

MACHINERY AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Machinery Act 1950.

Clause 1 relates to the Short Title to the Bill.

Clause 2 makes it an offence, on and after 1 September 1970, to sell or cause or procure to be sold any new tractor to which the clause applies, unless—

- (a) The tractor is fitted with a safety frame for which a certificate of approval has been issued; or
- (b) The vendor is supplied with a certificate by the purchaser that he intends to use the tractor exclusively or principally for all or any of the following purposes:
 - (i) Purposes other than agricultural operations:
 - (ii) Operations connected with any orchard, hop garden, raspberry garden, boysenberry garden, or glasshouse:
 - (iii) Any other agricultural operation notified by the Minister in the *Gazette* as an operation for which it is not practicable to use a tractor if it is fitted with an approved safety frame.

The clause is to apply to tractors of the following classes:

- (a) Wheeled tractors that weigh more than 15 cwt and less than 4 tons:
- (b) Any other class or classes of tractors to which, by notice of the Minister published in the *Gazette*, it is for the time being declared that the clause shall apply.

Hon. Mr Shand

MACHINERY AMENDMENT

ANALYSIS

Title

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| | 1. Short Title |
| | 2. Safety of tractors |

A BILL INTITULED

An Act to amend the Machinery Act 1950

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

1. Short Title—This Act may be cited as the Machinery Amendment Act 1968, and shall be read together with and deemed part of the Machinery Act 1950* (hereinafter referred to as the principal Act).

10 **2. Safety of tractors**—(1) Section 21B of the principal Act (as inserted by section 2 of the Machinery Amendment Act 1965) is hereby amended by inserting in subsection (1), after the definition of the term “safety frame”, the following definition:

15 “ ‘Sell’ includes to let or hire or agree to sell under a hire purchase agreement within the meaning of the Hire Purchase Agreements Act 1939:”.

(2) The said section 21B of the principal Act is hereby further amended by inserting, after subsection (6), the following subsections:

*1957 Reprint, Vol. 8, p. 629

Amendments: 1961, No. 69; 1963, No. 14; 1965, No. 52

“(6A) Every person commits an offence against this Act who, on or after the first day of September, nineteen hundred and seventy, sells or causes or procures to be sold any new tractor to which this subsection applies, unless—

“(a) The tractor is fitted with a safety frame for which a certificate of approval has been issued under this section; or 5

“(b) The vendor is supplied with a certificate signed by the purchaser that he intends to use the tractor exclusively or principally for all or any of the following purposes: 10

“(i) Purposes other than agricultural operations:

“(ii) Operations connected with any orchard, hop garden, raspberry garden, boysenberry garden, or glasshouse: 15

“(iii) Any other agricultural operation notified by the Minister in the *Gazette* as an operation for which it is not practicable to use a tractor if it is fitted with an approved safety frame.

“(6B) Subsection (6A) of this section shall apply to tractors of the following classes: 20

“(a) Wheeled tractors that weigh more than fifteen hundredweight and less than four tons:

“(b) Any other class or classes of tractors to which, by notice of the Minister published in the *Gazette*, it is for the time being declared that the said subsection (6A) shall apply. 25

“(6C) Every person commits an offence and is liable on summary conviction to a fine not exceeding two hundred dollars who supplies any certificate required under paragraph (b) of subsection (6A) of this section which is erroneous in any material particular. 30