

DAIRY BOARD BILL

EXPLANATORY NOTE

THIS Bill re-enacts the legislation constituting the New Zealand Dairy Board and prescribes the powers and functions of the Board.

The Board was originally constituted by the Dairy Produce Act 1923, when its principal function was to regulate and control the export of dairy produce. The Board was reconstituted by Part II of the Agriculture (Emergency Powers) Act 1934 and its powers extended to include the control of dairy produce intended for local consumption. The functions of the Board in respect of the marketing of dairy produce were transferred to the Marketing Department by the Marketing Act 1936, and in 1947 those functions were, in turn, transferred to the Dairy Products Marketing Commission.

The original functions of the Board have therefore been mainly transferred to other organizations, but it has continued to act in an advisory capacity and to assist in the development of the dairy industry. It also exercises other functions under powers conferred by regulations under the Agriculture (Emergency Powers) Act 1934.

The purpose of the Bill is to consolidate the existing legislation relating to the Board (now found in eleven different enactments) and to define its functions more accurately.

No material change is made to the present law, and the provisions of the Bill relating to the functions of the Board include power to exercise all those functions which the Board is at present carrying out either under existing Acts or under regulations.

The principal functions of the Board, prescribed in *clause 12*, will be to promote and organize the orderly development of the dairy, bobby calf, and pig production industries with a view to the promotion of their greater efficiency.

Powers of the Board with respect to stock or produce associated with the dairy industry include—

- (a) Power to carry out measures for the improvement of any such stock or produce:
- (b) Power to promote research in respect of the improvement of any such stock or produce:
- (c) Power to advertise any such produce:
- (d) Power to promote the diffusion of information in respect of any such stock or produce for the benefit of persons engaged in the dairy industry.

Clause 13 gives specific authority to the Board to carry out functions which it is now carrying out under regulations under the Agriculture (Emergency Powers) Act 1934. Provision is made for the Board to regulate and control the marketing of bobby calves and to regulate the supply of containers used for the packing of dairy produce. It also will have authority to acquire and market vells derived from bobby calves and to administer zoning schemes in respect of the supply of milk or cream to dairy factories.

The expenses of the Board will be met, as heretofore, from levies on dairy produce.

Hon. Mr. Holyoake

DAIRY BOARD

ANALYSIS

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A BILL INTITULED

AN ACT to provide for the constitution of the New Zealand Dairy Board and to make provision with respect to its powers and functions.

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

1. (1) This Act may be cited as the Dairy Board Act 1953.
- 10 (2) This Act shall come into force on the first day of January, nineteen hundred and fifty-four.

Short Title and commencement.

Interpretation.

1923, No. 28,
s. 3;
1934, No. 34,
s. 11;
1948, No. 32,
s. 2 (2)

New Zealand
Dairy Board.

See Reprint
of Statutes,
Vol. VIII,
p. 659
1934, No. 34,
s. 10;
1948, No. 32,
s. 2 (1)

2. In this Act, unless the context otherwise requires,—

- “ Board ” means the New Zealand Dairy Board.
- “ Company ”, when used in relation to the owner or occupier of a dairy factory, includes any person or association of persons whether incorporated or not: 5
- “ Containers ” means butter boxes, cheese crates, and milk powder containers, either complete or in parts: 10
- “ Dairy factory ” means a factory engaged in the manufacture of butter, cheese, condensed milk, preserved milk, dried milk, sugar of milk, or casein:
- “ Dairy produce ” includes— 15
- (a) Milk and cream; and
- (b) Butter, cheese, and all other products of milk or cream, whether produced therefrom by manufacturing processes or otherwise:
- “ Minister ” means the Minister of Agriculture. 20
3. (1) There shall continue to be a Board to be known as the New Zealand Dairy Board which shall be the same Board as that established by the Dairy Produce Act 1923 and existing under the same name immediately prior to the commencement of this Act. 25
- (2) The Board shall consist of eight members appointed or elected as follows:
- (a) One member who shall be appointed by the Governor-General on the recommendation of the Minister: 30
- (b) Five members, of whom one shall be elected for each of the wards constituted by section *nine* of this Act by the companies being owners or occupiers of dairy factories situated within the said wards respectively, exclusive of the New Zealand Co-operative Dairy Company, Limited: 35
- (c) Two members who shall be appointed by the New Zealand Co-operative Dairy Company, Limited. 40

