

Hon. Mr. Hawken.

DAIRY-PRODUCE EXPORT CONTROL AMENDMENT.

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A BILL INTITULED

AN ACT to amend the Dairy-produce Export Control Act, 1923. Title.

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

- 5 1. This Act may be cited as the Dairy-produce Export Control Amendment Act, 1926, and shall be read together with and deemed part of the Dairy-produce Export Control Act, 1923 (hereinafter referred to as the principal Act). Short Title.

*Election of Producers' Representatives.*

- 10 2. (1.) For the purposes of the election of producers' representatives as members of the Board established under the principal Act, New Zealand is hereby divided into wards, as set out in the *First* Schedule hereto. Each of the wards hereby constituted shall comprise 15 opposite the appropriate number of the ward as set out in the first column of that Schedule. Every ward shall include all boroughs and town districts situated within the boundaries of the counties included in the ward.
- (2.) When at any time after the passing of this Act a new county 20 is created the limits whereof are wholly within one ward, the new county shall be included within and form part of that ward.
- (3.) When at any time after the passing of this Act a new county is created the limits whereof extend into two or more wards, the new county shall be included within and shall form part of such one of

Division of New Zealand into wards for purposes of election of producers' representatives as members of Board.

those wards as the Governor-General by Order in Council determines. Any such Order in Council may be at any time revoked and another substituted therefor.

(4.) Where any area is not included within any ward by the operation of the foregoing provisions of this section, it shall form part of such ward as the Governor-General by Order in Council determines. 5

(5.) When at any time after the passing of this Act the boundaries of any county, borough, or town district included in a ward are altered, that alteration shall operate with respect to the ward, and the boundaries of the ward shall, if necessary, be deemed to be altered accordingly. 10

Governor-General may redefine wards after first election of producers' representatives.

3. (1.) Notwithstanding anything in the foregoing provisions of this Act, the Governor-General may, at any time after an election of producers' representatives has been held after the passing of this Act, by Order in Council redefine the boundaries of any of the wards herein constituted, and in so doing shall have regard to community of interest among the producers, and shall endeavour to secure so far as may be a nearer approximation to equality in the amount of dairy-produce annually produced for export within the several wards in the North Island and the several wards in the South Island respectively. 15 20

(2.) The provisions of any Order in Council under this section shall supersede the provisions of the *First* Schedule hereto so far as they may be inconsistent therewith.

(3.) Any Order in Council under this section may in like manner be varied from time to time; or any such Order in Council may be at any time revoked, in which case another Order in Council shall be substituted therefor. 25

Wards to be allotted to producers' representatives in office on passing of this Act.

4. (1.) Forthwith after the passing of this Act the Governor-General shall, by notice in the *Gazette*, allot to the several producers' representatives then in office as members of the Board the several wards constituted by this Act, so that one ward shall be allotted to each such member, who shall thereafter while he continues in office be deemed to have been elected as the representative for that ward. 30

(2.) In making an allotment under this section the Governor-General shall, if possible, secure that the representative for any ward shall be a person residing or having a place of business in that ward. 35

Future elections of producers' representatives to be on "ward" system.

5. (1.) When after the passing of this Act the office of a producers' representative for any ward becomes vacant, his successor shall be elected in the manner hereinafter provided in this Act.

(2.) At any election of a representative for any ward only those producers who supply milk or cream to a factory situated within that ward and manufacturing dairy-produce for export shall be entitled to vote, and every such producer shall have one vote and no more. 40

(3.) Every voting-paper at any such election shall have printed or written thereon the appropriate number of the ward and the name of the factory to which the supplier supplies milk or cream. 45

(4.) If any person is a supplier of milk or cream to two or more factories in one ward he shall be entitled to one vote only, but may elect to vote in respect of any one of such factories.

(5.) If any person is a supplier of milk or cream to two or more factories situated in different wards he shall be entitled to vote in respect of each of those wards. 50

6. (1.) Every election under this Act shall be conducted by post, and the voting-paper when marked by the voter shall be posted by him to the Returning Officer.

Mode of conducting elections.

5 (2.) On receipt of all the voting-papers for any ward the Returning Officer shall arrange them with reference to the factories to which the producers are suppliers, and shall ascertain with respect to each factory separately the number of valid votes recorded in favour of the several candidates.

10 (3.) The Returning Officer shall then ascertain separately with respect to each company by which any factory as aforesaid is owned or occupied the number of valid votes recorded in favour of the several candidates.

15 (4.) For the purposes of this and the *next succeeding* sections the term "company" includes any person or association of persons, whether corporate or unincorporate.

7. (1.) When the Returning Officer has ascertained in respect of each company the number of valid votes recorded in favour of the several candidates he shall proceed as follows.

Allotment to companies of tonnage votes.

20 (2.) In respect of each such company he shall ascertain the quantity of butter and of cheese, being the manufacture of that company at a factory or factories within the ward, that has been exported during the then last preceding period of twelve months commencing on the first day of April. For the purposes of this subsection a certificate under the hand of the Government Statistician as to the quantity of butter or  
25 cheese, being the manufacture of any company at a factory or factories within any ward, that has been exported during the said period shall be accepted by the Returning Officer as conclusive evidence of the facts certified to.

