

STATUTES AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Accident Compensation

Clause 3: At present the maximum amount on which levies are payable and the maximum amount of weekly earnings related compensation may be increased by the Governor-General by Order in Council, subject to a limit of 20 percent of the amount prescribed by the principal Act. This clause removes this 20 percent limitation.

Clause 4 provides that relevant earnings may be ascertained at the date of incapacity where any period of incapacity does not arise at the date of the accident.

Animal Remedies

Clause 6 includes among those things regarded for the purpose of the principal Act as being "biochemical substances" those substances manufactured for the purpose of having the same action as a product of a virus or micro-organism.

Carter Observatory

Clause 8 repeals section 5 of the principal Act, and substitutes a new section.

The new section provides for the members of the Carter Observatory Board to be appointed by the Minister of Science and Technology instead of the Governor-General in Council as at present.

The clause is retrospective to 1 January 1981.

Clause 9 amends section 5A of the principal Act to provide for members of the Board to be removed from office (in certain circumstances) by the Minister instead of the Governor-General as at present.

No. 93—1

Price \$1.65c

Companies

Clause 11 authorises Deputy Assignees appointed under section 15 (2) of the Insolvency Act 1967 to act on behalf of any Official Assignee or Deputy Assignee in relation to the winding up of any company by the Court.

Clause 12 amends section 311A by inserting into it, as from its commencement on 1 April 1981, a line that was accidentally omitted from it.

Criminal Justice

Clause 14 corrects a drafting error in section 5 (2) of the Criminal Justice Amendment Act (No. 2) 1980.

Clause 15 repeals 2 provisions that relate to the offence of wilful disobedience of a maintenance order, contrary to Part X of the Domestic Proceedings Act 1968. That Part is to be replaced on 1 October 1981 by Part VII of the Family Proceedings Act 1980 which does not provide for such an offence.

Department of Social Welfare

Clause 17 empowers the Director-General of Social Welfare to appoint persons to serve in the community, in association with the Department of Social Welfare, as social welfare volunteers.

Family Proceedings

Clause 19: Section 157 of the Family Proceedings Act 1980 provides that where an application is made to the Court under the Act (not being an application under Part IV of the Act or under section 47 of the Act) and it is proved to the satisfaction of the Court that the respondent is absent from New Zealand or cannot be found, the Court may—

- (a) Hear and determine the application in the same manner as if the respondent had been served with the appropriate notice of the proceedings; or
- (b) Order any steps to be taken to bring the proceedings to the notice of the respondent, and from time to time amend any such order.

Section 157 goes on to provide for applications under section 47 (paternity) but no provision is made for applications under Part IV (proceedings relating to the status of marriage).

It is now proposed to omit from section 157 (1), as from the commencement of the principal Act, the reference to Part IV. This will have the effect of applying section 157 (1) to proceedings under Part IV and of applying to those proceedings the same statutory provisions with regard to service as apply to other applications under the Family Proceedings Act 1980 (other than applications for paternity orders).

Clause 20: Subclause (1) amends section 175 (3) of the Family Proceedings Act 1980. In one place the section refers to the "High Court" where it should clearly refer to the "Court of Appeal". The proposed amendment inserts the correct reference as from the commencement of the principal Act.

Subclause (2) makes it clear that the transitional provisions in section 192 (1) (c) of the Family Proceedings Act 1980 overrule those in section 18 (2) of the Family Courts Act 1980.

Farm Ownership Savings

Clause 22 extends the benefits of the farm ownership savings scheme to aquaculture.

Fire Service

Clause 24 provides that, for the purposes of the payment of a gratuity on death or retirement or the granting of long service leave, a Fire Commissioner shall be deemed to be a member of the New Zealand Fire Service and, for those purposes and for the purposes of superannuation, service as a Fire Commissioner shall be deemed to be service as a member of the Fire Service.

Fisheries

Clause 26 increases the number of members of the Fisheries Licensing Authority from 3 to 4, but maintains the quorum for the transaction of business at 3 members.

Fishing Industry Board

Clause 28 modifies the application of section 6 of the Local Authorities (Members' Interests) Act 1968 to the members of the New Zealand Fishing Industry Board who are appointed to that Board on the nomination of a federation, association, or organisation whose members are engaged in the fishing industry. Where any such member of the Board has a pecuniary interest in any matter, being an interest that is not different in kind from the interests of other members of the federation, association, or organisation which nominated him, that interest will not disqualify him from discussing or voting on that matter. The modification proposed in this clause has been recommended by the Public and Administrative Law Reform Committee.

Clause 29 amends section 35 (ca) of the principal Act (which authorises the making of regulations providing for the licensing of exporters of fish and fish products) so as to enable the regulations to provide for the charging of fees for licences, and to prohibit exports by persons who do not hold licences.

Forests

Clause 31: At present the powers of the Minister in connection with research extends only to forest research work. This amendment gives the Minister power to include forests, forestry, forest products, and any matter for or over which the Forest Service has the responsibility of control or management under section 14 of the principal Act and into any activity which the Minister is empowered to undertake under section 15 of the principal Act.

Clause 32 allows donations and contributions to be accepted by the Minister for any specific or general purpose in connection with the functions of the Forest Service under the principal Act.

Gaming and Lotteries

Clause 34 corrects a drafting error in the definition of the term "ticket" in section 2 (1) of the principal Act.

Gas Industry

Clause 36 amends section 20B of the principal Act which provides for authority to be given to any regional council or united council or territorial authority or supply authority or company to distribute gas by retail in any region (within the meaning of the Local Government Act 1974). However, there is no such authority in respect of any area that is not included in a region.

This clause provides that, for the purposes of this section, the Minister may declare any such area to be a region.

Harbours

Clauses 38 and 39 empower the Governor-General to constitute committees that may be granted control of harbours or areas of the sea or any lake or river (under section 8A) or the foreshore, the bed of the sea, or the bed of any navigable lake or river (under section 165A).

The Governor-General is empowered to specify the membership of the committee, or how the committee's membership is to be determined, and to specify the manner in which it may exercise its powers, including the power to make bylaws. In the case of a committee established under section 8A of the Act the Governor-General may also specify the district over which the committee is to have jurisdiction as a public body.

Insolvency

Clause 41 alters the requirements in respect of applications for summary instalment orders. Where the debtor is the applicant or the application for the order is made by a creditor with the consent of the debtor the obtaining of a judgment against the debtor will no longer be necessary.

In addition the level of allowable debts is raised from \$2,000 to \$4,000.

Clause 42: Section 151 of the Insolvency Act 1967 makes it an offence for the subject of a summary instalment order to obtain credit of \$40 or more without first informing the creditor about the existence of the order. This clause substitutes \$100 for \$40 in that section.

Insurance Companies' Deposits

Clause 44 amends the definition of the term "underwriter" in section 2 of the principal Act. The present definition excludes companies. The amendment has the effect of including companies within the definition.

Massey Burial-ground

Clause 46 provides for the administration of the Massey Burial-ground special reserve by the Minister of Internal Affairs, and requires him to consult the family and descendants of William Fergusson Massey before undertaking any works of a major nature on the reserve.

At present, the administration of the reserve is vested in a Board comprising the Speaker of the House of Representatives, the Prime Minister, the Chief Justice, and a member of the family of, or descendant of, William Fergusson Massey who is appointed by the Governor-General.

Clause 47 empowers the Minister of Internal Affairs to spend on the control and management of the reserve any money received by him for that purpose.

Meat Export Control

Clause 49 authorises licensees of certain meat works to pay the meat levy (imposed to fund the New Zealand Meat Producers Board) directly to a bank account of the Ministry of Agriculture and Fisheries.

Medical and Dental Auxiliaries

Clause 51 redefines the occupations that are registrable under the principal Act. "Chiropodists" are now to be known as "podiatrists"; "medical technologists" become "medical laboratory technologists"; and "medical radiographers" become "medical radiation technologists".

Medical Research Council

Clause 53 amends the provisions of the principal Act relating to membership of the Medical Research Council of New Zealand.

Subclause (1) repeals the provisions under which 3 members are appointed on the nomination of the 3 Royal Colleges.

Those provisions are replaced by a provision under which 4 members are appointed as follows:

Four persons who have been actively engaged in or closely associated with medical research, 1 of whom shall be experienced in a branch of para-clinical medicine, 1 of whom shall be experienced in a branch of social medicine, and 2 of whom shall be experienced in branches of clinical medicine, all to be nominated by the Colleges Liaison Committee established by the professional colleges of medical practitioners in New Zealand, and to be appointed on the recommendation of the Minister.

Subclause (2) amends the provision under which 3 persons are nominated for membership by the Medical Research Council itself. The amendment requires persons so nominated to be or to have been actively engaged in or closely associated with medical research.

Subclauses (3) and (4) provide for the retirement of members holding office under the provisions amended.

Subclause (5) provides for the clause to come into force on 1 April 1982.

Clause 54, subclause (1) increases the Council's unauthorised expenditure limit from \$100 to \$500.

Subclause (2) increases the limit of any oral contract which may be entered into by an authorised member of the Council from \$40 to \$1,000.

Ministry of Energy

Clause 56 makes it clear that the Ministry of Energy has a wide power to make financial grants or loans or pay subsidies for the purpose of implementing policies relating to energy.

Clause 57 confers an express power to prescribe offences by regulations made under the principal Act. The maximum penalty that may be prescribed in respect of any such offence is to be a fine not exceeding \$1,000.

Moneylenders

Clauses 59 and 60 provide that a moneylender need not renew his registration under the principal Act for the year commencing 1 April 1982. The principal Act is repealed by the Credit Contracts Act 1981 which comes into force on 1 June 1982. Accordingly these clauses are to expire with the close of the 31st day of May 1982.

