

Reprint
as at 3 June 2017



Consumer Council Act Repeal Act 1988

Public Act 1988 No 144
Date of assent 26 October 1988
Commencement see section 1

Consumer Council Act Repeal Act 1988: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Business, Innovation, and Employment.

An Act to abolish the Consumer Council and the Consumers Institute, to provide for the establishment of an incorporated society to succeed those bodies, and to repeal the Consumer Council Act 1966

1 Short Title and commencement

- (1) This Act may be cited as the Consumer Council Act Repeal Act 1988.
- (2) Except as provided in subsection (3), this Act shall come into force on the date on which it receives the Royal assent.
- (3) Sections 4 to 10 shall come into force on 1 January 1989.

2 Interpretation

In this Act, unless the context otherwise requires,—

Council means the Consumer Council established under the Consumer Council Act 1966

Institute means the Consumers Institute of New Zealand established under the Consumer Council Act 1966

society means the incorporated society registered in accordance with section 3

undertaking means the property, rights, and liabilities of the Council or the Institute, including any grants, subsidies, donations, gifts, and subscriptions.

3 Council to register incorporated society

- (1) The Council shall, before 1 January 1989, register an incorporated society under the Incorporated Societies Act 1908 with the name “Consumers’ Institute of New Zealand Incorporated”.
- (2) The society may be registered as if it were a society authorised by section 4 of the Incorporated Societies Act 1908 to become incorporated under that Act.
- (3) Notwithstanding anything in section 7 of the Incorporated Societies Act 1908, the application shall be made by sending to the Registrar of Incorporated Societies—
 - (a) an application for incorporation in any written form sealed with the common seal of the Council; and
 - (b) 2 copies of the proposed rules of the society, signed by the Chairman of the Council; and
 - (c) the fee prescribed under the Incorporated Societies Act 1908 for application for incorporation of a society.
- (4) Nothing in section 35 of the Consumer Council Act 1966 shall apply to the society.

4 Transfer of undertaking

On 1 January 1989—

- (a) the undertaking of the Council and the Institute shall vest in the society; and
- (b) all money payable to the Council or the Institute shall become payable to the society; and
- (c) all proceedings pending by or against the Council or the Institute may be continued, completed, or enforced by or against the society.

5 Members of Institute

- (1) On 1 January 1989 every person who is a member of the Institute shall become a member of the society.
- (2) This section shall not apply to any person who has given notice to the Institute on or before 31 December 1988 that he or she wishes to terminate his or her membership of the Institute.

6 Employees of Council

- (1) On 1 January 1989 every employee of the Council shall become an employee of the society but, for the purposes of every enactment, law, award, determination, contract, and agreement relating to the employment of each such employee, the contract of employment of that employee shall be deemed to have been unbroken and the period of service with the Council shall be deemed to have been a period of service with the society.
- (2) The terms and conditions of employment of each such employee shall, until varied, be identical with the terms and conditions of that employee's employment with the Council immediately before 1 January 1989.
- (3) No such employee shall be entitled to receive any payment or other benefit by reason only of that employee ceasing by virtue of this Act to be an employee of the Council.

7 Dissolution of Consumer Council and Consumers Institute

On 1 January 1989—

- (a) the Council, the Institute, and all other bodies established under the Consumer Council Act 1966 shall be dissolved; and
- (b) every member of the Council, and every member of any other body established under the Consumer Council Act 1966, shall vacate office.

8 Final report of Consumer Council

- (1) As soon as practicable after 31 March 1989 the society shall arrange for a final report of the Council to be sent to the Minister of Consumer Affairs showing the Council's proceedings and operations for the year ending with 31 December 1988, and shall attach to the report a copy of the Council's accounts for that year certified by the Audit Office.

- (2) A copy of the report and accounts shall be laid before the House of Representatives within 28 days after the date of its receipt by that Minister if Parliament is then in session, and, if not, shall be laid before the House of Representatives within 28 days after the date of the commencement of the next ensuing session.

9 Consequential amendments

The enactments specified in Schedule 1 are hereby amended in the manner indicated in that schedule.

10 Repeals

The enactments specified in Schedule 2 are hereby repealed.

Schedule 1
Enactments amended

s 9

Flags, Emblems, and Names Protection Act 1981 (1981 No 47)

Amendment(s) incorporated in the Act(s).

Official Information Act 1982 (1982 No 156) (RS Vol 21, p 579)

Amendment(s) incorporated in the Act(s).

Public Bodies Contracts Act 1959 (1959 No 98) (Reprinted 1975, Vol 3, p 2251)

Amendment(s) incorporated in the Act(s).

Standards Act 1988 (1988 No 5)

Amendment(s) incorporated in the Act(s).

Schedule 2
Enactments repealed

s 10

Consumer Council Act 1966 (1966 No 21) (RS Vol 17, p 150)

Consumer Council Amendment Act 1969 (1969 No 72) (RS Vol 17, p 167)

Consumer Council Amendment Act 1980 (1980 No 106) (RS Vol 17, p 168)

Consumer Council Amendment Act 1982 (1982 No 64) (RS Vol 17, p 168)

Consumer Council Amendment Act 1985 (1985 No 81) (RS Vol 17, p 168)

State Sector Act 1988 (1988 No 20)

Amendment(s) incorporated in the Act(s).

Reprints notes

1 *General*

This is a reprint of the Consumer Council Act Repeal Act 1988 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)