30 (3.) The Returning Officer shall then proceed to allot to each such company a number of votes (in this Act referred to as tonnage votes), ascertained in accordance with the provisions of the *Second* Schedule hereto by reference to the quantity of butter and cheese, the manufacture of that company at a factory or factories within the ward, that has been exported within the aforesaid period of twelve months,  
35 in accordance with the certificate of the Government Statistician, as aforesaid.

40 (4.) For the purposes of this section and of the certificate to be given as aforesaid by the Government Statistician, no dairy-produce shall be deemed to have been exported until it has been loaded into an overseas ship and that ship has left the port of loading.

8. (1.) The result of the election shall be determined by the allocation in accordance with this section of the tonnage votes, and the candidate for election for any ward who receives the greatest number of tonnage votes shall be deemed to be elected for that ward.

Result of elections to be determined by allocation to candidates of tonnage votes.

45 (2.) The candidate for any ward who, in accordance with the count made by the Returning Officer under section *six* hereof, has received the greatest number of valid votes from the suppliers to the factory or factories of any company shall be entitled to receive all the tonnage votes allotted to that company.

50 (3.) If for any company any two or more candidates receive an equal number of suppliers' votes, the tonnage votes shall, if necessary, be divided equally among them.

55 (4.) If two or more candidates receive an equal number of tonnage votes, that candidate shall be deemed to be elected who has received the greatest number of suppliers' votes.

*Miscellaneous.*

Cost of election of producers' representatives to be defrayed by Board.

9. (1.) For the purposes of the election of producers' representatives an officer of the Public Service shall be appointed as Returning Officer; and the Returning Officer shall, at the expense of the Board, make all necessary arrangements for the conduct of the election. 5

(2.) The cost of every such election may be paid in the first place out of the Consolidated Fund, and all amounts so paid shall, on receipt of a certificate from the Returning Officer, be refunded by the Board out of its account.

(3.) This section shall apply with respect to the expenses of any election of producers' representatives held before the passing of this Act. 10

Members of Board may be appointed to London Agency.

10. (1.) The power conferred on the Board by section eleven of the principal Act to appoint members of the London Agency may be exercised by the appointment, either with or without any other persons, 15 of not more than two members of the Board.

(2.) This section shall be deemed to have been in force as from the commencement of the principal Act.

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

Number of Ward.	Counties included in Ward.
NORTH ISLAND.	
No. 1 .. .. .	Mongonui, Whangaroa, Hokianga, Bay of Islands, Whangarei, Hobson, Otamatea, Rodney, Waitemata, Great Barrier Island, Eden, Manukau, Franklin.
No. 2 .. .. .	Raglan, Waipa, Kawhia, Otorohanga, Waitomo, Ohura, Taumarunui, Kaitieke, Matamata.
No. 3 .. .. .	Waikato, Hauraki Plains, Coromandel, Thames, Ohinemuri, Piako, Rotorua, Taupo, Tauranga, Whakatane, Opotiki.
No. 4 .. .. .	Clifton, Inglewood, Taranaki, Stratford, Egmont, Eltham, Whangamomona.
No. 5 .. .. .	Waimate West, Hawera, Patea, Waitotara, Waimarino, Wanganui, Rangitikei, Kiwitea, Pohangina, Oroua, Kairanga.
No. 6 .. .. .	Matakaoa, Waiapu, Uawa, Waikohu, Cook, Wairoa, Hawke's Bay, Waipawa, Waipukurau, Patangata, Dannevirke, Weber, Woodville, Pahiatua, Akitio, Eketahuna, Mauriceville, Castlepoint, Masterton, Wairarapa South, Featherston, Hutt, Makara, Horowhenua, and Manawatu.

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Number of Ward.	Counties included in Ward.
SOUTH ISLAND.	
No. 7 .. ..	Westland, Grey, Inangahua, Murchison, Buller, Collingwood, Takaka, Waimea, Sounds, Marlborough, Awatere, Kaikoura, Amuri, Cheviot, Waipara, Tawera, Oxford, Ashley, Kowai, Rangiora, Eyre, Malvern, Paparua, Waimairi, Heathcote, Mount Herbert, Akaroa, Wairewa, Halswell, Springs, Ellesmere, Selwyn, Chatham Islands.
No. 8 .. ..	Ashburton, Geraldine, Mackenzie, Levels, Waimate, Waitaki, Maniototo, Waihemo, Waikouaiti, Taieri, Peninsula, Bruce, Tuapeka, Vincent, Clutha.
No. 9 .. ..	Southland, Stewart Island, Wallace, Fiord, Lake.

SECOND SCHEDULE.

ALLOCATION TO COMPANIES OF TONNAGE VOTES.

Amount of Dairy-produce exported in preceding Year expressed in Terms of Butter.	Number of Votes.
For every 20 tons or part thereof up to 500 tons ..	1 vote.
For every additional 30 tons or part thereof over 500 tons	1 vote.

NOTE.—For the purposes of this Schedule every 2 tons of cheese shall be computed as 1 ton of butter; 14 crates of cheese shall be computed as 1 ton of cheese; and 40 boxes of butter shall be computed as 1 ton of butter.