Municipal Insurance

Clauses 62 and 63 amend the Municipal Insurance Act 1960 to provide that any local authority that is entitled under the memorandum and articles of association of The New Zealand Municipalities Cooperative Insurance Company Limited to become a member of the company may do so and may pay for the shares and may raise money or apply money in certain insurance funds for that purpose.

At present, the Act provides that only city councils, borough councils, district councils, town councils, and certain specified local authorities may become members of the company.

Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund

Clause 65 provides for 2 members of the Scholarship Fund Board to be appointed on the nomination of the descendants of Lieutenant Ngarimu's parents instead of the descendants of Lieutenant Ngarimu's paternal grandparents, as at present.

Noxious Plants

Clause 67 makes it clear that the arbitrator's fee is among the costs of an appeal that may be apportioned by an arbitrator under section 52 of the principal Act.

Pacific Islands Polynesian Education Foundation

Clause 69 omits from the Pacific Islands Polynesian Education Foundation Act 1972 references to the Minister of Island Affairs, and substitutes references to the Minister of Maori Affairs.

Pawnbrokers

Clause 71 increases from \$20 to \$100 the annual fee payable in respect of a pawnbroker's licence.

Penal Institutions

Clause 73 amends the regulation-making powers under the principal Act, consequential upon the abolition of the concept of partial remission of sentence for good behaviour.

Clause 74 is a drafting amendment, designed to ensure that an inmate of a youth prison (as well as his adult counterpart) may be released from day to day to engage in employment.

Police

Clause 76: Subclause (1) increases the maximum fines that may be imposed where a member of the Police is found guilty of misconduct or neglect of duty.

Subclause (2) provides for the suspension of any penalty imposed, pending the hearing of the appeal. At present, only dismissal is suspended pending the appeal.

Clause 77 relates to searches of persons who are taken into custody and are to be locked up in Police custody. At present, such searches may be conducted only by members of the Police. Under the amendment, persons employed for the purpose pursuant to regulations made under the principal Act may also conduct such searches.

Potato Industry

Clause 79 corrects a spelling mistake.

Clause 80: Section 4 (2) (a) of the Potato Industry Act 1977 provides that the Director-General of Agriculture and Fisheries or his nominee is to be a member of the Potato Board and is to represent the interests of consumers. This clause repeals that provision, and provides that the member to represent consumers shall be appointed by the Minister.

Primary Products Marketing

Clause 82 gives an express power for regulations to be made dissolving a Marketing Authority and to provide for all matters relating to the dissolution.

Public Finance

Clause 84 substitutes a new Fifth Schedule to the principal Act (which specifies the revolving funds that may be operated under section 52A of the principal Act).

The new Fifth Schedule includes 2 new revolving funds, namely the Government Printing Office Fund (instead of its Stationery Fund) and the New Zealand Forest Service Fund.

Radiation Protection

Clause 86 amends 2 definitions in section 2 of the principal Act, to bring the terminology used in those definitions into line with current usage.

Clause 87 relates to the renewal of licences to sell or use any irradiating apparatus. At present, all such licences fall due for renewal on 1 April in any year, regardless of their date of issue. Under the amendment, each licence will continue in force for 1 year from its date of issue (unless otherwise stipulated in the licence or the licence is cancelled).

Rating

Clause 89 provides that a rates assessment is deemed to have been delivered if it is posted to a postal address given by or on behalf of the occupier for the purposes of the valuation roll or as the address to which his correspondence or rates assessments may be sent.

The amendment is deemed to have come into force on 1 April 1981.

Real Estate Agents

Clause 91 authorises a fee to be prescribed by regulations, payable on the transfer of a salesman from one real estate agent to another.

Standards

Clause 93 amends section 16 of the principal Act which relates to the functions of the Standards Council.

The amendment provides that in carrying out its function of promulgating standards with the object of improving the quality of goods produced in New Zealand, the Council is to have regard to economy in the production of such goods.

State Services

Clause 95 enables deputies to be appointed, in certain circumstances, for the Chairman or any member of any Classification and Grading Committee appointed under section 46 of the State Services Act 1962.

Stock Foods

Clause 97 increases the general penalty for offences against the Stock Food Act 1946 from a maximum of \$100 to \$500 for an individual and \$2,000 for a body corporate.

Summary Proceedings

Clause 99 provides for the case where a person is sentenced to periodic detention, and appeals. The present section provides, in effect, that if the appeal fails the appellant shall resume the sentence. However, it makes no provision for any direction to the offender in respect of the day and time at which he is to first report to the work centre. The amendment cures this defect.

Taratahi Agricultural Training Centre (Wairarapa)

Clauses 101 and 102 change the name of the Wairarapa Cadet Training Farm to the Taratahi Agricultural Training Centre (Wairarapa). The name of the Trust Board is similarly changed.

Testing Laboratory Registration

Clause 104 provides for the Director-General of Health to be a member of the Testing Laboratory Registration Council.

Trespass

Clause 106 corrects an error in section 13 of the Trespass Act 1980, with effect from the commencement of that Act.

Unit Titles

Clause 108 amends form 1 in the First Schedule to the principal Act, which is the form of application to deposit a unit plan under the Act. Paragraph 2 of that form requires the completion date of the building to be included in the application. However, since the Unit Titles Act 1979, buildings do not have to be completed before deposit of a plan.

Clause 109 restates the terms on which a trustee may invest in unit titles developments. Under the Unit Titles Act 1979 it appears that a trustee may invest trust funds in the purchase of a unit. This was not intended. The new provision makes it clear that the authorised investment is a first mortgage over a unit.

The opportunity has also been taken to restate the conditions that must be satisfied if a trustee is to invest in a first mortgage of a stratum estate in leasehold.

Valuation of Land

Clauses 111 and 112 insert in sections 8 and 25D of the Valuation of Land Act 1951 provision for the treating of land that is capable of separate occupation as separate property, whether or not it is separately occupied.

Valuers

Clause 114: This clause includes as one of the qualifications for registration under the Valuers Act 1948 a requirement that the candidate for registration must satisfy the Board that he has attained a reasonable standard of professional competence.

Vegetables Levy

Clause 116: Section 5 of the Vegetables Levy Act 1957 provides that any society which is a member of or affiliated to the New Zealand Vegetable and Produce Growers Federation, Incorporated shall admit any vegetable grower to membership, without any additional payment by way of annual subscription or membership fee, if in the year preceding the date of application for membership, he has paid a levy of not less than one dollar.

This clause increases that amount to \$2.50.

Veterinary Services

Clause 118 authorises the Veterinary Services Council to use for other purposes any surplus in any sickness disability fund established to provide allowances in cases of sickness or disability on the part of veterinary surgeons employed by it, by farmers' veterinary clubs, or by other like bodies. Where this is done and later a call on such a fund cannot be met, the Council must refund the money used.

Wheat Board

Clause 120 modifies the application of section 6 of the Local Authorities (Members' Interests) Act 1968 to the members of the New Zealand Wheat Board who are appointed to that Board on account of their experience in a particular activity, industry, or business. Where any such member has a pecuniary interest in any matter, being an interest that is not different in kind from the interests of other persons in the activity, industry, or business in respect of which he is appointed, that interest will not disqualify him from discussing or voting on that matter. The modification proposed in this clause has been recommended by the Public and Administrative Law Reform Committee.

Wheat Research Levy

Clause 122 amends section 2 of the principal Act to change the reference to the Minister of Science to the Minister of Science and Technology.

Clause 123 amends section 3 of the principal Act to increase the maximum rate of the wheat research levy.

The increase is from 20 cents to 60 cents per tonne of wheat for wheat producers, and from 30 cents to 90 cents per tonne of flour or wheatmeal for flourmillers and persons taking delivery of flour or wheatmeal from a flourmill.

Wildlife

Clause 125 amends section 18 of the principal Act to provide that the Minister of Internal Affairs may authorise the use of any unmoored floating stand, hide, shelter, maimai, or louvre, or any unmoored boat artificially dressed or covered, for hunting or killing game. At present there is a complete prohibition in the principal Act on the use of such means.

Hon. J. K. McLay

STATUTES AMENDMENT

ANALYSIS

- | Title | |
|--|--|
| 1. Short Title | |
| <i>Accident Compensation</i> | |
| 2. Sections to be read with Accident Compensation Act 1972 | |
| 3. Removal of limitation affecting earnings related compensation | |
| 4. Relevant earnings | |
| <i>Animal Remedies</i> | |
| 5. Sections to be read with Animal Remedies Act 1967 | |
| 6. Interpretation | |
| <i>Carter Observatory</i> | |
| 7. Sections to be read with Carter Observatory Act 1938 | |
| 8. Constitution of Board | |
| 9. Extraordinary vacancies | |
| <i>Companies</i> | |
| 10. Sections to be read with Companies Act 1955 | |
| 11. Deputy Official Assignees | |
| 12. Procedures relating to voidable preference and voidable securities | |
| <i>Criminal Justice</i> | |
| 13. Sections to be read with Criminal Justice Act 1954 | |
| 14. Functions of Prisons Parole Board | |
| 15. Amendments consequential upon abolition of offence of wilful disobedience of maintenance order | |
| | <i>Department of Social Welfare</i> |
| | 16. Sections to be read with Department of Social Welfare Act 1971 |
| | 17. Social welfare volunteers |
| | <i>Family Proceedings</i> |
| | 18. Sections to be read with Family Proceedings Act 1980 |
| | 19. Proceedings where respondent is absent from New Zealand or cannot be found |
| | 20. Appeals and transitional provisions |
| | <i>Farm Ownership Savings</i> |
| | 21. Sections to be read with Farm Ownership Savings Act 1974 |
| | 22. Interpretation |
| | <i>Fire Service</i> |
| | 23. Sections to be read with Fire Service Act 1975 |
| | 24. Establishment of New Zealand Fire Service |
| | <i>Fisheries</i> |
| | 25. Sections to be read with Fisheries Act 1908 |
| | 26. Increase in membership of Fisheries Licensing Authority |
| | <i>Fishing Industry Board</i> |
| | 27. Sections to be read with Fishing Industry Board Act 1963 |

