



**THE SHAREMILKING AGREEMENTS ORDER 1966,
AMENDMENT NO. 1**

—
RICHARD WILD, Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington this 25th day of May 1970

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Sharemilking Agreements Act 1937 (as amended by section 75 of the Statutes Amendment Act 1945), His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, and being satisfied that the alterations hereby effected and the date of commencement of this order have been agreed to by the New Zealand Sharemilkers' Association (Incorporated) and Federated Farmers of New Zealand (Incorporated) (being organisations representing the interests of sharemilkers and employers, respectively), hereby makes the following order.

—
ORDER

1. Title and commencement—(1) This order may be cited as the Sharemilking Agreements Order 1966, Amendment No. 1, and shall be read together with and deemed part of the Sharemilking Agreements Order 1966* (hereinafter referred to as the principal order).

(2) This order shall come into force on the 1st day of June 1970.

2. Terms and conditions of sharemilking agreements—(1) Part I of the Schedule to the principal order is hereby amended in the manner indicated in the First Schedule to this order.

(2) Part II of the Schedule to the principal order is hereby amended in the manner indicated in the Second Schedule to this order.

SCHEDULES

FIRST SCHEDULE

AMENDMENTS OF PART I OF SCHEDULE TO PRINCIPAL ORDER

(Standard Terms and Conditions of Sharemilking Agreement where Farm Owner Supplies the Herd)

Clause of Part I Amended	Amendment
Clause 11	<p>By revoking this clause, and substituting the following clause:</p> <p>“11. The sharemilker shall supply and install new claw tubes, inflations, milk rubbers, and all other rubber ware at the commencement of the agreement, and shall maintain or replace these where necessary for the efficient working of the plant during the currency of the agreement. He shall maintain and renew any belting required for the efficient working of the milking plant.”</p>
Clause 12	<p>By adding, as subclause (2), the following subclause:</p> <p>“(2) Where a washing-down plant is supplied, it shall be the responsibility of the sharemilker to supply and maintain the hose and nozzle of that plant.”</p>
Clause 13	<p>By revoking this clause, and substituting the following clause:</p> <p>“13. (1) The sharemilker shall pay total milking-shed power costs, including the power costs for milking machinery, water heating, and sludge pumping; but it shall be the duty of the farm owner to supply adequate facilities for boiling water. The farm owner shall reimburse the sharemilker to the extent of one-eighth of the power costs where an electric water heater is used.</p> <p>“(2) Chiller power costs shall be shared equally by each party, except that where the charges cannot be accurately assessed, \$10 per annum for 100 cows milked shall be allowed to the sharemilker where chillers are used. Where there is a special payment from a dairy company for chilling this shall be divided equally between the owner and sharemilker. If the sharemilker so wishes, he may install a check meter at his own expense.”</p>

FIRST SCHEDULE—*continued*

Clause of Part I Amended	Amendment
Clause 20	<p>To add, as subclauses (2) to (5), the following subclauses:</p> <p>“(2) Calves reared on nurse cows shall be valued at 8 weeks of age.</p> <p>“(3) Calves hand reared shall be valued at weaning.</p> <p>“(4) When valued, half the value shall be paid to the sharemilker as an advance against final realisation.</p> <p>“(5) Any increase or decrease in value from valuation until disposal date, termination of the contract, or date they are removed from the dairying area allocated under the sharemilking agreement shall be shared in the same proportions as the parties share cheques for milk or cream returns.”</p>
Clause 26	<p>By omitting the expression “\$15” (as substituted by section 7 (1) of the Decimal Currency Act 1964), and substituting the expression “\$20”.</p>
Clause 36	<p>By omitting the words “recur within seven days”, and substituting the words “recur within 21 days”.</p>
New clause	<p>By adding the following new clause:</p> <p>“49. If it should be mutually agreed upon that a cash or catch crop should be grown on the dairying area, the terms and conditions of that agreement shall be committed to writing prior to the preparation of any land for this purpose.”</p>

SECOND SCHEDULE

AMENDMENTS OF PART II OF SCHEDULE TO PRINCIPAL ORDER

(Standard Terms and Conditions of Sharemilking Agreement where Sharemilker's Duties Comprise Milking, Care, and Feeding of Stock, and Farm Maintenance Work)

Clause of Part II Amended	Amendment
Clause 11	<p>By revoking this clause, and substituting the following clause:</p> <p>“11. The sharemilker shall supply and install new claw tubes, inflations, milk rubbers, and all other rubber ware at the commencement of the agreement, and shall maintain or replace these where necessary for the efficient working of the plant during the currency of the agreement. He shall maintain and renew any belting required for the efficient working of the milking plant.”</p>
Clause 12	<p>By adding, as subclause (2), the following subclause:</p> <p>“(2) Where a washing-down plant is supplied, it shall be the responsibility of the sharemilker to supply and maintain the hose and nozzle of that plant.”</p>
Clause 13	<p>By revoking this clause, and substituting the following clause:</p> <p>“13. (1) The sharemilker shall pay total milking-shed power costs, including the power costs for milking machinery, water heating, and sludge pumping; but it shall be the duty of the farm owner to supply adequate facilities for boiling water. The farm owner shall reimburse the sharemilker to the extent of one-eighth of the power costs where an electric water heater is used.</p> <p>“(2) Chiller power costs shall be shared equally by each party, except that where the charges cannot be accurately assessed, \$10 per annum for 100 cows milked shall be allowed to the sharemilker where chillers are used. Where there is a special payment from a dairy company for chilling this shall be divided equally between the owner and sharemilker. If the sharemilker so wishes, he may install a check meter at his own expense.”</p>
Clause 19	<p>By inserting in clause 19, after the words “valuation of a”, the words “mutually agreed upon”.</p>

SECOND SCHEDULE—*continued*

Clause of Part II Amended	Amendment
Clause 21	<p>By adding, as subclauses (2) to (5), the following subclauses:</p> <p>“(2) Calves reared on nurse cows shall be valued at 8 weeks of age.</p> <p>“(3) Calves hand reared shall be valued at weaning.</p> <p>“(4) When valued, half the value shall be paid to the sharemilker as an advance against final realisation.</p> <p>“(5) Any increase or decrease in value from valuation until disposal date, termination of the contract, or date they are removed from the dairying area allocated under the sharemilking agreement shall be shared in the same proportions as the parties share cheques for milk or cream returns.”</p>
Clause 27	By omitting the expression “\$15” (as substituted by section 7 (1) of the Decimal Currency Act 1964), and substituting the expression “\$20”.
Clause 36	By omitting the words “recur within seven days”, and substituting the words “recur within 21 days”.
Clause 49	By omitting the words “against the sharemilker’s spreading costs”, and substituting the words “to the sharemilker, but the sharemilker shall not receive more than the spreading costs”.
New clause	<p>By adding the following new clause:</p> <p>“50. If it should be mutually agreed upon that a cash or catch crop should be grown on the dairying area, the terms and conditions of that agreement shall be committed to writing prior to the preparation of any land for this purpose.”</p>

P. J. BROOKS,
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 makes miscellaneous amendments to the forms of standard terms and conditions of sharemilking agreements set out in the Schedule to the principal regulations, as settled between the New Zealand Sharemilkers' Association (Incorporated) and Federated Farmers of New Zealand (Incorporated).

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 May 1970.

This order is administered in the Department of Labour.