(3) The Board shall be a body corporate with perpetual succession and a common seal, and shall be capable of holding real and personal property, and of suing and being sued, and of doing and suffering all such other acts and things as bodies corporate may lawfully do and suffer.

1923, No. 28,
s. 5

4. (1) Except as otherwise provided by this Act, every member of the Board, unless he sooner vacates his office, shall hold office for a term of four years, but may from time to time be reappointed or re-elected.

Terms of office
of members
of Board.

1948, No. 32,
s. 3

(2) Each member of the Board in office at the commencement of this Act shall, subject to the provisions of this Act, continue in office for a term of four years from the date of his appointment or election or from the thirtieth day of June in the year of his appointment or election, whichever date is the later.

(3) Notwithstanding anything to the contrary in this Act, every member of the Board, unless he sooner vacates his office, shall continue in office until his successor comes into office.

5. (1) The Chairman and the Deputy Chairman of the Board shall be elected by the Board from among its members at a meeting held in the month of July next after the commencement of this Act, and thereafter in the same month in each succeeding year.

Chairman
and Deputy
Chairman of
Board.

1934, No. 34,
s. 21 (5), (6)

(2) The persons holding office as Chairman and Deputy Chairman of the Board at the commencement of this Act shall continue to hold office until their successors are elected in accordance with this section.

6. (1) In any case in which the Minister is satisfied that any member of the Board is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Minister may, on the recommendation of the Board in the case of an elected member, and on the recommendation of the New Zealand Co-operative Dairy Company, Limited, in the case of a member appointed by that company, appoint a deputy to act for that member during his incapacity, and any such deputy shall, while he acts as such be deemed to be a member of the Board.

Deputies
of members.
Ibid., s. 17

(2) 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. 5

Extraordinary vacancies.
1934, No. 34,
s. 16 (1), (3),
(4)

7. (1) Any member of the Board may at any time be removed from office by the Governor-General for disability, bankruptcy, neglect of duty, or misconduct proved to the satisfaction of the Governor-General, or may at any time resign his office by written notice given to the Minister. 10

(2) If any member of the Board dies or resigns, or is removed from office, the vacancy shall be deemed to be an extraordinary vacancy.

(3) Except as provided by section *eight* of this Act, an extraordinary vacancy shall be filled by the appointment of some person in the same manner as the appointment of the vacating member. 15

(4) Every person appointed or elected to fill an extraordinary vacancy shall be appointed or elected for the residue of the term for which the vacating member was appointed or elected. 20

(5) The powers of the Board shall not be affected by any vacancy in the membership thereof.

Filling extraordinary vacancy where member elected.
Ibid., s. 16 (2)

8. (1) In the event of an extraordinary vacancy in the office of an elective member of the Board the vacancy shall be filled by an election in the manner prescribed by regulations made under this Act: 25

Provided that where any such vacancy occurs within six months before the expiry of the term of office of the member whose office has become vacant, the Board may by resolution determine— 30

(a) That the vacancy shall be filled by appointment by the Board of a person qualified to be elected as a member; or 35

(b) That the vacancy shall not be filled until the next election of members is held.

(2) Every person appointed by the Board pursuant to this section shall for all purposes be deemed to have been elected to fill the vacancy. 40

Election of members.
1948, No. 32,
ss. 4, 5

9. (1) For the purposes of the election of the elective members of the Board, New Zealand is hereby divided into five wards having the names and boundaries set out in the *First* Schedule to this Act.

(2) The first election of the elective members of the Board after the commencement of this Act shall be held in the month of June, nineteen hundred and fifty-four.