28. Contracts of Board and members
29. Regulations

Forests

30. Sections to be read with Forests Act 1949
31. Powers of the Minister, etc.
32. Receipts and expenditure

Gaming and Lotteries

33. Sections to be read with Gaming and Lotteries Act 1977
34. Interpretation

Gas Industry

35. Sections to be read with Gas Industry Act 1958
36. Minister may declare areas to be regions for purposes of section 20B

Harbours

37. Sections to be read with Harbours Act 1950
38. Governor-General may constitute public body to have control of waters
39. Governor-General may constitute public body to have control of foreshore or bed of lake

Insolvency

40. Sections to be read with Insolvency Act 1967
41. Power to make summary instalment orders
42. Offence in respect of obtaining credit

Insurance Companies' Deposits

43. Sections to be read with Insurance Companies' Deposits Act 1953
44. Interpretation

Massey Burial-ground

45. Sections to be read with Massey Burial-ground Act 1925
46. Administration of special reserve
47. Expenditure of funds on special reserve

Meat Export Control

48. Sections to be read with Meat Export Control Act 1921-22
49. Payment of levy

Medical and Dental Auxiliaries

50. Sections to be read with Medical and Dental Auxiliaries Act 1966
51. Registrable occupations

Medical Research Council

52. Sections to be read with Medical Research Council Act 1950

53. Membership of Council
54. Financial provisions

Ministry of Energy

55. Sections to be read with Ministry of Energy Act 1977
56. General functions of Ministry in relation to energy policies
57. Regulations

Moneylenders

58. Sections to be read with Moneylenders Act 1908
59. Registration of moneylender need not be renewed for 1982
60. Expiry

Municipal Insurance

61. Sections to be read with Municipal Insurance Act 1960
62. Definition of "local authority"
63. Certain local authorities may become members of company

- Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund*
64. Sections to be read with Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945
65. Membership of Board

Noxious Plants

66. Sections to be read with Noxious Plants Act 1978
67. Arbitrator's fee may be apportioned

Pacific Islands Polynesian Education Foundation

68. Sections to be read with the Pacific Islands Polynesian Education Foundation Act 1972
69. Amendments consequential to reconstitution of Department of Maori Affairs

Pawnbrokers

70. Sections to be read with Pawnbrokers Act 1908
71. Mode of obtaining licence

Penal Institutions

72. Sections to be read with Penal Institutions Act 1954
73. Regulations
74. Transfer of prison inmate to hostel

Police

75. Sections to be read with Police Act 1958

76. Penalties
77. General search of person in custody
- Potato Industry*
78. Sections to be read with Potato Industry Act 1977
79. Interpretation
80. Membership of Potato Board
- Primary Products Marketing*
81. Sections to be read with Primary Products Marketing Act 1953
82. Regulations
- Public Finance*
83. Sections to be read with Public Finance Act 1977
84. Revolving funds
- Radiation Protection*
85. Sections to be read with Radiation Protection Act 1965
86. Interpretation
87. Licences
- Rating*
88. Sections to be read with Rating Act 1967
89. Delivery of rates assessment
- Real Estate Agents*
90. Sections to be read with Real Estate Agents Act 1976
91. Fees to be payable on transfer of certificate of approval
- Standards*
92. Sections to be read with Standards Act 1965
93. Functions of the Council
- State Services*
94. Sections to be read with State Services Act 1962
95. Classification and Grading Committees
- Stock Foods*
96. Sections to be read with Stock Foods Act 1946
97. General penalty for offences
- Summary Proceedings*
98. Sections to be read with Summary Proceedings Act 1957
99. Provisions on determination of appeal where defendant sentenced to periodic detention
- Taratahi Agricultural Training Centre (Wairarapa)*
100. Sections to be read with Act heretofore cited as Wairarapa Cadet Training Farm Act 1969
101. Change of name
102. Interpretation
- Testing Laboratory Registration*
103. Sections to be read with Testing Laboratory Registration Act 1972
104. Membership of Council
- Trespass*
105. Sections to be read with Trespass Act 1980
106. Savings
- Unit Titles*
107. Sections to be read with Unit Titles Act 1972
108. Form of application amended
109. Stratum estate as trustee investment
- Valuation of Land*
110. Sections to be read with Valuation of Land Act 1951
111. Preparation of district valuation roll
112. Separate rateable values of single-unit dwellinghouses in areas where values influenced by demand for multi-unit housing
- Valuers*
113. Sections to be read with Valuers Act 1948
114. Qualifications for registration
- Vegetables Levy*
115. Sections to be read with Vegetables Levy Act 1957
116. Membership of affiliated bodies
- Veterinary Services*
117. Sections to be read with Veterinary Services Act 1946
118. Council may deal with surplus in any disability fund
- Wheat Board*
119. Sections to be read with Wheat Board Act 1965
120. Contracts of Board and members
- Wheat Research Levy*
121. Sections to be read with Wheat Research Levy Act 1974
122. Interpretation
123. Increasing maximum levies
- Wildlife*
124. Sections to be read with Wildlife Act 1953
125. Minister may authorise use of unmoored boat, etc., in taking game
Schedule

A BILL INTITULED

An Act to amend certain enactments of the General Assembly

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

5

1. Short Title—This Act may be cited as the Statutes Amendment Act 1981.

Accident Compensation

2. Sections to be read with Accident Compensation Act 1972—This section and the next 2 succeeding sections shall be read together with and deemed part of the Accident Compensation Act 1972* (in those sections referred to as the principal Act).

10

*Reprinted 1975, Vol. 2, p. 1409

Amendments: 1977, No. 139; 1978, No. 36; 1979, No. 70; 1980, No. 73

3. Removal of limitation affecting earnings related compensation—The principal Act is hereby amended—

15

(a) By omitting from section 74 (1) the words “(not differing therefrom by more than 20 percent)”:

(b) By omitting from section 113 (13) (as added by section 8 (2) of the Accident Compensation Amendment Act 1978) the words “(not differing therefrom by more than 20 percent)”.

20

4. Relevant earnings—Section 104 of the principal Act is hereby amended by inserting, after subsection (10), the following subsections:

“(10A) Where any period of an earner’s incapacity for work does not commence on the date of the accident, and the Corporation is of the opinion that relevant earnings ascertained in accordance with the foregoing provisions of this section do not fairly and reasonably represent the earner’s normal average weekly earnings at the commencement of the period of incapacity for work, the Corporation may, notwithstanding the foregoing provisions of this section, in its discretion determine an amount which in its opinion would fairly and reasonably represent his normal average weekly earnings at the time of the commencement of the period of incapacity for work, having regard to such information as it

25

30

35

may obtain regarding his earnings before the time of the commencement of the period of incapacity for work and his earnings at the time of the commencement of that period, and to his work history and the period of his residence in New Zealand before the time of the period of incapacity for work; and any amount so determined shall be treated as if it was his relevant earnings for the purpose of assessing earnings related compensation during the particular period of incapacity for work:

10 “Provided that any determination made under this subsection shall not bind or prejudice the Corporation or limit or restrict its discretions or powers with regard to any assessment or determination of that person’s relevant earnings or loss of earning capacity during any other period of his incapacity for
15 work to which the determination does not relate.

“(10B) In determining the amount under subsection (10A) of this section, the Corporation may exercise the discretions and powers conferred on it by subsections (2), (3), and (4) of this section and by section 104A (3) of this Act as if references
20 to the time of the accident and to the date of the accident in those subsections were references respectively to the time of the commencement of a period of incapacity for work and to the date of commencement of a period of incapacity for work.”

25

Animal Remedies

5. Sections to be read with Animal Remedies Act 1967—
This section and the next succeeding section shall be read together with and deemed part of the Animal Remedies Act 1967* (in that section referred to as the principal Act).

*1967, No. 51

Amendments: 1968, No. 67; 1969, No. 51; 1971, No. 81; 1972, No. 47; 1976, No. 73

30 **6. Interpretation—**Section 2 (1) of the principal Act is hereby amended by inserting, in paragraph (f) of the definition of the term “biochemical substance” after the words “micro-organism”, the words “, or any substance manufactured for the purpose of having the same action as a product
35 of a virus or micro-organism,”.

Carter Observatory

7. Sections to be read with Carter Observatory Act 1938—This section and the next 2 succeeding sections shall be read together with and deemed part of the Carter Observatory Act 1938* (in those sections referred to as the principal Act). 5

*R.S. Vol. 1, p. 429

8. Constitution of Board—(1) The principal Act is hereby amended by repealing section 5, and substituting the following section:

“5. (1) The Board shall consist of 10 persons to be appointed as follows: 10

“(a) Five shall be appointed by the Minister:

“(b) Two shall be appointed by the Minister on the nomination of the Council of the Royal Society of New Zealand: 15

“(c) Two shall be appointed by the Minister on the nomination of the Wellington City Council:

“(d) One shall be appointed by the Minister to represent those local authorities, other than the Wellington City Council, making financial contributions to the Board pursuant to section 18 of this Act. 20

“(2) The members of the Board shall be appointed for a term not exceeding 5 years, but every member shall, unless he sooner vacates office under section 5A of this Act, continue in office until his successor comes into office.” 25

(2) The following enactments are hereby consequentially repealed:

(a) Section 4 of the Carter Observatory Amendment Act 1972:

(b) Section 5 of the Carter Observatory Amendment Act 1977. 30

(3) This section shall be deemed to have come into force on the 1st day of January 1981.

