Marketing Amendment Act 1954, the following subsection:

15 “(2B) One of the members, other than the Chairman, shall be appointed as Deputy Chairman.”

(2) Subsection four of section three of the principal Act, as inserted by section two of the Apple and Pear Marketing Amendment Act 1950, is hereby amended by inserting, after  
20 the word “Chairman”, the words “or Deputy Chairman”.

(3) The principal Act is hereby amended by repealing section seven, and substituting the following section:

“7. (1) In any case in which the Minister is satisfied that any member of the Board is incapacitated by illness or other sufficient cause from performing the duties of his office, the Minister may appoint a deputy to act for that member during his incapacity. 5

“(2) Any deputy appointed under this section to act for a member appointed under paragraph (b) of subsection two of section three of this Act shall be nominated by the Fruit-growers’ Federation and the deputy of the Chairman shall be appointed after consultation with that Federation. 10

“(3) Any deputy appointed under this section shall, while he acts as such, be deemed to be a member of the Board.

“(4) No appointment of a deputy and no acts done by him as such, and no act done by the Board while any deputy is acting as such, shall in any proceedings be questioned on the ground that the occasion for his appointment had not arisen or had ceased”. 15

(4) Section eight of the principal Act is hereby amended by repealing subsection six, as substituted by section four of the Apple and Pear Marketing Amendment Act 1950, and substituting the following subsection: 20

“(6) In the absence of the Chairman from New Zealand or from any meeting of the Board, or in the event of the Chairman being incapacitated by illness or other sufficient cause from performing the duties of his office, the Deputy Chairman shall have all the powers of the Chairman in respect of any functions to be exercised in New Zealand. In the absence of both the Chairman and the Deputy Chairman from any meeting of the Board, the members present shall elect a member to preside at that meeting and the member presiding shall have all the powers of the Chairman in respect of that meeting.” 25 30

(5) Sections three and four of the Apple and Pear Marketing Amendment Act 1950 are hereby repealed. 35

**3. Provisions as to staff**—(1) Section ten of the principal Act is hereby amended by inserting, after section three B, as inserted by section four of the Apple and Pear Marketing Amendment Act 1954, the following subsections: 40

“**(3c)** The Board may, if in its opinion it is expedient to do so, purchase sites and erect houses, or purchase houses for the use of its officers, or make advances, on such terms and conditions as it thinks fit, to its officers for the purpose  
5 of enabling those officers to purchase or erect houses for their own use. Where pursuant to this subsection the Board erects or purchases any house it may let the house to any such officer as aforesaid for such term and at such rent and otherwise upon such terms and conditions as it thinks fit.

10 “**(3d)** The Board may from time to time enter into contracts of insurance insuring members of the Board against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members, and may pay the premiums payable in respect of any such contracts.”

15 (2) This section shall be deemed to have come into force on the first day of December, nineteen hundred and fifty-eight.

**4. Cost of transportation—**(1) Subsection four of section seventeen of the principal Act is hereby amended by inserting in the proviso, after the words “shall not”, the words “, except  
20 with the prior approval of the Minister and subject to such conditions as he thinks fit to impose,”.

(2) This section shall be deemed to have come into force on the first day of November, nineteen hundred and fifty-eight.