



**THE CO-OPERATIVE AERIAL SERVICES COMPANIES
ORDER 1979**

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 25th day of June 1979

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Co-operative Companies Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

O R D E R

1. Title—This order may be cited as the Co-operative Aerial Services Companies Order 1979.

2. Interpretation—(1) For the purposes of this order, a company is a co-operative aerial services company if—

- (a) Its principal object is the provision of aerial services in respect of land farmed by its shareholders, and at least 60 percent of its issued shares are held by the farmers of land in respect of which it provides aerial services; or
- (b) It is a holding company, and—
 - (i) Its principal object is the provision of aerial services in respect of land farmed by its shareholders or to act as a holding company, or both; and
 - (ii) The principal object of its subsidiary, or of each of its subsidiaries (if more than one), is the provision of aerial services in respect of land farmed by the shareholders of the holding company; and
 - (iii) At least 60 percent of its issued shares are held by the farmers of land in respect of which aerial services are provided by any one or more of the holding company and its subsidiary or subsidiaries, as the case may be; or
- (c) It is a subsidiary of a holding company that is a co-operative aerial services company by virtue of paragraph (b) of this subclause.

- (2) For the purposes of this order,—
- (a) "Aerial services" means any one or more of the following services that are provided by means of fixed wing or rotary wing aircraft:
- (i) The application of soil fertiliser or agricultural chemicals:
 - (ii) The sowing of seeds;
 - (iii) The carriage or lifting of goods or animals;
 - (iv) The surveying, mapping, or photography of land:
- (b) A company shall be a subsidiary of another company if—
- (i) That other company holds 60 percent or more of its issued shares; or
 - (ii) The first-mentioned company is a subsidiary of any company that is that other company's subsidiary:
- (c) A company shall be another company's holding company if that other company is its subsidiary:
- (d) The provisions of section 158 (3) of the Companies Act 1955 shall apply in determining whether one company is a subsidiary of another company.

3. Co-operative Companies Act 1956 to apply to co-operative aerial services companies—Co-operative aerial services companies are hereby declared to be co-operative companies for the purposes of the Co-operative Companies Act 1956.

4. Revocation—The Co-operative Companies Order 1962* is hereby revoked.

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

*S.R. 1962/56

EXPLANATORY NOTE

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

This order declares co-operative aerial services companies (as defined in the order) to be co-operative companies for the purposes of the Co-operative Companies Act 1956.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 June 1979.

This order is administered in the Department of Justice.