5 (3) A person shall be appointed under the provisions of the Public Service Act 1912 to act as Returning Officer; and the Returning Officer shall, at the expense of the Board, make all necessary arrangements for the conduct of elections under this Act.

1934, No. 34,
s. 19
See Reprint
of Statutes,
Vol. VII, p. 522

10 (4) The cost of every election shall be paid by the Board out of its general account.

(5) Every election under this Act shall be conducted by post and the voting papers when completed shall be posted to the Returning Officer.

1934, No. 34,
s. 20

15 (6) The Returning Officer shall compute the value of all votes received by him within the appointed time as follows:

20 (a) In respect of each company entitled to vote he shall ascertain the quantity of butter, cheese, and other products of milk or cream manufactured by the company at any dairy factory or factories within the ward during the last preceding financial year of the company. For the purposes of this paragraph a certificate under the hand of the Government Statistician as to the quantity of butter, cheese, or other such products manufactured at any dairy factory during the said period shall be accepted by the Returning Officer as conclusive evidence of the facts certified to:

25
30 (b) The Returning Officer shall then proceed to ascertain, in accordance with the following provisions of this section, the value, expressed in terms of tonnage votes, of the votes recorded by the several companies.

35 (7) For the purposes of paragraph (b) of subsection *six* of this section the vote recorded by any company shall be expressed in terms of tonnage votes as follows:

40 (a) For every ton of butter manufactured by the company at any dairy factory or factories within the ward in the period referred to in subsection *six* of this section, and for the equivalent of every ton of butter so manufactured, the company shall be entitled to one
45 **tonnage vote:**

(b) Two tons of cheese shall be the equivalent of one ton of butter:

(c) Two thousand pounds of the butterfat comprised in any other manufactured product of milk or cream shall be the equivalent of one ton of butter. 5

(8) The candidate for election for any ward who receives the greatest number of tonnage votes, ascertained in accordance with the foregoing provisions of this section, shall be deemed to be elected for that ward. 10

(9) Except as expressly provided by this Act, elections under this section shall be conducted in accordance with regulations made under this Act.

10. (1) Meetings of the Board shall be held at such times and places as the Board from time to time 15 determines.

(2) The Chairman of the Board, or any three members thereof, may at any time call a special meeting of the Board.

(3) At all meetings of the Board the quorum 20 necessary for the transaction of business shall be four members.

(4) The Chairman shall preside at all meetings of the Board at which he is present.

(5) In the absence of the Chairman from any meeting 25 the Deputy Chairman shall preside, and in the absence of both the Chairman and the Deputy Chairman from any meeting the members of the Board present shall appoint one of their number to preside.

(6) All questions arising at any meeting of the 30 Board shall be decided by a majority of the valid votes recorded therein.

(7) A resolution in writing signed, or assented to by letter or telegram, by all members of the Board shall be as valid and effectual as if it had been passed at 35 a meeting of the Board duly called and constituted.

(8) At any meeting of the Board the Chairman or other person presiding shall have a deliberative vote, and, in the case of an equality of votes, shall also have a casting vote. 40

(9) Subject to the provisions of this Act and of any regulations thereunder, the Board may regulate its procedure in such manner as it thinks fit.

Meetings
of Board.
1934, No. 34,
s. 21;
1948, No. 32,
s. 5

11. (1) The Board may from time to time appoint a committee or committees, consisting of two or more persons, and may from time to time, with the consent of the Minister, delegate to any such committee any of the powers or functions of the Board, other than the power to fix the amount of any levy which the Board is authorized by this Act to impose.

Committees.
1934, No. 34,
s. 22

(2) Any person may be appointed to be a member of a committee under this section, notwithstanding that he is not a member of the Board.

12. (1) The principal functions of the Board shall be to promote and organize the orderly development of the dairy, bobby calf, and pig industries in New Zealand with a view to maintaining and improving the standard of quality of the stock or produce derived from those industries and expanding production of that stock or produce, and generally for ensuring, as far as may be practicable, the adoption of measures and practices designed to promote greater efficiency in those industries, in furtherance of the interests and welfare of persons engaged therein.

