

**Reprint
as at 31 August 2012**



**Potato Industry Act Repeal Act
1988**

Public Act 1988 No 122
Date of assent 28 July 1988
Commencement see section 1

Potato Industry Act Repeal Act 1988: repealed, on 31 August 2012, by section 3 of the Regulatory Reform (Repeals) Act 2012 (2012 No 71).

Contents

| | Page |
|--|------|
| Title | 2 |
| 1 Short Title and commencement | 2 |
| 2 Interpretation | 2 |
| 3 Potato Industry Act 1977 repealed | 2 |
| 4 Board to continue in existence | 2 |
| 5 Board to call for claims | 2 |
| 6 Board to dispose of property, dismiss staff, etc | 3 |
| 7 Board to satisfy claims | 3 |
| 8 Board to pay surplus to Vegetable Growers Federation | 3 |
| 9 Dissolution of Board | 3 |
| 10 Debts owing to Board on dissolution | 4 |

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This act is administered by the Ministry of Agriculture and Forestry.

An Act to repeal the Potato Industry Act 1977, and dissolve the New Zealand Potato Board established under it

1 Short Title and commencement

- (1) This Act may be cited as the Potato Industry Act Repeal Act 1988.
- (2) Section 9 shall come into force on 1 August 1988.
- (3) The rest of this Act shall come into force on the day on which it receives the Royal assent.

2 Interpretation

In this Act **Board** means the New Zealand Potato Board established under the Potato Industry Act 1977.

3 Potato Industry Act 1977 repealed

- (1) The following enactments are hereby repealed:
 - (a) the Potato Industry Act 1977;
 - (b) the Potato Industry Amendment Act 1981;
 - (c) the Potato Industry Amendment Act 1987.
- (2) Sections 4 to 9 shall have effect notwithstanding subsection (1).

4 Board to continue in existence

- (1) Subject to section 9, the Board shall continue in existence after the commencement of this section; but only for the purposes of this Act.
- (2) For so long as it continues in existence, the Board shall cause proper accounts and records relating to its affairs to be kept, and cause the accounts to be properly audited.

5 Board to call for claims

- (1) As soon as is practicable after the commencement of this section, the Board shall, in daily newspapers circulating generally in its former areas of operation,—
 - (a) give notice of its impending dissolution; and
 - (b) call for persons who have claims against the Board to make them to the Board in writing before a date specified in the advertisement (being not less than 1 month

after the date of the advertisement or, where there are 2 or more advertisements, the date of the latest).

- (2) No person has a claim against the Board by reason only of having been required to register potato plantings, pay a levy to the Board, or both.

6 Board to dispose of property, dismiss staff, etc

- (1) As soon as is practicable after the commencement of this section, the Board shall—
 - (a) dispose of all its property except its common seal, books, accounts, and records; and
 - (b) take all reasonable steps to get in all debts owing to it; and
 - (c) dismiss all its staff; and
 - (d) make appropriate redundancy payments to all staff who are dismissed or who have resigned (whether before or after that commencement) because of the Board's impending dissolution.
- (2) So far as is possible the Board shall dispose of its property at the values shown in its audited accounts as at 31 March 1988.

7 Board to satisfy claims

As soon as is practicable after the date specified under section 5(1)(b), the Board shall pay or arrange to pay all claims against it that it knows of and thinks should be paid.

8 Board to pay surplus to Vegetable Growers Federation

- (1) If there is a surplus after paying claims, the Board shall pay it to the New Zealand Vegetable Growers Federation (Inc.).
- (2) The Federation shall either transfer the surplus to, or use it only for the benefit of, the Federation's Potato Division.

9 Dissolution of Board

The Board is hereby dissolved.

10 Debts owing to Board on dissolution

Upon the dissolution of the Board, all debts owing to it shall become debts owing to the New Zealand Vegetable Growers Federation (Inc.), which—

- (a) may recover all or any part of them accordingly; and
 - (b) shall transfer to or use only for the benefit of its Potato Division any part of them it recovers.
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Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
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Notes

1 *General*

This is a reprint of the Potato Industry Act Repeal Act 1988. The reprint incorporates all the amendments to the Act as at 31 August 2012, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Regulatory Reform (Repeals) Act 2012 (2012 No 71): section 3
