



**THE HORTICULTURAL PRESCRIBED PRODUCTS (BUTTERCUP
SQUASH) ORDER 1988, AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 4th day of June 1991

Present:

THE HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 31 of the New Zealand Horticulture Export Authority Act 1987, Her Excellency the Governor-General, acting on the recommendation of the Minister of Agriculture and the Minister of External Relations and Trade made in accordance with section 32 (4) of that Act, and by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Horticultural Prescribed Products (Buttercup Squash) Order 1988, Amendment No. 1, and shall be read together with and deemed part of the Order in Council known before the commencement of this order as the Horticultural Prescribed Products (Squash) Order 1988* (hereinafter referred to as the principal order).

(2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

2. Certain varieties excluded—(1) There are hereby excluded from the application of the principal order all fruit of plants of the species *Cucurbita maxima* other than the fruit commonly known as buttercup squash.

(2) Clause 1 (1) of the principal order is hereby consequentially amended by inserting, before the word “Squash”, the word “Buttercup”.

(3) Clause 2 of the principal order is hereby consequentially amended by omitting the definition of the term “squash”, and substituting the following definition:

“‘Buttercup squash’ means the product specified in clause 3 of this order.”

(4) Clause 3 of the principal order is hereby consequentially amended by omitting the item “Squash (*cucurbita maxima*)”, and substituting the item “fruit (being only the fruit commonly known as buttercup squash) of plants of the species *Cucurbita maxima*”.

3. Other amendments—The principal order is hereby amended by revoking clauses 4 and 5, and substituting the following clauses:

“4. Buttercup squash to be subject to export licensing—Buttercup squash are hereby declared to be subject to export licensing in accordance with Part III of the Act.

“5. Recognised product group—The body that was, on the commencement of the Horticultural Prescribed Products (Buttercup Squash) Order 1988, Amendment No. 1, known as the New Zealand Buttercup Squash Council Incorporated is hereby declared to be the product group recognised under section 25 of the Act as suitable to carry out the functions of a recognised product group in relation to buttercup squash.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

The Horticultural Prescribed Products (Squash) Order 1988 declared squash to be a prescribed product for the purposes of the New Zealand Horticulture Export Authority Act 1987, and described squash as "*cucurbita maxima*". In fact, "*cucurbita maxima*" includes plants that produce numbers of different kinds of squash, pumpkins, etc; whereas the order has since its making been administered as if it applied only to the particular product commonly known as buttercup squash.

This order, which comes into force 28 days after notification in the *Gazette*, has 3 effects. First, it excludes from the application of the principal order all products other than buttercup squash. Secondly, it makes a number of consequential amendments changing references to "squash" to references to "buttercup squash". Thirdly, it amends the principal order to reflect the fact that the body there declared (under the name of "New Zealand Squash Council") to be the appropriate recognised product group now calls itself "New Zealand Buttercup Squash Council Incorporated".

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 6 June 1991.
This order is administered in the Ministry of Agriculture and Fisheries.