9. Extraordinary vacancies—Section 5A (1) of the principal Act (as inserted by section 5 of the Carter Observatory Amendment Act 1972) is hereby amended by omitting the words “Governor-General” in both places where they occur, and substituting in each case the word “Minister”. 35

Companies

10. Sections to be read with Companies Act 1955—This section and the next 2 succeeding sections shall be read together with and deemed part of the Companies Act 1955* (in those sections referred to as the principal Act).

*Reprinted 1977, Vol. 4, p. 2933
Amendments: 1978, No. 45; 1980, No. 43

11. Deputy Official Assignees—The principal Act is hereby amended by inserting, after section 230 (as inserted by section 3 of the Companies Amendment Act 1978), the following section:

10 “230A. (1) Every Deputy Assignee appointed under section 15 (2) of the Insolvency Act 1967 may act on behalf of or in the place of any Official Assignee or Deputy Assignee in relation to the winding up of any company by the Court, and while so acting shall have, subject to the control of the
15 Official Assignee, all the powers, duties, and functions of the Official Assignee or Deputy Assignee for whom or in the place of whom he acts.

“ (2) The fact that a Deputy Assignee exercises in relation to any company being wound up by the Court any power,
20 duty, or function conferred by this Act on the Official Assignee shall be conclusive evidence of his authority to do so.”

12. Procedures relating to voidable preference and voidable securities—(1) Section 311A (4) (a) of the principal Act (as inserted by section 26 of the Companies Amendment Act 1980)
25 is hereby amended by inserting, after the words “a person claiming”, the words “through him who received the property comprised”.

(2) This section shall be deemed to have come into force on the 1st day of April 1981.

30

Criminal Justice

13. Sections to be read with Criminal Justice Act 1954—This section and the next 2 succeeding sections shall be read together with and deemed part of the Criminal Justice Act 1954* (in those sections referred to as the principal Act).

*R.S. Vol. 1, p. 835
Amendments: 1980, No. 21; 1980, No. 76; 1980, No. 86

14. Functions of Prisons Parole Board—Section 5 (2) of the Criminal Justice Amendment Act (No. 2) 1980 is hereby amended by omitting the expression “33”, and substituting the expression “33A”.

15. Amendments consequential upon abolition of offence of wilful disobedience of maintenance order—The following enactments are hereby repealed: 5

(a) Section 14A (5) of the principal Act (as inserted by section 4 of the Criminal Justice Amendment Act 1975): 10

(b) Section 3 (4) of the Criminal Justice Amendment Act 1980.

Department of Social Welfare

16. Sections to be read with Department of Social Welfare Act 1971—This section and the next succeeding section shall be read together with and deemed part of the Department of Social Welfare Act 1971* (in that section referred to as the principal Act). 15

*1971, No. 60

17. Social welfare volunteers—The principal Act is hereby amended by inserting, after section 9, the following section: 20

“9A. (1) The Director-General may from time to time appoint such persons as he considers fit for the purpose to serve in the community, in association with the Department, as social welfare volunteers.

“(2) The provisions of the State Services Act 1962 shall not apply in respect of any person so appointed. 25

“(3) Every social welfare volunteer, while so serving in association with the Department, shall act in accordance with any directions that the Director-General may give to him.

“(4) The Director-General may at any time revoke the appointment of any person as a social welfare volunteer.” 30

Family Proceedings

18. Sections to be read with Family Proceedings Act 1980—(1) This section and the next 2 succeeding sections shall be read together with and deemed part of the Family Proceedings Act 1980* (in those sections referred to as the principal Act). 35

(2) This section and the next 2 succeeding sections shall be deemed to have come into force on the 1st day of October 1981.

*1980, No. 94

19. **Proceedings where respondent is absent from New Zealand or cannot be found**—Section 157 (1) of the principal Act is hereby amended by omitting the words “under Part IV of this Act or”.

20. **Appeals and transitional provisions**—(1) Section 175 (3) of the principal Act is hereby amended by omitting the words “High Court” in the second place where they appear, and substituting the words “Court of Appeal”.

(2) Section 192 (1) (c) of the principal Act is hereby amended by inserting, after the word “shall”, the words “notwithstanding section 18 (2) of the Family Courts Act 1980, but”.

Farm Ownership Savings

21. **Sections to be read with Farm Ownership Savings Act 1974**—This section and the next succeeding section shall be read together with and deemed part of the Farm Ownership Savings Act 1974* (in that section referred to as the principal Act).

*Reprinted 1976, Vol. 5, p. 3705
Amendments: 1978, No. 62; 1980, No. 14

22. **Interpretation**—(1) Section 2 (1) of the principal Act is hereby amended by repealing the definition of the expression “farm”, and substituting the following definition:

25 “‘Farm’, in relation to any depositor, means any agricultural, pastoral, or horticultural land or any aquacultural land or aquacultural area suitable, in the opinion of the Corporation, as an agricultural, pastoral, horticultural, or aquacultural holding for the depositor.”

30 (2) Section 2 (1) of the principal Act is hereby further amended by repealing the definition of the expression “share-farmer” (as substituted by section 2 (1) of the Farm Ownership Savings Amendment Act 1974), and substituting the following definition:

“‘Sharefarmer’ means any person who has, by an agreement with the proprietor of any agricultural, pastoral, or horticultural land or any aquacultural land or aquacultural area, undertaken to perform, as his sole or principal occupation, in whole or in part the work of the land or area (otherwise than under a contract of service) including, but not exclusively, farming livestock, the growing, tending, and harvesting of crops, and aquaculture, and who, in the opinion of the Corporation, owns suitable and sufficient livestock or farming or aquacultural plant or machinery; and “sharefarming” has a corresponding meaning:”

(3) Section 2 (2) (b) of the principal Act is hereby amended by omitting the words “less than 21 years”, and substituting the words “less than 21 years; or”.

(4) Section 2 (2) of the principal Act is hereby further amended by adding the following paragraph:

“(c) In relation to a farm acquired for the purposes of aquaculture, any lease or licence granted under the Marine Farming Act 1971.”

Fire Service

23. Sections to be read with Fire Service Act 1975—This section and the next succeeding section shall be read together with and deemed part of the Fire Service Act 1975* (in that section referred to as the principal Act).

*1975, No. 42

Amendments: 1976, No. 80; 1978, No. 49; 1979, No. 89

24. Establishment of New Zealand Fire Service—Section 3 of the principal Act is hereby amended, as from its commencement, by inserting, after subsection (1), the following subsection:

“(1A) Notwithstanding subsection (1) of this section, a Fire Commissioner shall, for the purposes of the payment of a gratuity in accordance with section 55 of this Act on his death or retirement or the granting of any long service leave which may from time to time be granted to members of the Fire Service, be deemed to be a member of the Fire Service, and for those purposes and for the purposes of any superannuation scheme provided under section 54 of this Act, service as a Fire Commissioner shall be deemed to be service as a member of the Fire Service.”

Fisheries

25. Sections to be read with Fisheries Act 1908—This section and the next succeeding section shall be read together with and deemed part of the Fisheries Act 1908* (in that
5 section referred to as the principal Act).

*Reprinted 1976, Vol. 5, p. 3705

Amendments: 1977, No. 7; 1977, No. 131; 1979, No. 35; 1980, No. 111

26. Increase in membership of Fisheries Licensing Authority—(1) The principal Act is hereby amended by repealing section 101 (2) (as inserted by section 2 of the Fisheries Amendment Act 1977), and substituting the following sub-
10 section:

“(2) The Authority shall consist of 4 members appointed by the Governor-General on the recommendation of the Minister, being—

15 “(a) Three members, one of whom shall be appointed as Chairman and one as deputy to the Chairman:

“(b) One member, recommended by the Minister after consultation with the Fishing Industry Board.”

(2) The principal Act is hereby further amended by repealing section 105 (3) (as so inserted), and substituting the
20 following subsection:

“(3) The presence of at least 3 members (other than a co-opted member) or their deputies shall be necessary for the transaction of business at any meeting.”

Fishing Industry Board

25 27. Sections to be read with Fishing Industry Board Act 1963—This section and the next 2 succeeding sections shall be read together with and deemed part of the Fishing Industry Board Act 1963* (in those sections referred to as the principal Act).

*Reprinted 1976, Vol. 5, p. 3847

Amendment: 1978, No. 64

30 28. Contracts of Board and members—Section 30 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

35 “(1A) Where a member of the Board, who is appointed under paragraph (b) or paragraph (c) or paragraph (d) or paragraph (e) of section 3 (3) of this Act or who is appointed under section 6A or section 7 (2) of this Act in respect of a member of the Board appointed under any of those paragraphs, has, directly or indirectly, a pecuniary

interest in any matter before the Board or a committee of the Board, section 6 of the Local Authorities (Members' Interests) Act 1968 shall not prohibit the member from voting on or taking part in the discussion of that matter where the pecuniary interest is not different in kind from the interests of other persons in the federation, association, or organisation which nominated the member appointed under paragraph (b) or paragraph (c) or paragraph (d) or paragraph (e) of section 3 (3) of this Act." 5

29. Regulations—Section 35 of the principal Act is hereby amended by adding to paragraph (ca) (as inserted by section 13 (1) of the Fishing Industry Board Amendment Act 1975) the words “, providing for the payment of fees for the issue and renewal of such licences, and prohibiting the export of fish and fish products from New Zealand by persons not holding such licences”. 10 15

Forests

30. Sections to be read with Forests Act 1949—This section and the next 2 succeeding sections shall be read together with and deemed part of the Forests Act 1949* (in those sections referred to as the principal Act). 20

*Reprinted 1969, Vol. 2, p. 1455
Amendments: 1970, No. 62; 1971, No. 99; 1972, No. 60; 1973, No. 60; 1973, No. 122; 1976, No. 45; 1977, No. 104; 1977, No. 111; 1979, No. 123

31. Powers of the Minister, etc.—Section 15 (1) of the principal Act is hereby amended by repealing paragraph (e), and substituting the following paragraph:

“(e) Train Forest Officers and employees, conduct research into forests, forestry, forest products, and into any matter for or over which the Forest Service has responsibility or control and management under section 14 of this Act, and into any activity which the Minister is empowered to undertake under this section, and collect and disseminate information on forestry and the activities of the Forest Service:” 25 30

32. Receipts and expenditure—Section 16 of the principal Act is hereby amended by adding the following subsections:

“**(4)** Notwithstanding subsection **(2)** of this section, any person or body, unless prohibited from doing so by any Act, regulation, or instrument of trust, may make to the Minister a grant or gift of money for specified or general purposes of this Act, and the Minister may accept any such grant or gift for such purposes.

