



**THE GAME INDUSTRY BOARD REGULATIONS 1985,
AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of June 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

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

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Game Industry Board Regulations 1985, Amendment No. 3, and shall be read together with and deemed part of the Game Industry Board Regulations 1985* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Game Industry Board—(1) Regulation 3(2) of the principal regulations is hereby amended by omitting the expression “11”, and substituting the expression “10”.

*S.R. 1985/154
Amendment No. 1: S.R. 1985/174
Amendment No. 2: S.R. 1988/228

(2) The said regulation 3 (2) is hereby further amended by revoking paragraphs (b) and (c), and substituting the following paragraph:

“(b) Four members, of whom—

“(i) One is nominated for appointment as a representative of velvet processors; and

“(ii) At least one is, in the Minister’s opinion, qualified to serve as a member by virtue of commercial expertise gained otherwise than by involvement in game processing or game exporting—

appointed on the nomination of the New Zealand Deer Industry Association (Inc.):”.

(3) Regulation 3 of the principal regulations is hereby further amended by revoking subclauses (5) and (6), and substituting the following subclauses:

“(5) No member of the Board shall be appointed on the nomination of both the New Zealand Deer Farmers’ Association and the New Zealand Deer Industry Association (Inc.).

“(6) The member of the Board appointed under subclause (2) (d) of this regulation shall hold office for a term (not exceeding 3 years) specified at the time of appointment; and all other members shall hold office for a term of 3 years.

“(6A) Any member of the Board whose term of office has expired may be re-nominated and reappointed.”

(4) Subclauses (8) and (9) of the said regulation 3 are hereby revoked.

(5) Regulation 2 (1) of the principal regulations is hereby consequentially amended by revoking the definition of the term “exporter member”, and inserting, after the definition of the term “game deer”, the following definition:

“‘Government member’ means the member of the Board appointed under regulation 3 (2) (d) of these regulations:”.

(6) All members of the Board holding office immediately before the commencement of these regulations by virtue of appointment under paragraph (b) or paragraph (c) of regulation 3 (2) of the principal regulations shall go out of office on that commencement, but may be re-nominated and reappointed.

(7) Notwithstanding regulation 3 (6) of the principal regulations (as substituted by subclause (3) of this regulation), the Minister shall appoint one of the 4 members of the Board first appointed under regulation 3 (2) (b) of the principal regulations after the commencement of these regulations for a term of 1 year, 1 for a term of 2 years, and 2 for terms of 3 years.

3. Deputies of members—The principal regulations are hereby amended by revoking regulation 5, and substituting the following regulation:

“(5) (1) The Minister may from time to time appoint people who are not members of the Board to be deputies of members of the Board.

“(2) Subject to subclause (3) of this regulation, the Minister shall indicate on appointment whether a deputy is a deputy of farmer members, the government member, or industry members.

“(3) There shall be—

“(a) No more than 5 deputies of farmer members; and

“(b) No more than 4 deputies of industry members; and

“(c) No more than 1 deputy of the government member.

“(4) Every deputy shall be appointed for a term of 3 years or any shorter term the Minister specifies on making the appointment.

“(5) Every deputy shall be nominated for appointment in the same manner as the member or members of the Board as whose deputy the deputy is appointed.

“(6) While any member of the Board is absent from a meeting of the Board, or has died and not been replaced, and a deputy of the member is present,—

“(a) The deputy; or

“(b) If 2 or more deputies of the member are present, one of them selected by the member of the Board presiding at the meeting,—

shall take the member’s place at the meeting, and shall have all the powers of a member of the Board.

“(7) In deciding under subclause (6) of this regulation which of 2 or more deputies should take the place of a member of the Board at a meeting of the Board, the member of the Board presiding shall have regard to any wishes of the body by which the member was nominated (whether expressed in general terms or in relation to any particular case or class of case) known to the member presiding.

“(8) A deputy—

“(a) Shall go out of office in the same manner as a member of the Board; and regulation 4 of these regulations shall apply accordingly; and

“(b) Shall go out of office if appointed a member of the Board.

“(9) The going out of office of a member of the Board does not affect the appointment of any deputy.”

4. Meetings of Board—Regulation 7 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclauses:

“(3) Subject to subclause (3A) of this regulation, at all meetings of the Board, 6 members constitute a quorum.

“(3A) At any meeting of the Board—

“(a) If—

“(i) The government member is absent, or has died and not been replaced; and

“(ii) The member’s deputy is present,—
the question of whether or not a quorum is present shall be determined as if the member is present; and

“(b) If—

“(i) One or more farmer members are absent, or have died and not been replaced; and

“(ii) One or more deputies of farmer members are present,—
the question of whether or not a quorum is present shall be determined as if there are present (as well as the number of farmer members in fact present) a number of farmer members that is the lower of the number of farmer members who are absent, or have died and not been replaced, and the number of deputies of farmer members present; and

“(c) If—

“(i) One or more industry members are absent, or have died and not been replaced; and

“(ii) One or more deputies of industry members are present,—
the question of whether or not a quorum is present shall be determined as if there are present (as well as the number of industry members in fact present) a number of industry members that is the lower of the number of industry members who are absent, or have died and not been replaced, and the number of deputies of industry members present.”

5. Functions and powers of Board—(1) Regulation 12 (1) (h) of the principal regulations is hereby amended by omitting the words “Overseas Trade and Marketing”, in both places where they occur, and substituting, in each case, the words “External Relations and Trade”.

(2) Regulation 12 (2) of the principal regulations is hereby revoked.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations, which come into force 28 days after notification in the *Gazette*, have 4 effects.

First, they change the membership of the Game Industry Board so that it has 10 members rather than 11, by providing for 4 industry members rather than 5. The quorum for meetings of the Board will now be any 6 members.

Secondly, they provide for the appointment of deputies of members of the Board. Deputies of farmer and industry members will be deputies of that group of members in general, rather than of one specific member.

Thirdly, they provide for the Board to report to the Ministers of Agriculture, and External Relations and Trade. At present it reports to the Ministers of Agriculture, and Overseas Trade and Marketing.

Fourthly, they revoke a provision of the Game Industry Board Regulations 1985 that requires the Board to allow the farmed deer and game deer sections of the game industry to have control over their own activities and products through their representatives on the Board. Those sections of the industry are no longer separately represented on the Board.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 27 June 1991.

These regulations are administered in the Ministry of Agriculture and Fisheries.