

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Friday, the 23rd Day of October 1953

DAIRY PRODUCTS MARKETING COMMISSION AMENDMENT

Proposed Amendment

Hon. MR HOLYOAKE, in Committee, to move the following amendment:

To add the following new clauses:

3. The principal Act is hereby amended by inserting after section eighteen, the following section:

“18A. (1) Without limiting any of the powers conferred on the Commission by this Act or otherwise howsoever, the Commission may from time to time acquire or subscribe for shares or stock in any company incorporated or carrying on business outside New Zealand and having among its objects the business of marketing and distributing dairy produce:

Commission may acquire shares in overseas marketing companies.

“Provided that the shares and stock in any such company held by or on behalf of the Commission shall be not less than one half of the issued capital of the company for the time being.

“(2) The Commission may exercise all rights and powers as the holder of shares and stock so acquired or subscribed for by it and may advance to or deposit with a company in which shares or stock have been acquired or subscribed for by the Commission as aforesaid moneys required by the company for carrying on its business.

“(3) All moneys required to be paid in respect of the acquisition of or subscription for any such shares or stock or required for any such advances or deposits as aforesaid shall be paid out of the Dairy Industry Account.

“(4) Any shares or stock so acquired or subscribed for by the Commission may be held by the Commission or may be held on behalf of the Commission by any member or officer of the Commission:

“Provided that no one member or officer of the Commission shall hold more than ten shares or stock to the nominal value of more than ten pounds.

“(5) Notwithstanding anything in subsection six of section four of this Act, the Chairman of the Commission may hold office as director or chairman of directors of a company in which shares or stock have been acquired or subscribed for by the Commission as aforesaid.

“(6) Any member of the Commission (whether the Chairman or not) holding office as director of a company in which shares or stock have been acquired or subscribed for by the Commission as aforesaid may—

“(a) Receive from the company all the remuneration to which he may be entitled as holder of the office:

“(b) Retain so much of that remuneration (if any) as the Governor-General in Council may from time to time approve.

“(7) The accounts of any company in which shares or stock have been acquired or subscribed for by the Commission as aforesaid shall be audited by the Audit Office or by an Auditor approved by the Audit Office.

“(8) The Commission shall in its annual report furnished pursuant to section thirty-two of this Act show the amounts of all moneys paid out of the Dairy Industry Account in respect of the acquisition of or subscription for shares or stock in any such company, and shall report as to the operations of the company for its then last ended financial year.”

4. The principal Act is hereby amended by inserting, after section eighteen A, as set out in section three of this Act, the following section:

“18B. (1) Without limiting the powers conferred on the Commission by this Act or otherwise howsoever, the Commission shall have authority to make arrangements with the New Zealand Co-operative Dairy Company Limited (in this section referred to as the Company) for the co-ordination of the marketing of all milk powder manufactured in New Zealand and intended for export; and for this purpose the Commission may—

Commission may delegate to a committee the control of the marketing of milk powder intended for export.

“(a) Join with the Company in setting up a committee to be known as the Milk Powder Committee consisting of equal numbers of members of the Commission (one of whom shall be Chairman) and of nominees of the company:

“(b) Agree to exercise in relation to milk powder manufactured in New Zealand and intended for export all or any of the powers of the Commission under section fourteen of this Act in accordance with the recommendations of the Milk Powder Committee from time to time made to the Commission.

“(2) Any arrangements made under this section may enure for such period not exceeding ten years as may be agreed upon between the Commission and the Company, and may be renewed from time to time for such further periods not exceeding ten years at any one time as may be agreed upon between the Commission and the Company, and may provide that all questions arising at any meeting of the Milk Powder Committee shall be decided by a three-fourths majority of the votes of the members of that Committee and shall otherwise be, upon such terms and conditions as may be agreed upon between the Commission and the Company.”

EXPLANATORY NOTE

Clause 3 authorizes the Commission to acquire, out of moneys in the Dairy Industry Account, shares or stock in any company carrying on business outside New Zealand and having among its objects the business of marketing and distributing dairy produce. The shares and stock held by the Commission must not in any case be less than half of the issued capital of the company.

Clause 4 authorizes the Commission to delegate to a committee the general marketing control of milk powder intended for export. The committee is to consist of equal numbers of members of the Commission (one of whom shall be Chairman) and of nominees of the New Zealand Co-operative Dairy Company Limited.