



THE STATE-OWNED ENTERPRISES ORDER 1995

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 14th day of November 1995

Present:

THE HON. DOUG KIDD PRESIDING IN COUNCIL

PURSUANT to section 10A of the State-Owned Enterprises Act 1986 (as inserted by section 2 of the State-Owned Enterprises Amendment Act 1992), Her 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 State-Owned Enterprises Order 1995.

(2) Except as provided in subclause (3) of this clause, this order shall come into force on the 17th day of November 1995.

(3) Clauses 3 to 5 of this order shall come into force on the 18th day of November 1995.

2. Addition to Second Schedule to State-Owned Enterprises Act 1986—The State-Owned Enterprises Act 1986 is hereby amended by inserting in the Second Schedule, in its appropriate alphabetical order, the following item:

“Contact Energy Limited”.

3. Addition to First Schedule to State-Owned Enterprises Act 1986—The State-Owned Enterprises Act 1986 is hereby amended by

inserting in the First Schedule, in its appropriate alphabetical order, the following item:

“Contact Energy Limited”.

4. Addition to First Schedule to Ombudsmen Act 1975—The Ombudsmen Act 1975 is hereby amended by inserting in Part II of the First Schedule, in its appropriate alphabetical order, the following item:

“Contact Energy Limited”.

5. Addition to Schedule 18 to Income Tax Act 1994—The Income Tax Act 1994 is hereby amended by inserting in Schedule 18, in its appropriate alphabetical order, the following item:

“Contact Energy Limited”.

DIANE WILDERSPIN,
Acting for 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 provides for Contact Energy Limited to become a state enterprise under the State-Owned Enterprises Act 1986.

Clause 2, which comes into force on 17 November 1995, adds the name of the company to the Second Schedule to the State-Owned Enterprises Act 1986. The addition of the name of the company to the Second Schedule will enable the Crown to acquire shares in the company.

Clause 3, which comes into force on 18 November 1995, adds the name of the company to the First Schedule to the State-Owned Enterprises Act 1986. The company will thus become a state enterprise on that date.

Clause 4, which comes into force on 18 November 1995, includes the name of the company in Part II of the First Schedule to the Ombudsmen Act 1975. The company will thus become subject to that Act and to the Official Information Act 1981 on that date.

Clause 5, which comes into force on 18 November 1995, includes the name of the company in Schedule 18 to the Income Tax Act 1994. Schedule 18 contains a list of state-owned enterprises. Under section CB 3 (a) of that Act, the incomes of public authorities are exempt from tax. That exemption does not apply to state-owned enterprises.

State-owned enterprises are also special corporate entities for the purposes of the definition of that term in section OB 1 of that Act, which definition relates to the loss carry forward and grouping provisions.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 16 November 1995.

This order is administered in the Treasury.