Functions
of Board.
1924, No. 30,
s. 2;
1931, No. 44,
s. 50;
1934, No. 34,
s. 27;
1937, No. 17,
s. 39;
1939, No. 3,
s. 11

(2) The Board shall have all such powers, rights, and privileges as may reasonably be necessary or expedient to enable it to carry out its functions, and in particular it may from time to time—

- (a) Devise, promote, and carry out, by such means as commend themselves to the Board, measures for the improvement of dairy stock or pigs, or produce derived from dairy stock or pigs, including the testing for production or quality of dairy cattle or pigs and the development of artificial breeding of dairy cattle and pigs:
- (b) Promote, by way of subsidy, or otherwise, the carrying out of any research or experimental work undertaken in New Zealand or elsewhere with a view to improving the quality of dairy stock or pigs, or produce derived from dairy stock or pigs:
- (c) Advertise or give publicity to the merits and quality of dairy produce or pig products with a view to promoting the consumption thereof:

- (d) Promote and organize, by such means as the Board thinks fit, the diffusion of information in relation to the dairy, bobby calf, or pig industries for the benefit and guidance of persons engaged in any of those industries: 5
- (e) Undertake or carry out, with the prior approval of the Minister, any other act, matter, or thing in relation to the dairy, bobby calf, or pig industries which the Minister considers to be necessary or desirable in the interests of persons engaged in any of those industries: 10
- (f) Act in combination or association with any body of persons, whether incorporated or not and whether in New Zealand or elsewhere, that may be engaged, concerned, or interested in the production, marketing, or distribution of any of the products of the agricultural, pastoral, or horticultural industries, and share the costs and expenses involved in any such combination or association, or subscribe for or otherwise acquire shares or other interests in any body corporate or other body established for the purpose of giving effect to any such combination or association, in such manner as may be mutually agreed upon. 20 25

(3) The Board shall have such other functions, powers, and duties as are conferred on it by this Act and by any Act other than this Act or any regulations made under any such Act.

13. (1) The Board, in accordance with regulations under section *twenty-six* of this Act, shall have authority to— 30

- (a) Regulate and control the marketing of bobby calves and vells derived from bobby calves: 35
- (b) Regulate and control the supply of containers to the owners or occupiers of dairy factories: 40
- (c) Promote and administer schemes providing for a system of zoning in respect of the supply of milk or cream to dairy factories or other establishments used for the receipt or storage of milk or cream.

Further functions of Board in respect of bobby calves, containers, and zoning of supplies of milk or cream.

(2) Without limiting the general powers conferred by subsection *one* of this section, it is hereby declared that regulations may be made under section *twenty-six* of this Act making provision—

- 5 (a) For the establishment, constitution, and functions of committees to supervise and control the distribution and marketing of bobby calves in prescribed areas:
- 10 (b) For the purchase and disposal by the Board of vells derived from bobby calves at prices determined by the Board in accordance with the regulations, and for the arrangements to be made in respect of moneys to be provided or received in respect of any such purchase or disposal:
- 15 (c) For the prevention of cruelty to bobby calves:
- (d) For the purchase by the Board of containers and for the exclusive right of the Board to supply containers to owners or occupiers of dairy
- 20 factories:
- (e) For the licensing of manufacturers of containers and prescribing the conditions subject to which licences may be granted, refused, renewed, or revoked:
- 25 (f) For the fixing of prices in respect of containers purchased or supplied by the Board:
- (g) For the definition and assignment of areas from which milk or cream may be delivered to or collected by owners or occupiers of specified
- 30 dairy factories or other establishments and of routes along which any such delivery or collection shall take place:
- (h) For the resumption by any company owning or occupying a dairy factory or other establishment of shares held in the company by a
- 35 person formerly supplying milk or cream to the factory or other establishment and prevented by or pursuant to the regulations from continuing any such supply:
- 40 (i) For any necessary assignments or adjustments of or in respect of orders given by suppliers of milk or cream to dairy factories or other establishments on moneys due from the owners or occupiers of any such factories or estab-
- 45 lishments in cases where the supply of milk

or cream by any person who has given any such order is, pursuant to a zoning scheme established under the regulations, diverted from one dairy factory or establishment to another during the currency of the order: 5

