



THE NATIONAL DEVELOPMENT (PETRALGAS CHEMICALS NZ LIMITED) ORDER 1981, AMENDMENT NO. 1

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of February 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 16(1) of the National Development Act 1979, His Excellency the Governor-General, acting 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 National Development (Petalgas Chemicals NZ Limited) Order 1981, Amendment No. 1, and shall be read together with and deemed part of the National Development (Petalgas Chemicals NZ Limited) Order 1981* (hereinafter referred to as the principal order).

(2) This order shall come into force on the 14th day after the date of its notification in the *Gazette*.

2. Conditions amended—The principal order is hereby amended by adding to clause 13 of Part II of the First Schedule, to clause 7 of the Second Schedule, to clause 7 of the Third Schedule, and to clause 7 of the Fourth Schedule the words “The productive life of the plant shall be deemed not to have ended at any particular time if, during the period of 5 consecutive

years ending at such time the plant has produced, in the aggregate, at least 400,000 tons of methanol, provided that such period of 5 years shall be extended by any period during which an event of force majeure (as hereinafter defined) is in effect and, notwithstanding anything else herein contained, the productive life of the plant shall be deemed not to have ended at any time prior to the 30th day of September 2008. For the purposes hereof 'force majeure' means an act of God, act of nature, strike, lockout, process upset, work stoppage or other labour hindrance, confiscation or expropriation, embargo, mechanical or electrical failure, fire, flood, storm, explosion, nuclear accident, sabotage, revolution, riot, act of war (whether declared or not), warlike operations, requirement or restriction of governmental authorities, earthquake, slide, epidemic, quarantine restrictions, mechanical breakdown of equipment vital to shipping, loading, transfer or unloading of methanol, breakdown of railway equipment and plant, delay in transportation or interruption or cessation in the flow of natural gas, or any other cause beyond the control of the grantee which prevents, hinders, or interferes with the production of methanol by the plant."

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

This order defines the expression "the end of the productive life of the methanol plant" for the purposes of various conditions set out in the Schedules to the principal order. The addition of the definition was recommended by the Planning Tribunal on 10 February 1986.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 27 February 1986.
This order is administered in the Ministry of Works and Development.