“**(5)** All money received by the Minister under subsection **(4)** of this section shall be paid into the Public Account to the credit of an account within the Trust Account known as the Forest Service Grants and Gifts Trust Account, and shall be applied, without further appropriation than this subsection, to the purposes for which the grant or gift was accepted by the Minister.”

Gaming and Lotteries

15 33. Sections to be read with Gaming and Lotteries Act 1977—This section and the next succeeding section shall be read together with and deemed part of the Gaming and Lotteries Act 1977* (in that section referred to as the principal Act).

*1977, No. 84

Amendments: 1979, No. 90; 1980, No. 112

20 34. Interpretation—Section 2 **(1)** of the principal Act is hereby amended by inserting in the definition of the term “ticket”, after the words “or a prize competition,”, the words “or a lottery,”.

Gas Industry

25 35. Sections to be read with Gas Industry Act 1958—This section and the next succeeding section shall be read together with and deemed part of the Gas Industry Act 1958* (in that section referred to as the principal Act).

*1958, No. 43

Amendments: 1960, No. 64; 1961, No. 24; 1965, No. 86; 1970, No. 65; 1979, No. 91

30 36. Minister may declare areas to be regions for purposes of section 20B—Section 20B of the principal Act (as inserted by section 5 of the Local Government Amendment Act 1979) is hereby amended by adding the following subsection:

“(6) The Minister may from time to time, by notice in the *Gazette*, declare any area in New Zealand, not including any land included in a region, to be a region for the purposes of this section; and, in any such case, this section shall apply as if references to the regional council or united council of a region were references to every territorial authority whose district comprises the whole or any part of the declared area.” 5

Harbours

37. Sections to be read with Harbours Act 1950—This section and the next 2 succeeding sections shall be read together with and deemed part of the Harbours Act 1950* (in those sections referred to as the principal Act). 10

*R.S. Vol. 2, p. 551
Amendment: 1980, No. 54

38. Governor-General may constitute public body to have control of waters—Section 8A of the principal Act (as inserted by section 6 of the Harbours Amendment Act 1961) is hereby amended by adding the following subsection: 15

“(13) The Governor-General may, by Order in Council,—

“(a) Declare that any committee representing 2 or more public bodies (as defined in subsection (12) of this section) is a public body within the meaning of this section; and 20

“(b) Specify the membership of the committee, or the manner in which the membership of the committee is to be determined; and 25

“(c) Specify the district of that committee for the purposes of this section; and

“(d) Notwithstanding anything in this section or section 232A of this Act, specify the manner in which the committee may exercise its powers as a public body under this section, including the power to make bylaws.” 30

39. Governor-General may constitute public body to have control of foreshore or bed of lake—Section 165 of the principal Act (as substituted by section 9 (1) of the Harbours Amendment Act 1961) is hereby amended by inserting, after subsection (10), the following subsection: 35

- “(10A) The Governor-General may, by Order in Council,—
- 5 “(a) Declare that any committee representing 2 or more public bodies (as defined in subsection (10) of this section) is a public body within the meaning of this section; and
- “ (b) Specify the membership of the committee, or the manner in which the membership of the committee is to be determined; and
- 10 “(c) Notwithstanding anything in this section or in section 232A of this Act, specify the manner in which the committee may exercise its powers as a public body under this section, including the power to make bylaws.”

Insolvency

- 15 **40. Sections to be read with Insolvency Act 1967**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Insolvency Act 1967* (in those sections referred to as the principal Act).

*1967, No. 54

Amendments: 1972, No. 71; 1976, No. 94; 1978, No. 99

- 41. Power to make summary instalment orders**—
- 20 (1) Section 146 of the principal Act is hereby amended by repealing subsection (1) (as amended by section 3 of the Insolvency Amendment Act 1976), and substituting the following subsection:

- “ (1) Where—
- 25 “(a) A debtor, or a creditor with the consent of the debtor, alleges that the debtor is unable to pay forthwith his debts that would be provable in his bankruptcy and that his total unsecured debts that would be provable in his bankruptcy are not more than
- 30 \$4,000; or
- “ (b) A creditor alleges that a debtor against whom a judgment for the payment of a sum of money has been obtained is unable to pay forthwith his debts that would be provable in his bankruptcy and that his
- 35 total unsecured debts that would be provable in his bankruptcy are not more than \$4,000,—
- the debtor or the creditor may apply to a District Court for a summary instalment order in respect of the debtor’s debts.”

(2) Section 146 of the principal Act (as amended by section 3 of the Insolvency Amendment Act 1976) is hereby further amended by omitting from subsection (4), and also from subsection (13), the expression “\$2,000”, and substituting in each case the expression “\$4,000”. 5

(3) Section 3 of the Insolvency Amendment Act 1976 is hereby consequentially repealed.

42. Offence in respect of obtaining credit—Section 151 of the principal Act (as amended by section 3 of the Insolvency Amendment Act 1972) is hereby amended by omitting from paragraph (a) of subsection (1), and also from paragraph (b) of that subsection, the expression “forty dollars”, and substituting in each case the expression “\$100”. 10

Insurance Companies’ Deposits

43. Sections to be read with Insurance Companies’ Deposits Act 1953—This section and the next succeeding section shall be read together with and deemed part of the Insurance Companies’ Deposits Act 1953* (in that section referred to as the principal Act). 15

*1957 Reprint, Vol. 6, p. 637
Amendments: 1958, No. 71; 1971, No. 102; 1972, No. 72; 1974, No. 105; 1977, No. 156

44. Interpretation—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “underwriter” the words “a company or”. 20

Massey Burial-ground

45. Sections to be read with Massey Burial-ground Act 1925—This section and the next 2 succeeding sections shall be read together with and deemed part of the Massey Burial-ground Act 1925* (in those sections referred to as the principal Act). 25

*1925, No. 5

46. Administration of special reserve—The principal Act is hereby amended by repealing section 5, and substituting the following section: 30

“5. (1) The Minister of Internal Affairs is hereby appointed as the administering body to control and manage the special reserve.

“(2) Where the Minister of Internal Affairs, in performing his function as the administering body of the reserve,— 35

“(a) Proposes to carry out major works on the reserve, or works that may substantially alter the appearance of the memorial; or

5 “(b) Otherwise considers it necessary—
he shall consult with such members of the family or descendants of the said William Fergusson Massey as he considers appropriate in the circumstances of the case.”

10 **47. Expenditure of funds on special reserve**—The principal Act is hereby amended by repealing section 6, and substituting the following section:

15 “6. The Minister of Internal Affairs may expend money provided by public subscription, or appropriated for the purpose by Parliament, or otherwise received by him for the purpose, in providing for the control and management of the special reserve and the memorial and tomb on the reserve.”

Meat Export Control

20 **48. Sections to be read with Meat Export Control Act 1921–22**—This section and the next succeeding section shall be read together with and deemed part of the Meat Export Control Act 1921–22* (in that section referred to as the principal Act).

*R.S. Vol. 3, p. 601
Amendment: 1980, No. 93

25 **49. Payment of levy**—Section 13A of the principal Act (as inserted by section 3 (1) of the Meat Export Control Amendment Act 1980) is hereby amended by repealing subsection (3), and substituting the following subsection:

30 “(3) The Director-General of Agriculture and Fisheries shall give written notice of any levy payable to every licensee of licensed premises who has made a return under subsection (2) of this section, and the licensee shall, within 15 days after the receipt of the notice or within such extended period as the Board may allow, pay the amount of the levy or cause that amount to be paid to any bank account of the Ministry of Agriculture and Fisheries for the benefit of the Director-General or, upon application by the licensee in the particular
35 circumstances of the case, to such office of the Ministry as the Director-General may approve.”

Medical and Dental Auxiliaries

50. Sections to be read with Medical and Dental Auxiliaries Act 1966—This section and the next succeeding section shall be read together with and deemed part of the Medical and Dental Auxiliaries Act 1966* (in that section referred to as the principal Act). 5

*1966, No. 42

Amendments: 1968, No. 93; 1969, No. 96; 1972, No. 81; 1974, No. 104; 1978, No. 111

51. Registrable occupations—(1) The principal Act is hereby amended by repealing section 3, and substituting the following section:

“3. The occupations of dental technician, medical laboratory technologist, medical radiation technologist, and podiatrist shall be registrable occupations for the purposes of this Act.” 10

(2) The following enactments are hereby consequentially repealed: 15

(a) Section 2 of the Medical and Dental Auxiliaries Amendment Act 1972:

(b) Section 2 of the Medical and Dental Auxiliaries Amendment Act 1974:

(c) Section 55 (2) and (3) of the Optometrists and Dispensing Opticians Act 1976. 20

(3) The following orders are hereby consequentially revoked:

(a) The Medical and Dental Auxiliaries Act Commencement Order 1973: 25

(b) The Medical and Dental Auxiliaries Act Commencement Order 1977.