- (j) For the assessment and payment of compensation for loss incurred to the owner of a dairy factory or other establishment prejudicially affected by the operation of regulations under this Act providing for a system of zoning in respect of the supply of milk or cream to that factory or establishment. 10

Levy on dairy produce.
1934, No. 34,
s. 23

14. (1) For the purpose of providing funds to enable the Board to carry out its functions there shall be paid to the Board, by way of a general levy on dairy produce manufactured for sale, such charges as may from time to time be fixed by the Board, not exceeding in any case the maximum charges that may be prescribed by regulations under this Act. 15

(2) Differential charges may be prescribed in respect of dairy produce exported from New Zealand and dairy produce intended for consumption in New Zealand. 20

Superannuation for employees of dairy companies.
1952, No. 61,
s. 2

15. (1) Subject to the approval of the Minister of Finance, the Board is hereby authorized to promote, establish, maintain, and vary a scheme for the purpose of providing payment, by the Board or the National Provident Fund Board or any other corporate body, of superannuation or retiring allowances for employees, or any class or classes of employees, of companies owning or occupying dairy factories and for the time being liable for the payment of the special levy imposed under this section. 25

(2) As a contribution by companies towards the scheme there shall be paid to the Board by every company not exempt as hereinafter provided from the provisions of this section, by way of a special levy on dairy produce manufactured for sale, such charges as may from time to time be fixed by the Board, not exceeding in any case the maximum charges prescribed by regulations under this Act. 40

(3) Any such charges may be prescribed pursuant to this section in respect of all dairy produce or in respect of specified kinds of dairy produce only, and differential charges may be prescribed in respect of different kinds of dairy produce. 45

(4) The proceeds of any special levy imposed under subsection *two* of this section, and all other moneys payable to the Board under the scheme, shall be paid into a separate account of the Board to be called the Dairy Industry Superannuation Account; and the Board may make such payments out of that account as are necessary for the purposes of the scheme.

(5) The Board may exempt any company from the operation of this section if, on or before the commencement of this Act, the company has established and maintains a scheme which in the opinion of the Board is a satisfactory scheme for the purpose of providing superannuation or retiring allowances for employees of the company.

(6) The Board may, in its discretion, exempt from the operation of this section any company whose principal function is not the manufacture of dairy produce in respect of which a levy is payable under this section.

(7) Any exemption under this section shall be given by the Board by notice in writing addressed to the company concerned.

16. (1) The Board may establish in the name of the Board at any branch of the Bank of New Zealand such accounts as it deems necessary or convenient for the exercise of its powers and functions under this Act.

Board may establish accounts and special funds.

(2) Every such account shall be operated on by cheque signed by such person or persons as may from time to time be authorized in that behalf by the Board.

(3) The Board may from time to time establish such special funds or reserves as it deems necessary or expedient for any purpose contemplated by this Act.

17. Any money belonging to the Board and available for investment, including any moneys to the credit of the Dairy Industry Superannuation Account established pursuant to section *fifteen* of this Act or other special fund or reserve account, may from time to time be invested by the Board in any manner authorized by or under the Trustee Act 1908 or any other Act for the investment of trust funds or in such other securities as may for the time being be authorized by the Minister of Finance.

Investment of funds of Board.
Cf. 1952,
No. 61, s. 4

18. The Board may in any financial year expend out of its general funds for purposes not authorized by this or any other Act any sum or sums not amounting in the whole to more than one hundred pounds.

See Reprint of Statutes, Vol. VIII, p. 873

Unauthorized expenditure.

Borrowing
powers.

