

1962/88



## THE EGG MARKETING AUTHORITY REGULATIONS 1953, AMENDMENT NO. 8

COBHAM, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 13th day of June 1962

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Primary Products Marketing Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

1. (1) These regulations may be cited as the Egg Marketing Authority Regulations 1953, Amendment No. 8, and shall be read together with and deemed part of the Egg Marketing Authority Regulations 1953\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. (1) Subclause (1) of regulation 5 of the principal regulations is hereby amended by omitting the word "two", and substituting the word "three".

(2) The term of office of every Government representative on the Authority in office immediately before the commencement of these regulations shall expire on the date on which, if these regulations had been in force on the date of his appointment, his term would have expired under the provisions of the principal regulations.

3. Regulation 9 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

"(1) The principal functions of the Authority shall be—

(a) To regulate and control the marketing and distribution of eggs in New Zealand or elsewhere in accordance with these regulations for the purpose of ensuring, as far as possible, a sufficient supply of eggs and their equitable distribution in the general interests of producers and consumers:

\*S.R. 1953/156

Amendment No. 1: S.R. 1954/89  
 Amendment No. 2: S.R. 1954/124  
 Amendment No. 3: S.R. 1955/130  
 Amendment No. 4: S.R. 1956/32  
 Amendment No. 5: S.R. 1957/184  
 Amendment No. 6: S.R. 1959/70  
 Amendment No. 7: S.R. 1960/136

(b) To promote greater efficiency in the production and marketing of eggs:

(c) To promote, by such means as commend themselves to the Authority, measures for the improvement of the standard of quality of eggs."

4. The principal regulations are hereby further amended by inserting, after regulation 9, the following regulation:

"9A. The Authority shall not be liable for any act done or omitted to be done, nor shall any member of the Authority be personally liable for any act done or omitted to be done by the Authority or by any such member, in good faith and in pursuance or intended pursuance of the powers and authorities conferred upon the Authority or any member thereof by these regulations."

5. Paragraph (e) of subclause (2) of regulation 26 of the principal regulations is hereby amended by adding the words "including conditions in respect of the prices that may be charged, whether by wholesale or retail, and the allowances that may be made in any such prices for the payment of freight on eggs consigned or forwarded to a licensed distributor for sale:".

6. Paragraph (a) of regulation 64 of the principal regulations is hereby amended by omitting the words "to imprisonment for a term not exceeding three months or".

7. (1) Subclause (2) of regulation 66 of the principal regulations is hereby amended by adding the words "and, where the eggs qualify for any quality improvement payment determined in that behalf by the Authority in accordance with this regulation, shall contain a statement to that effect".

(2) Regulation 66 of the principal regulations is hereby further amended by omitting from subclause (3) the words "pursuant to regulation 65 hereof", and substituting the words "pursuant to regulation 65 hereof, together with such quality improvement payment (if any) as may be approved in that behalf by the Authority."

(3) Regulation 66 of the principal regulations is hereby further amended by inserting, after subclause (3), the following subclause:

"(3A) Without limiting the provisions of subclause (3) of this regulation, the Authority may from time to time authorise any licensed distributor to pay to any consignor, for or towards the freight costs incurred by the consignor in consigning eggs to the licensed distributor for sale, such sum as may be determined by the Authority in that behalf, either generally or in any particular case."

(4) Subclause (5) of regulation 66 of the principal regulations is hereby amended by adding the words "Any such licensed distributor shall establish within the pool account a freight pool account into which shall be paid or credited all amounts received by the licensed distributor, for or on account of freight charges, in the wholesale price of eggs sold by him".

T. J. SHERRARD,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

Regulation 2 extends, from two years to three years, the term of office of Government representatives on the Egg Marketing Authority.

Regulation 3 states the principal functions of the Authority.

Regulation 4 absolves the Authority and its members from liability for acts done or omitted to be done in good faith.

Regulation 5 extends the powers of the Authority in respect of conditions prescribed by it relating to the sale or purchase of eggs.

Regulation 6 omits a power given in the regulations to inflict the punishment of imprisonment for a breach of the regulations.

Regulation 7 makes miscellaneous amendments relating to freight costs in the distribution of eggs.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 June 1962.

These regulations are administered in the Department of Agriculture.