Medical Research Council

52. Sections to be read with Medical Research Council Act 1950—This section and the next 2 succeeding sections shall be read together with and deemed part of the Medical Research Council Act 1950* (in those sections referred to as the principal Act). 30

*1957 Reprint, Vol. 9, p. 581

Amendment: 1965, No. 29

53. Membership of Council—(1) Section 4 (1) of the principal Act (as substituted by section 3 (1) of the Medical Research Council Amendment Act 1965) is hereby amended by repealing paragraphs (f) to (h), and substituting the following paragraph: 35

5 “(f) Four persons who have been actively engaged in or closely associated with medical research, 1 of whom shall be experienced in a branch of para-clinical medicine, 1 of whom shall be experienced in a branch of social medicine, and 2 of whom shall be experienced in branches of clinical medicine, all to be nominated by the Colleges Liaison Committee established by the professional colleges of medical practitioners in New Zealand and to be appointed on the recommendation of the Minister:”.

10 (2) Section 4 (1) (j) of the principal Act (as so substituted) is hereby amended by inserting, after the words “Three persons”, the words “who are or have been actively engaged in or closely associated with medical research”.

15 (3) Each member of the Council holding office immediately before the commencement of this section under paragraph (f), paragraph (g), and paragraph (h) of section 4 (1) of the principal Act shall cease to hold office on the commencement of this section, but shall be eligible for reappointment under any provision of the said section 4 (1). Any period of less than 3 years during which any such member has been a member of the Council in the period of 3 years commencing on the 1st day of April 1979 and ending with the 31st day of March 1982 shall not be taken into account for the purposes of section 4 (5) of the principal Act.

20 (4) Each member of the Council holding office immediately before the commencement of this section under section 4 (1) (j) of the principal Act shall, unless he sooner vacates office under section 4 (6) of the principal Act, continue in office until the period of his appointment expires.

25 (5) This section shall come into force on the 1st day of April 1982.

35 **54. Financial provisions**—(1) Section 11 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting the words “one hundred dollars”, and substituting the expression “\$500”.

40 (2) Section 17 (3) of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting the words “forty dollars”, and substituting the expression “\$1,000”.

Ministry of Energy

55. Sections to be read with Ministry of Energy Act 1977—
 This section and the next 2 succeeding sections shall be read
 together with and deemed part of the Ministry of Energy
 Act 1977* (in those sections referred to as the principal Act). 5

*1977, No. 33

**56. General functions of Ministry in relation to energy
 policies—**Section 11 (4) of the principal Act is hereby
 amended by repealing paragraph (k), and substituting the
 following paragraph:

“(k) For the purpose of implementing policies relating 10
 to energy, make financial grants or loans or pay
 subsidies, out of money appropriated by Parlia-
 ment for the purpose:”.

57. Regulations—Section 28 (1) of the principal Act is
 hereby amended by inserting, after paragraph (a), the follow- 15
 ing paragraph:

“(ab) Prescribing offences in respect of the contravention
 of or non-compliance with any regulations made
 under this section, and the amounts of the fines
 that may be imposed in respect of any such 20
 offences, which fines shall be an amount not
 exceeding \$1,000:”.

Moneylenders

58. Sections to be read with Moneylenders Act 1908—
 This section and the next 2 succeeding sections shall be read 25
 together with and deemed part of the Moneylenders Act
 1908* (in those sections referred to as the principal Act).

*Reprinted 1957, Vol. 10, p. 313

Amendments: 1971, No. 112; 1973, No. 3; 1977, No. 48

**59. Registration of moneylender need not be renewed for
 1982—**(1) Notwithstanding sections 2 and 3 of the Money-
 lenders Amendment Act 1933 and any other enactment,— 30
 (a) Every registration of a moneylender under the principal
 Act that has effect on the 31st day of March 1982
 shall, notwithstanding that it has not been renewed,
 continue to have effect until the close of the 31st
 day of May 1982: 35

- (b) No licence fee for the financial year commencing on the 1st day of April 1982 need be paid in respect of any address that is registered under the principal Act before that day:
- 5 (c) Every licence by which a moneylender is licensed to carry on his business as a moneylender for a period ending with the close of the 31st day of March 1982 shall be deemed to have been issued in respect of a period ending with the close of the 31st day of
- 10 May 1982:
Provided that, for the purpose of applying section 2 (3) of the Moneylenders Amendment Act 1933, this paragraph shall not have the effect of
- 15 deeming a licence fee to have been paid in respect of any registered address for the whole or any part of the financial year commencing on the 1st day of April 1982.
- (2) Nothing in this section shall—
- 20 (a) Affect section 5 of the Moneylenders Amendment Act 1933; or
- (b) Authorise a person to carry on business as a moneylender at any time when his registration under the principal Act is suspended or cancelled pursuant to section 5 of the Moneylenders Amendment Act 1933.
- 25 **60. Expiry**—This section and sections 58 and 59 of this Act shall expire with the close of the 31st day of May 1982.

Municipal Insurance

- 61. Sections to be read with Municipal Insurance Act 1960**—This section and the next 2 succeeding sections shall
- 30 be read together with and deemed part of the Municipal Insurance Act 1960* (in those sections referred to as the principal Act).

*1960, No. 29

- 62. Definition of “local authority”**—(1) Section 2 of the principal Act is hereby amended by repealing the definition
- 35 of the term “council” (as substituted by section 8 (3) of the Local Government Amendment Act 1979), and substituting the following definition:
“‘Local authority’ has the same meaning as in the Local Government Act 1974.”.

(2) The Local Government Amendment Act 1979 is hereby consequentially amended by omitting so much of Part III of the Third Schedule as relates to section 2 of the principal Act.

63. Certain local authorities may become members of company—(1) Section 5 of the principal Act is hereby amended by omitting the words “Council may on behalf of the Corporation of its district”, and substituting the words “local authority may”. 5

(2) Section 6 of the principal Act is hereby amended by omitting the word “Council”, and substituting the words “local authority”. 10

(3) Section 7 of the principal Act is hereby amended by omitting the word “Council”, and substituting the words “local authority”.

Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund 15

64. Sections to be read with Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945—This section and the next succeeding section shall be read together with and deemed part of the Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945* (in that section referred to as the principal Act). 20

*Reprinted 1974, Vol. 3, p. 2429

65. Membership of Board—Section 4 (2) (c) of the principal Act is hereby amended by omitting the names “Tuta Ngarimu and Makere Ngarimu”, and substituting the names “Hamuera Ngarimu and Maraea Ngarimu”. 25

Noxious Plants

66. Sections to be read with Noxious Plants Act 1978—This section and the next succeeding section shall be read together with and deemed part of the Noxious Plants Act 1978* (in that section referred to as the principal Act). 30

*1978, No. 15

67. Arbitrator’s fee may be apportioned—Section 52 (5) of the principal Act is hereby amended by inserting, after the words “costs of the appeal”, the words “(including any arbitrator’s fee)”. 35

Pacific Islands Polynesian Education Foundation

68. Sections to be read with the Pacific Islands Polynesian Education Foundation Act 1972—This section and the next succeeding section shall be read together with and deemed
5 part of the Pacific Islands Polynesian Education Foundation Act 1972* (in that section referred to as the principal Act).

*1972, No. 138

Amendment: 1975, No. 96

69. Amendments consequential to reconstitution of Department of Maori Affairs—The principal Act is hereby amended—

- 10 (a) By omitting from section 8 (2) (e) the word “Island”,
and substituting the word “Maori”:
(b) By omitting from section 8 (4) the word “Island”,
and substituting the word “Maori”:
15 (c) By omitting from section 30 (1) the word “Island”,
and substituting the word “Maori”.

Pawnbrokers

70. Sections to be read with Pawnbrokers Act 1908—This section and the next succeeding section shall be read together
20 with and deemed part of the Pawnbrokers Act 1908* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 11, p. 649

71. Mode of obtaining licence—Section 4 (3) of the principal Act (as amended by section 7 (1) (a) of the Decimal Currency Act 1964) is hereby amended by omitting the
25 expression “twenty dollars”, and substituting the expression “\$100”.

Penal Institutions

72. Sections to be read with Penal Institutions Act 1954—This section and the next 2 succeeding sections shall be read
30 together with and deemed part of the Penal Institutions Act 1954* (in those sections referred to as the principal Act).

*R.S. Vol. 4, p. 65

Amendment: 1980, No. 77

73. Regulations—Section 45 (2) of the principal Act is hereby amended by repealing paragraph (g), and substituting the following paragraph:

“(g) Prescribing the manner in which the date of release of an inmate is to be fixed under section 31 (4) of this Act:”.

74. Transfer of prison inmate to hostel—Section 7 (1) of the Penal Institutions Amendment Act 1978 is hereby amended by omitting the words “by the Secretary pursuant to section 21A (1)”, and substituting the words “pursuant to section 21A”. 5

Police

75. Sections to be read with Police Act 1958—This section and the next 2 succeeding sections shall be read together with and deemed part of the Police Act 1958* (in those sections referred to as the principal Act). 10

*R.S. Vol. 4, p. 137
Amendment: 1980, No. 130

76. Penalties—(1) Section 33 of the principal Act (as amended by section 6 of the Police Amendment Act 1978) is hereby amended— 15

- (a) By omitting from subsection (1) (b) (iv) the expression “\$300”, and substituting the expression “\$400”:
- (b) By omitting from subsection (2) (b) (iv) the expression “\$150”, and substituting the expression “\$250”:
- (c) By omitting from subsection (3) (b) (iii) the expression “\$120”, and substituting the expression “\$175”. 20

(2) Section 34 of the principal Act is hereby amended by repealing subsection (3) (as substituted by section 6 (1) of the Police Amendment Act 1976), and substituting the following subsection: 25

“(3) Where the appeal relates to the dismissal of the appellant or the imposition on him of any other penalty, the dismissal or other penalty shall not take effect pending the hearing of the appeal; but the Commissioner may suspend the appellant from duty with or without pay, or without such part of his pay, as the Commissioner so directs.” 30

(3) The following enactments are hereby consequentially repealed:

- (a) Section 6 of the Police Amendment Act 1976: 35
- (b) Section 6 of the Police Amendment Act 1978.