19. The Board may, with the consent of the Minister of Finance and upon and subject to such conditions as that Minister thinks fit, borrow moneys and mortgage or charge any of its real or personal property.

Appointment
of officers.
1934, No. 34,
s. 24

20. (1) The Board may appoint such officers as it deems necessary for the efficient carrying out of its functions under this Act. 5

(2) Any person in the service of the Crown may be appointed to be an officer of the Board, but no person shall be entitled to hold office concurrently as an officer of the Board and as a servant of the Crown except— 10

See Reprint
of Statutes,
Vol. VII, p. 522

(a) In the case of a person subject to the Public Service Act 1912, with the consent of the Public Service Commission; and

(b) In any other case, with the consent of the Minister to whose control he is subject. 15

(3) The Board may, out of its funds, make payments to or subsidize the National Provident Fund or any fund or scheme established with the approval of the Governor-General in Council for the purpose of providing superannuation or retiring allowances for its officers and servants. 20

Fees and
travelling
allowances.

21. (1) There shall be paid by the Board to the Chairman and to the other members of the Board and to the members of any committee or subcommittee appointed by the Board such remuneration by way of fees or allowances as the Minister of Finance from time to time approves, either generally or in any particular case. 25

(2) The members of the Board or of any committee or subcommittee appointed by the Board shall be paid by the Board such travelling expenses and allowances as may from time to time be prescribed by regulations made under this Act or as may be approved by the Minister of Finance in any case to which no such regulations apply. 30 35

Contracts
of Board.
1923, No. 28,
s. 6

22. (1) Any contract which, if made between private persons, must be by deed shall, if made by the Board, be in writing under the common seal of the Board.

(2) Any contract which, if made between private persons, must be signed by the parties to be charged therewith shall, if made by the Board, be either under the common seal of the Board or signed by two members of the Board on behalf of or by direction of the Board. 45

(3) Any contract which, if made between private persons, may be made orally may be similarly made by or on behalf of the Board by any member acting by direction of the Board, but no oral contract shall
5 be made for any sum exceeding fifty pounds.

(4) Notwithstanding anything to the contrary in the foregoing provisions of this section, no contract made by or on behalf of the Board shall be invalid by reason only that it was not made in manner provided by this
10 section, if it was made pursuant to a resolution of the Board or to give effect to a resolution of the Board.

23. (1) The Board may, out of its funds, purchase, take on lease, hire, or otherwise acquire such land, buildings, plant, machinery, equipment, and livestock as
15 in the opinion of the Board are necessary for the performance of its functions.

Board may acquire and dispose of property.

(2) The Board may if it thinks fit sell, transfer, lease, hire, or otherwise dispose of any of its real or personal property.

(3) The Board may, out of its funds, if in its opinion it is expedient so to do, 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 of enabling those
20 officers to purchase houses for their own use.

(4) Where pursuant to subsection *three* of this section 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
25 and conditions as it thinks fit.

(5) The provisions of subsections *three* and *four* of this section shall not be construed to limit or affect in any way the generality of the powers conferred on the Board by the other provisions of this section.

24. The Board shall be exempt from land tax and income tax, and from the social security charge.

Exemption from taxation.

25. The accounts of the Board shall be subject to audit in the same manner in all respects as if the moneys of the Board were public moneys within the meaning
35 of the Public Revenues Act 1926.

Audit of accounts.
See Reprint of Statutes, Vol. VII, p. 10
1923, No. 28,
s. 18

Regulations.
Ibid., s. 20

26. (1) The Governor-General may from time to time, by Order in Council, make all such regulations as may be contemplated by this Act or as may in his opinion be necessary or expedient for giving effect to the provisions of this Act and for the due administration thereof. 5

(2) Without limiting the general power conferred by subsection *one* hereof, it is hereby declared that regulations may be made under this section for all or any of the following purposes:

(a) Prescribing the maximum amount of the general levies that may be imposed on dairy produce intended for consumption in New Zealand and on dairy produce intended to be exported from New Zealand for the purposes of section *fourteen* of this Act, and the methods to be adopted in the collection of any such levies: 10 15

(b) Prescribing the maximum amount of the special levies that may be imposed on dairy produce manufactured for sale for the purposes of section *fifteen* of this Act, and the methods to be adopted in the collection of any such levies: 20

(c) Regulating and controlling the testing for production or quality of dairy cattle or pigs:

(d) Obtaining any information or particulars that may be required for the effective performance of the functions of the Board under this Act: 25

(e) Prescribing fines not exceeding two hundred pounds for offences against any such regulations.

