



## THE WOOL PROCEEDS RETENTION REGULATIONS 1963

BERNARD FERGUSSON, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of December  
1963

Present:

THE HON. J. R. MARSHALL PRESIDING IN COUNCIL

PURSUANT to the Wool Proceeds Retention Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

1. These regulations may be cited as the Wool Proceeds Retention Regulations 1963.

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Wool Proceeds Retention Act 1950;  
“Commission” means the New Zealand Wool Commission established under the Wool Commission Act 1951;

“Minister” means the Minister of Finance; and includes any person for the time being authorised to exercise or perform any of the Minister’s powers or functions under these regulations;

“Person” includes a corporation sole and also a body of persons, whether incorporated or not;

Expressions defined in the Act have the meanings so defined.

3. For the purposes of these regulations, the sale value of any wool means the price for which the wool is sold.

4. (1) Nothing in these regulations shall apply in respect of any wool sold after the 30th day of June 1964; and no payment may be made under section 4 of the Act in respect of any wool at any time before the 1st day of January 1964 or after the 31st day of July 1964.

(2) The succeeding provisions of these regulations apply in respect of any wool sold at any time during the period that commenced on the 1st day of July 1963 and ends with the 30th day of June 1964.

5. (1) Subject to the provisions of these regulations, where any grower sells any wool he may pay or cause to be paid to the Commission under section 4 of the Act an amount equivalent to not more than one-third and not less than one-fifth of the sale value of that wool.

(2) Subject to subclause (1) of regulation 4 hereof, every payment under subclause (1) of this regulation shall be made—

(a) In the case of all wool sold before the 1st day of January 1964, not later than the 31st day of January 1964:

(b) In the case of any wool sold on or after the 1st day of January 1964, within one month after the proceeds of the sale of that wool are received by the grower or by any person on his behalf.

(3) The amount of any payment under subclause (1) of this regulation shall not in any case be less than £100.

(4) Where any grower desires to make or cause to be made a payment under subclause (1) of this regulation in respect of any wool whose sale value is less than £500, he may for the purpose of complying with subclause (3) of this regulation add the sale value of that wool to the sale value of the wool sold by him at the next succeeding sale or sales of his wool, but only until such time as the said subclause (3) can be complied with. In any such case—

(a) The maximum and minimum amounts prescribed by subclause (1) of this regulation shall apply in respect of the aggregate of those sale values; and

(b) All such wool shall be deemed for the purposes of subclause (2) of this regulation to have been sold on the date of the last of such sales.

6. Where in respect of any sale of wool any payment is made by or on behalf of any grower in accordance with regulation 5 hereof, but in no other case, that grower may at any time during the month of July 1964 pay or cause to be paid to the Commission under section 4 of the Act an amount which, together with the amount previously paid in respect of that wool, is equivalent to not more than one-third of the sale value of that wool.

7. Every payment under the foregoing provisions of these regulations shall be made in whole pounds.

8. (1) Every payment under the foregoing provisions of these regulations shall be made at—

(a) A branch of a bank; or

(b) A branch of a company, being a company which is carrying on business as a stock and station agent and with which the grower has a current account—

being in either case the branch at which the grower desires his wool retention account to be kept. The payment shall be accompanied by a form containing such information and particulars as may be prescribed by the Commission.

(2) Every such branch as aforesaid shall receive the payment as agent for the Commission.

(3) The Commission may direct any bank or company or branch as aforesaid to pay to the credit of growers' wool retention accounts the amounts of all such payments as aforesaid.

9. Where the Minister is satisfied that the special circumstances of any grower so warrant, he may authorise the payment of money out of the wool retention account of that grower. Every such authority shall be given in writing delivered to the bank or company by which the account is kept. It shall be the duty of the bank or company to make every payment so authorised in accordance with the terms and conditions of the authority.

10. (1) For the purposes of these regulations the Minister may appoint an advisory committee, to consist of such persons as may be appointed by the Minister to be members of the Committee.

(2) The members of the Committee shall hold office during the pleasure of the Minister.