77. **General search of person in custody**—Section 57A of the principal Act (as inserted by section 2 of the Police Amendment Act 1979) is hereby amended by inserting in subsection (1), after the words “a member of the Police”, the words “, or
5 any other person employed for the purpose pursuant to regulations made under this Act”.

Potato Industry

78. **Sections to be read with Potato Industry Act 1977**—This section and the next 2 succeeding sections shall be read
10 together with and deemed part of the Potato Industry Act 1977* (in those sections referred to as the principal Act).

*1977, No. 77

79. **Interpretation**—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “purchase” the words “and ‘purchase’ has a corresponding meaning”,
15 and substituting the words “and ‘purchased’ has a corresponding meaning”.

80. **Membership of Potato Board**—Section 4 (2) of the principal Act is hereby amended by repealing paragraph (a), and substituting the following paragraph:
20 “(a) One member appointed by the Minister who shall represent the interests of consumers of potatoes.”.

Primary Products Marketing

81. **Sections to be read with Primary Products Marketing Act 1953**—This section and the next succeeding section shall
25 be read together with and deemed part of the Primary Products Marketing Act 1953* (in that section referred to as the principal Act).

*R.S. Vol. 4, p. 201

82. **Regulations**—Section 3 (2) of the principal Act is hereby amended by inserting, after paragraph (n), the
30 following paragraph:
“(na) Providing for the dissolution of any Marketing Authority and for all matters related to such a dissolution.”.

Public Finance

83. Sections to be read with Public Finance Act 1977— This section, the next succeeding section, and the Schedule to this Act shall be read together with and deemed part of the Public Finance Act 1977* (in that section referred to as the principal Act). 5

*1977, No. 65

Amendments: 1980, No. 7; 1980, No. 133

84. Revolving funds—(1) The principal Act is hereby amended by repealing the Fifth Schedule (as substituted by section 2 (1) of the Public Finance Amendment Act (No. 2) 1980), and substituting the Fifth Schedule set out in the Schedule to this Act. 10

(2) The Public Finance Amendment Act (No. 2) 1980 is hereby consequentially repealed.

Radiation Protection

85. Sections to be read with Radiation Protection Act 1965—(1) This section and the next 2 succeeding sections shall be read together with and deemed part of the Radiation Protection Act 1965* (in those sections referred to as the principal Act). 15

(2) This section and the next 2 succeeding sections shall come into force on the 1st day of April 1982. 20

*1965, No. 23

Amendments: 1973, No. 89; 1974, No. 116; 1977, No. 171

86. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by omitting from the definition of the term “irradiating apparatus” the expression “0.25 millirem”, and substituting the expression “2.5 microsieverts”. 25

(2) Section 2 (1) of the principal Act is hereby further amended by omitting the definition of the term “radioactive material”, and substituting the following definition:

“‘Radioactive material’ means any article containing a radioactive substance giving it a specific radioactivity exceeding 100 kilobecquerels per kilogram and a total radioactivity exceeding 3 kilobecquerels:” 30

87. Licences—(1) Section 16 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection: 35

“(4) Every licence granted under this section shall, unless previously cancelled under this Act, or unless some earlier expiry date is specified in the licence, continue in force for 1 year from the date on which it commences to have effect, but may from time to time be renewed pursuant to this Act.”

(2) Section 21 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

10 “(4) Every application under this section shall be made at least 28 days before the expiry of the licence in accordance with section 16 (4) of this Act, or within such further time as may be allowed by the Director-General in any particular case.”

15

Rating

88. Sections to be read with Rating Act 1967—(1) This section and the next succeeding section shall be read together with and deemed part of the Rating Act 1967* (in that section referred to as the principal Act).

20 (2) This section and the next succeeding section shall be deemed to have come into force on the 1st day of April 1981.

*1967, No. 123

89. Delivery of rates assessment—Section 65 (3) of the principal Act is hereby amended by inserting, after paragraph (b), the following paragraph:

25 “(ba) If it is sent to the postal address given by or on behalf of the occupier as his address for the purposes of the valuation roll or such other postal address as may be given by or on behalf of the occupier to the local authority, as the address to which correspondence or rates assessments may be sent; or”

30

Real Estate Agents

90. Sections to be read with Real Estate Agents Act 1976—This section and the next succeeding section shall be read together with and deemed part of the Real Estate Agents Act 1976* (in that section referred to as the principal Act).

35

*1976, No. 9

Amendments: 1977, No. 173; 1978, No. 120

91. Fees to be payable on transfer of certificate of approval—Section 50 (3) of the principal Act is hereby amended by inserting, after the words “as soon as practicable”, the words “after payment of the prescribed fee (if any)”. 5

Standards

92. Sections to be read with Standards Act 1965—This section and the next succeeding section shall be read together with and deemed part of the Standards Act 1965* (in that section referred to as the principal Act). 10

*1965, No. 59

Amendments: 1969, No. 106; 1972, No. 103

93. Functions of the Council—Section 16 of the principal Act is hereby amended by inserting, after the words “New Zealand,”, the words “having regard to economy in the production of such goods,”.

State Services

15

94. Sections to be read with State Services Act 1962—This section and the next succeeding section shall be read together with and deemed part of the State Services Act 1962* (in that section referred to as the principal Act).

*Reprinted 1971, Vol. 4, p. 2533

Amendments: 1973, No. 15; 1973, No. 92; 1974, No. 122; 1978, No. 37

95. Classification and Grading Committees—Section 46 of the principal Act (as amended by section 83 (1) of the State Services Conditions of Employment Act 1977 and by section 3 of the State Services Amendment Act 1978) is hereby amended by inserting, after subsection (3), the following subsections: 20

“(3A) In the event of the incapacity of the Chairman or of any member of a Committee by reason of illness or absence, or any other cause, the Commission may in the manner prescribed in subsection (2) of this section, appoint some other person qualified for appointment to that office to act in the place of the Chairman or member. Every person so appointed shall, while the incapacity continues, be deemed for all purposes to be the Chairman or member of the Committee, as the case may require. 25 30

“(3B) No appointment of a deputy and no acts done by him as such, and no acts done by the Committee while any 35

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.”

Stock Foods

5 **96. Sections to be read with Stock Foods Act 1946**—This section and the next succeeding section shall be read together with and deemed part of the Stock Foods Act 1946* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 15, p. 265
Amendments: 1966, No. 48; 1980, No. 144

10 **97. General penalty for offences**—The principal Act is hereby amended by repealing section 19, and substituting the following section:

“19. Every person who commits an offence against this Act for which no penalty is provided other than in this section is liable on summary conviction—

15 “(a) In the case of an individual, to a fine not exceeding \$500 and, if the offence is a continuing one, to a further fine not exceeding \$50 for every day on which the offence has continued; and

20 “(b) In the case of a body corporate, to a fine not exceeding \$2,000 and, if the offence is a continuing one, to a further fine not exceeding \$200 for every day on which the offence has continued.”

Summary Proceedings

25 **98. Sections to be read with Summary Proceedings Act 1957**—This section and the next succeeding section shall be read together with and deemed part of the Summary Proceedings Act 1957* (in that section referred to as the principal Act).

*Reprinted 1975, Vol. 4, p. 3107
Amendments: 1976, No. 169; 1978, No. 68; 1979, No. 126; 1980, No. 84

30 **99. Provisions on determination of appeal where defendant sentenced to periodic detention**—Section 137A of the principal Act (as inserted by section 18 of the Summary Proceedings Amendment Act 1973) is hereby amended by inserting, after subsection (1), the following subsection:

35 “(1A) In any case to which subsection (1) of this section applies, the order made under section 16 (2) of the Criminal Justice Amendment Act 1962 by the Court that imposed the

sentence of periodic detention shall continue in force according to its tenor, except that the Court that determines the appeal or, as the case may require, the District Court Judge or Justice or Justices or Registrar referred to in subsection (1) of this section shall specify the day and time at which the offender is required to report to the work centre on the first occasion thereafter.” 5

Taratahi Agricultural Training Centre (Wairarapa)

100. Sections to be read with Act heretofore cited as Wairarapa Cadet Training Farm Act 1969—This section and the next 2 succeeding sections shall be read together with and deemed part of the Act heretofore cited as the Wairarapa Cadet Training Farm Act 1969* (in those sections referred to as the principal Act). 10

*1969, No. 138
Amendment: 1975, No. 110

101. Change of name—(1) The principal Act may hereafter be cited as the Taratahi Agricultural Training Centre (Wairarapa) Act 1969. 15

(2) The Short Title and long title of the principal Act and the Short Title and long title of the Wairarapa Cadet Training Farm Amendment Act 1975 are hereby consequentially amended, in each case, by omitting the words “Wairarapa Cadet Training Farm”, and substituting the words “Taratahi Agricultural Training Centre (Wairarapa)”. 20

(3) Every reference in any enactment to the Short Title of any of the said Acts is hereby consequentially amended by omitting the words “Wairarapa Cadet Training Farm”, and substituting the words “Taratahi Agricultural Training Centre (Wairarapa)”. 25

102. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definitions of the terms “training farm” and “Trust Board”, and substituting the following definitions: 30

“‘Training centre’ means the Taratahi Agricultural Training Centre (Wairarapa) comprising the lands described in the Schedule to this Act: 35

“‘Trust Board’ means the Taratahi Agricultural Training Centre (Wairarapa) Trust Board established by this Act.”

(2) The principal Act is hereby further consequentially amended—

5 (a) By omitting the words “training farm” wherever they occur, and substituting in each case the words “training centre”:

(b) By omitting the words “Wairarapa Cadet Training Farm” wherever they occur, and substituting in each case the words “Taratahi Agricultural Training Centre (Wairarapa)”.