(3) All regulations made under this section shall be laid before Parliament within twenty-eight days after the date of the making thereof if Parliament is then in session, and, if not, shall be laid before Parliament within twenty-eight days after the date of the commencement of the next ensuing session. 30 35

(4) Regulations made under this section may be so made as to apply generally throughout New Zealand or within any specified part or parts thereof, or within the whole of New Zealand except such part or parts as may be specified in the regulations. 40

Repeals and savings.

See Reprint of Statutes, Vol. VII, p. 568

27. (1) The enactments specified in the *Second* Schedule hereto are hereby repealed.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this Act shall not affect any 45

document made or any thing whatsoever done under the provision so repealed or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the
 5 repeal and could have been made or done under this Act, shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was made or the thing was done.

SCHEDULES

Schedules.

FIRST SCHEDULE

Section 9

NAMES AND BOUNDARIES OF WARDS

Name of Ward	Definition of Boundaries
Northern Ward	All that portion of the North Auckland Land District lying northwards of the southern boundary of the County of Waitemata.
South Auckland Ward	All that portion of the North Auckland Land District not included in the Northern Ward, the whole of the Auckland Land District (with the exception of that part of the County of Waitomo lying within ten miles from the right bank of the mouth of the Mokau River), the whole of the Gisborne Land District, that part of the County of Wairoa which does not lie within the Gisborne Land District, and the whole of the Counties of Ohura and Kaitieke.
Taranaki Ward	The whole of the Taranaki Land District with the exception of the County of Ohura, together with that portion of the County of Waitomo not included in the South Auckland Ward, and together with that portion of the Wellington Land District lying north of the Waitotara River from its mouth to its junction with the boundary of the Taranaki Land District.
Wellington Ward	The whole of the Wellington Land District (with the exception of the County of Kaitieke, the Chatham Islands, and that part of the said district included in the Taranaki Ward), together with the whole of the Hawke's Bay Land District (with the exception of that part of the County of Wairoa included in that district), the Marlborough Land District, and the Nelson Land District with the exception of the Counties of Buller and Inangahua.
Southern Ward	That portion of the South Island of New Zealand which is not included in the Wellington Ward, together with Stewart Island and the Chatham Islands.

Section 27

SECOND SCHEDULE

ENACTMENTS REPEALED

- 1923, No. 28—
The Dairy Produce Act 1923. (Reprint of Statutes, Vol. VIII, page 659.)
- 1924, No. 30—
The Dairy Produce Amendment Act 1924. (Reprint of Statutes, Vol. VIII, page 668.)
- 1926, No. 19—
The Dairy Produce Amendment Act 1926. (Reprint of Statutes, Vol. VIII, page 669.)
- 1931, No. 44—
The Finance Act 1931 (No. 4): Section 50. (Reprint of Statutes, Vol. VIII, page 674.)
- 1934, No. 34—
The Agriculture (Emergency Powers) Act 1934: Part II, and paragraphs (d) and (e) of subsection (2) of section 27.
- 1935, No. 41—
The Finance Act (No. 2) 1935: Paragraph (b) of subsection (1) of section 37.
- 1936, No. 5—
The Marketing Act 1936: Part III.
- 1937, No. 17—
The Finance Act 1937: Sections 39 and 40.
- 1939, No. 3—
The Finance Act 1939: Section 11.
- 1948, No. 32—
The Dairy Produce Amendment Act 1948.
- 1952, No. 61—
The Dairy Produce Amendment Act 1952.