(3) The functions of the Committee shall be to consider and report to the Minister its opinion on any matters in relation to the Act or these regulations that are referred to the Committee by the Minister.

(4) The members of the Committee shall be paid such remuneration and such travelling allowances and expenses as may from time to time be approved by the Minister of Finance.

11. (1) Every person who applies to the Minister or to the Commission for any authority under these regulations shall furnish such information and particulars as the Minister or Commission may from time to time require.

(2) The Minister or the Commission, in his or its discretion, may refuse any such application, or may grant the application wholly or partly, and either unconditionally or upon or subject to such conditions as the Minister or Commission thinks fit.

(3) Any authority may be at any time revoked by the Minister or the Commission, as the case may be, and any such conditions may from time to time be varied, revoked, or added to by the Minister or Commission, as the case may be, as he or it thinks fit.

12. (1) The Minister may from time to time, either generally or particularly, delegate to any person any of his powers and functions, including the power of delegation conferred by this regulation.

(2) Subject to any general or special directions given or conditions attached by the Minister or by the other person (if any) making the delegation, every person to whom any powers or functions are delegated under this regulation may exercise them in the same manner and with the same effect as if they had been conferred on him directly by this regulation and not by delegation.

(3) Every person purporting to act pursuant to any delegation under this regulation shall be presumed to be acting in accordance with the terms of the delegation in the absence of proof to the contrary.

(4) Any delegation under this regulation may be made to a specified person or to persons of a specified class, or to the holder for the time being of a specified office, or to the holders for the time being of offices of a specified class.

(5) Every delegation under this regulation shall be revocable at will, and no such delegation shall prevent the exercise of any power or function by the Minister or by the other person (if any) making the delegation.

13. Any discretion to be exercised or thing to be done by the Commission under these regulations shall be sufficient for all the purposes of these regulations if exercised or done by the Chairman or any member of the Commission or any officer or servant or agent of the Commission duly authorised in that behalf by the Commission.

14. For the purposes of the Act and these regulations, any person authorised in that behalf by the Commission may—

- (a) Inspect, examine, and audit any books, accounts, documents, or other papers:
- (b) Require any person to produce any books, accounts, documents, or other papers in his possession or under his control, and to allow copies of or extracts from any such books, accounts, documents, or other papers to be made:
- (c) Require any person to furnish, in a form to be approved by or acceptable to the Commission, any information or particulars that may be required by the Commission, and any copies of or extracts from any such books, accounts, documents, or other papers as aforesaid.

15. (1) Every person commits an offence against the Act who—

- (a) Acts in contravention of or fails to comply in any respect with any provision of the Act or of these regulations, or any requirement or condition made or imposed under these regulations:
- (b) Makes any false or misleading statement or any material omission in any return, information, particulars, declaration, application, or communication furnished or made for the purposes of the Act or of these regulations:
- (c) Wilfully destroys, alters, mutilates, or renders illegible any authority or other document under these regulations:
- (d) Resists, obstructs, deceives, or attempts to deceive any person who is exercising or attempting to exercise any power or function under the Act or these regulations.

(2) Every person who commits an offence against the Act shall be liable on summary conviction—

- (a) In the case of an individual, to imprisonment for a term not exceeding three months or to a fine not exceeding £100, or to both such imprisonment and such fine:
- (b) In the case of a company or other corporation, to a fine not exceeding £500.

16. The following regulations are hereby revoked, namely:

- (a) The Wool Proceeds Retention Regulations 1950\*:
- (b) The Wool Proceeds Retention Regulations 1950, Amendment No. 1†:
- (c) The Wool Proceeds Retention Regulations 1950, Amendment No. 2‡:
- (d) The Wool Proceeds Retention Regulations 1950, Amendment No. 3§:
- (e) The Wool Proceeds Retention Regulations 1950, Amendment No. 4||.

T. J. SHERRARD,  
Clerk of the Executive Council.

\*S.R. 1950/214  
†S.R. 1951/153  
‡S.R. 1951/194  
§S.R. 1952/1  
||S.R. 1952/232