

1962/195



**THE HONEY MARKETING AUTHORITY REGULATIONS 1953,
AMENDMENT NO. 6**

BERNARD FERGUSSON, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 21st day of November 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, and on the recommendation of the Minister of Agriculture, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Honey Marketing Authority Regulations 1953, Amendment No. 6, and shall be read together with and deemed part of the Honey 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) Regulation 20 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subject to the provisions of these regulations, a levy of $\frac{1}{32}$ d. per $\frac{1}{2}$ oz shall be payable on all honey sold in New Zealand.”

(2) Regulation 20 of the principal regulations is hereby further amended by revoking paragraph (b) of subclause (2), and substituting the following paragraph:

“(b) Any honey, where packed in containers containing more than 10 lb of honey and sold by a producer by retail at his apiary and delivered to the purchaser at the apiary:”

3. (1) Subclause (1) of regulation 22 of the principal regulations is hereby amended by omitting the proviso to paragraph (a).

*S.R. 1953/157

Amendment No. 1: S.R. 1955/83
Amendment No. 2: S.R. 1957/69
Amendment No. 3: S.R. 1959/103
Amendment No. 4: S.R. 1961/19
Amendment No. 5: S.R. 1961/107

(2) Subclause (1) of regulation 22 of the principal regulations is hereby further amended by omitting from paragraph (b) the words "or by means of an adhesive seal affixed as provided by paragraph (c) hereof".

(3) Subclause (1) of regulation 22 of the principal regulations is hereby further amended by omitting from paragraph (c) the words "either of an adhesive seal of the appropriate value which shall be affixed to the container in such a manner as to be easily seen or".

(4) Notwithstanding the provisions of this regulation, for a period of six months from the commencement of these regulations, or such further period as the Minister may determine, payment of the levy on honey packed in a canister or other kind of container, not being a carton, may be indicated in the manner authorised by paragraph (b) or paragraph (c), as the case may be, of subclause (1) of regulation 22 of the principal regulations, or by means of an adhesive seal of the appropriate value affixed to the canister or container in such a manner as to be easily seen.

(5) Regulation 22 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following regulation:

"(2) Payment of the levy shall be made at such time as may be agreed upon between the Authority and the person by whom the payment is to be made."

4. Regulation 25 of the principal regulations is hereby amended by revoking subclause (1) and subclause (3).

5. The principal regulations are hereby amended by revoking regulation 27, and substituting the following regulation:

"27. (1) The Authority may—

"(a) Repurchase any seals; and

"(b) In its absolute discretion, refuse to issue a licence or authority under these regulations, or may at any time revoke a licence or authority previously issued by the Authority.

"(2) The Authority may at any time out of the Honey Industry Account grant to any person a sum equal to the whole or such part as it thinks fit of any levy paid by that person under these regulations."

6. Regulation 28 of the principal regulations is hereby amended by omitting from subclause (4) the words "exceeding £1,000", and substituting the words "exceeding £1,300".

7. The principal regulations are hereby amended by inserting, after regulation 28, the following regulation:

"28A. The date of the end of the financial year of the Authority shall be the 31st day of August."

8. The principal regulations are hereby further amended by revoking regulation 29, and substituting the following regulation:

"29. Any person duly authorised by the Authority in that behalf may inspect the books and records of any person engaged in the business of marketing or storing honey in New Zealand, and relating to the storage, sale, and purchase of honey by that person, and the books and records of any person licensed or authorised under these regulations to emboss cartons or to imprint, mark, or number canisters for the purposes of

Part II of these regulations, and relating to that part of his business in respect of which he is licensed or authorised as aforesaid, and may make extracts from, or copies of, any such books or records.”

9. (1) The Schedule to the principal regulations is hereby amended by revoking clauses (4) and (5), and substituting the following clauses:

“(4) The number of votes which may be exercised by a person under these regulations shall be determined as follows:

“(a) If any such person, within the period of two years ending on the 30th day of June immediately preceding the date of preparation of the roll, has supplied honey to the Authority, he may exercise the appropriate number of votes indicated in paragraph (i) of the following table according to the quantity of honey supplied within the said period of two years:

“(b) If any such person, within the said period of two years, has supplied honey to a packer (whether or not the packer is also a producer) he may, on producing evidence of that supply to the satisfaction of the Returning Officer, exercise the appropriate number of votes indicated in paragraph (i) of the following table according to the quantity of honey supplied within the said period of two years:

“Provided that if any such honey has been supplied to a packer who is also a producer, the honey supplied to that producer as aforesaid shall not be taken into account when assessing the number of votes to which that producer is entitled:

“(c) If any such person, within the said period of two years, pays levy on honey sold, he may exercise the appropriate number of votes indicated in paragraph (ii) of the following table according to the amount of levy paid within the said period of two years:

“(d) If any such person has both supplied honey and paid levy within the said period of two years, he may exercise the aggregate number of votes authorised by the foregoing provisions of this clause:

“Provided that, notwithstanding the foregoing provisions of this clause, no such person shall be entitled to exercise an aggregate number of votes greater than 20.

“Table

“(i) Votes exercisable according to quantity of honey supplied—

Amount Supplied	Number of Votes
1 ton and under 2 tons	2
2 tons and under 4 tons	4
4 tons and under 6 tons	6
6 tons and under 8 tons	8
8 tons and under 10 tons	10
10 tons and under 12 tons	12
12 tons and under 14 tons	14
14 tons and under 16 tons	16
16 tons and under 18 tons	18
18 tons and over	20

“(ii) Votes exercisable according to amount of levy paid—

Amount of Levy		Number of Votes
£9 6s. 8d. and under	£18 13s. 4d.	..... 2
£18 13s. 4d. and under	£37 6s. 8d.	..... 4
£37 6s. 8d. and under	£56 0s. 0d.	..... 6
£56 0s. 0d. and under	£74 13s. 4d.	..... 8
£74 13s. 4d. and under	£93 6s. 8d.	..... 10
£93 6s. 8d. and under	£112 0s. 0d.	..... 12
£112 0s. 0d. and under	£130 13s. 4d.	..... 14
£130 13s. 4d. and under	£149 6s. 8d.	..... 16
£149 6s. 8d. and under	£168 0s. 0d.	..... 18
£168 0s. 0d. and over	.....	..... 20

“(5) No producer shall at any election be entitled to a vote by virtue of the supply of honey who has not, within the period of two years ending on the 30th day of June immediately preceding the date of preparation of the roll, supplied at least 1 ton, or to a vote by virtue of the levy paid who has not, within the said period of two years, paid levy amounting to at least £9 6s. 8d.”

(2) Subclause (1) of regulation 2 of the Honey Marketing Authority Regulations 1953, Amendment No. 2, is hereby revoked.

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.

These regulations provide for a different method of assessing the levy payable under the principal regulations and abolish the method of indicating the payment of the levy by the affixing of seals.

Regulation 6 increases, from £1,000 to £1,300, the amount payable out of the Honey Industry Account to the National Beekeepers' Association.

Regulation 7 prescribes the end of the financial year of the Honey Marketing Authority.

Regulation 8 rewrites the provisions of the principal regulations relating to the inspection of books.

Regulation 9 makes new provisions relating to voting for members of the Authority.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 November 1962.

These regulations are administered in the Department of Agriculture.