10 (3) The Taratahi Agricultural Training Centre (Wairarapa) Trust Board is hereby declared to be the same body corporate as that which was constituted under the principal Act and immediately before the commencement of this section was known as the Wairarapa Cadet Training Farm Trust
15 Board.

(4) Every reference to the Wairarapa Cadet Training Farm Trust Board in any certificate of title, agreement, deed, instrument, or other document shall hereafter be read as a reference to the Taratahi Agricultural Training Centre
20 (Wairarapa) Trust Board.

Testing Laboratory Registration

103. Sections to be read with Testing Laboratory Registration Act 1972—This section and the next succeeding section shall be read together with and deemed part of the
25 Testing Laboratory Registration Act 1972* (in that section referred to as the principal Act).

*1972, No. 36

104. Membership of Council—Section 4 (1) of the principal Act is hereby amended by adding the following paragraph:

30 “(g) The Director-General of Health.”

Trespass

105. Sections to be read with Trespass Act 1980—(1) This section and the next succeeding section shall be read together with and deemed part of the Trespass Act 1980* (in that
35 section referred to as the principal Act).

(2) This section and the next succeeding section shall be deemed to have come into force on the 1st day of January 1981 (the date of the commencement of the principal Act).

*1980, No. 65

106. Savings—Section 13 of the principal Act is hereby amended by omitting the word “bylaw”, and substituting the words “by law”.

Unit Titles

107. Sections to be read with Unit Titles Act 1972—This section and the next 2 succeeding sections shall be read together with and deemed part of the Unit Titles Act 1972* (in those sections referred to as the principal Act). 5

*1972, No. 15

Amendments: 1979, No. 37; 1980, No. 148

108. Form of application amended—Form 1 in the First Schedule to the principal Act is hereby amended by repealing paragraph 2. 10

109. Stratum estate as trustee investment—(1) Section 4 of the Trustee Act 1956 is hereby amended by repealing subsection (3AA) (as inserted by section 29 (1) of the Unit Titles Amendment Act 1979), and substituting the following subsection: 15

“(3AA) In this section the term ‘real security’ also means a first mortgage of—

“(a) A stratum estate in freehold in a unit under the Unit Titles Act 1972; and 20

“(b) A stratum estate in leasehold in such a unit where the lease or licence relating to the land is one to which subsection (3) or subsection (3A) of this section applies,—

if— 25

“(c) The proprietor of the unit effects in respect of the unit a mortgage redemption policy within the meaning of and in accordance with section 39 of the Unit Titles Act 1972 to repay the whole of the sum secured under the mortgage; and 30

“(d) In the case of a stratum estate in leasehold in such a unit where the lease or licence relating to the land is one to which subsection (3A) of this section applies, the terms and conditions specified in paragraphs (b) and (c) of that subsection (so far as they are applicable and with all necessary modifications) are satisfied.” 35

(2) Section 4 of the Trustee Act 1956 is hereby further amended by inserting, after subsection (3B) (as inserted by section 4 (2) of the Trustee Amendment Act 1974), the following subsection: 40

“(3c) Subsections (1) and (3) of section 10 of this Act shall not apply in any case where a trustee, pursuant to subsection (3AA) of this section, lends money on the security of any property described in paragraph (d) of that subsection.”

5 (3) Section 29 of the Unit Titles Amendment Act 1979 is hereby consequentially repealed.

Valuation of Land

110. Sections to be read with Valuation of Land Act 1951—
 This section and the next 2 succeeding sections shall be read
 10 together with and deemed part of the Valuation of Land Act 1951* (in those sections referred to as the principal Act).

*Reprinted 1970, Vol. 3, p. 2615
 Amendments: 1971, No. 138; 1972, No. 111; 1976, No. 128; 1978, No. 132

111. Preparation of district valuation roll—Section 8 of the principal Act is hereby amended by adding the following subsection:

15 “(2) For the purposes of this section any land that is capable of separate occupation may, if in the circumstances of the case it is reasonable to do so, be treated as separate property whether or not it is separately occupied.”

112. Separate rateable values of single-unit dwellinghouses in areas where values influenced by demand for multi-unit housing—Section 25D of the principal Act (as inserted by section 5 of the Valuation of Land Amendment Act 1970) is hereby amended by adding to subsection (7) the following paragraph:

20
 25 “(c) Any land that is capable of separate occupation may, if in the circumstances of the case it is reasonable to do so, be treated as separate property whether or not it is separately occupied.”

Valuers

30 113. Sections to be read with Valuers Act 1948—This section and the next succeeding section shall be read together with and deemed part of the Valuers Act 1948* (in that section referred to as the principal Act).

*1957 Reprint, Vol. 16, p. 377
 Amendments: 1959, No. 7; 1968, No. 115; 1974, No. 127; 1977, No. 181; 1980, No. 150

114. Qualifications for registration—Section 19 (1) of the principal Act (as substituted by section 2 (1) of the Valuers Amendment Act 1974) is hereby amended by inserting, after the words “character and reputation”, the words “, has attained a reasonable standard of professional competence,”. 5

Vegetables Levy

115. Sections to be read with Vegetables Levy Act 1957—This section and the next succeeding section shall be read together with and deemed part of the Vegetables Levy Act 1957* (in that section referred to as the principal Act). 10

*1957 Reprint, Vol. 16, p. 399

Amendments: 1960, No. 93; 1972, No. 112; 1975, No. 108; 1978, No. 133; 1980, No. 151

116. Membership of affiliated bodies—Section 5 (1) (a) of the principal Act is hereby amended by omitting the words “one dollar” (as substituted by section 7 (1) (a) of the Decimal Currency Act 1964), and substituting the expression “\$2.50”. 15

Veterinary Services

117. Sections to be read with Veterinary Services Act 1946—This section and the next succeeding section shall be read together with and deemed part of the Veterinary Services Act 1946* (in that section referred to as the principal Act). 20

*1957 Reprint, Vol. 16, p. 405

Amendments: 1962, No. 110; 1979, No. 115; 1980, No. 10; 1980, No. 152

118. Council may deal with surplus in any disability fund—The principal Act is hereby amended by inserting, after section 24, the following section:

“24A. Where, in the opinion of the Council, the amount of 25 money held by it in any fund established by or pursuant to any Order in Council made under section 12 (2) (cc) of this Act is greater than is necessary to meet any calls likely to be made upon it, the Council may transfer all or any of the surplus to any other fund or account of the Council, and may 30 thereafter deal with it accordingly; but where at any time the amount of money so held by the Council is less than the amount of any call lawfully made upon it, the Council shall return to the first-mentioned fund the lesser of—

- “(a) The amount of the shortfall; and 35
- “(b) The amount of money so transferred that has not previously been returned.”

Wheat Board

119. Sections to be read with Wheat Board Act 1965—This section and the next succeeding section shall be read together with and deemed part of the Wheat Board Act 1965* (in that section referred to as the principal Act).

*1965, No. 60

Amendments: 1969, No. 116; 1970, No. 112; 1976, No. 130; 1977, No. 183

120. Contracts of Board and members—Section 17 of the principal Act is hereby amended by adding the following subsection:

“(5) Where a member of the Board, who is appointed under section 4 (d) of this Act or who is appointed under section 6 or section 7 of this Act in respect of a member of the Board appointed under section 4 (d) of this Act, has, directly or indirectly, a pecuniary interest in any matter before the Board or a committee of the Board, section 6 of the Local Authorities (Members’ Interests) Act 1968 shall not prohibit the member from voting on or taking part in the discussion of that matter where the pecuniary interest is not different in kind from the interests of other persons in the activity, industry, or business in respect of which the member is appointed.”

Wheat Research Levy

121. Sections to be read with Wheat Research Levy Act 1974—This section and the next 2 succeeding sections shall be read together with and deemed part of the Wheat Research Levy Act 1974* (in that section referred to as the principal Act).

*1974, No. 5

122. Interpretation—Section 2 of the principal Act is hereby amended by adding to the definition of the term “Minister” the words “and Technology”.

123. Increasing maximum levies—Section 3 (3) of the principal Act is hereby amended—

- (a) By omitting from paragraph (a) the expression “20”, and substituting the expression “60”:
- (b) By omitting from paragraph (b) the expression “30”, and substituting the expression “90”:
- (c) By omitting from paragraph (c) the expression “30”, and substituting the expression “90”.

Wildlife

124. Sections to be read with Wildlife Act 1953—This section and the next succeeding section shall be read together with and deemed part of the Wildlife Act 1953* (in that section referred to as the principal Act).

5

*1957 Reprint, Vol. 16, p. 669

Amendments: 1959, No. 49; 1964, No. 63; 1966, No. 94; 1968, No. 120; 1971, No. 140; 1972, No. 116; 1973, No. 99; 1980, No. 17

125. Minister may authorise use of unmoored boat, etc., in taking game—Section 18 (1) (f) (vi) of the principal Act is hereby amended by adding the words “except in such circumstances and at such times, areas, and places and subject to such conditions as may from time to time be authorised pursuant to a notification given by the Minister”.

10

Section 84

SCHEDULE

NEW FIFTH SCHEDULE TO PUBLIC FINANCE ACT 1977

Section 52A

“FIFTH SCHEDULE

REVOLVING FUNDS

Name of Operating Department	Name of Revolving Fund	Activity to which Fund Relates
Department of Maori Affairs	Maori Land Development Fund	Development and farming of land
Department of Lands and Survey	Farm Development Fund	Development and farming of land
Government Printing Office	Government Printing Office Fund	Functions of the Government Printing Office
New Zealand Forest Service	New Zealand Forest Service Fund	Functions of the New Zealand Forest Service”