

**Reprint
as at 3 June 2017**



Royal New Zealand Institute of Horticulture Act 1953

Public Act 1953 No 20
Date of assent 17 September 1953
Commencement 17 September 1953

Royal New Zealand Institute of Horticulture Act 1953: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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An Act to consolidate and amend certain enactments relating to the Royal New Zealand Institute of Horticulture

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 for Primary Industries.

1 Short Title

This Act may be cited as the Royal New Zealand Institute of Horticulture Act 1953.

2 Interpretation

In this Act, unless the context otherwise requires,—

Examining Board means the Examining Board appointed by the National Executive of the Institute and approved by the Minister

the Institute means the Royal New Zealand Institute of Horticulture Incorporated, being a society incorporated under the Incorporated Societies Act 1908

Minister means the Minister of Agriculture

Rules means the rules of the Institute for the time being in force in accordance with the requirements of the Incorporated Societies Act 1908.

Compare: 1927 No 20 s 2

Section 2 **Examining Board**: replaced, on 17 December 1985, by section 2 of the Royal New Zealand Institute of Horticulture Amendment Act 1985 (1985 No 189).

3 Institute may issue certificates and diplomas

The Institute may, in accordance with its rules and subject to the provisions of this Act,—

- (a) conduct examinations in horticulture and branches thereof and subjects having relation thereto and in beekeeping; and
- (b) on the recommendation of the Examining Board, grant such certificates and diplomas in horticulture and branches thereof and in beekeeping as it thinks fit to persons qualified to receive them.

Compare: 1927 No 20 s 3

Section 3(a): amended, on 24 October 1957, by section 2(1)(a) of the Royal New Zealand Institute of Horticulture Amendment Act 1957 (1957 No 70).

Section 3(b): amended, on 24 October 1957, by section 2(1)(b) of the Royal New Zealand Institute of Horticulture Amendment Act 1957 (1957 No 70).

4 Minister may approve schemes of examination

- (1) The Minister may from time to time, by notice in the *Gazette*, approve any scheme of examination submitted by the Examining Board with the authority of the Institute in relation to the conduct of examinations for the grant of certificates and diplomas under this Act. Any scheme approved under this section may from time to time with the like approval, but not otherwise, be amended or revoked.
- (2) The power conferred upon the Minister to approve any scheme of examination submitted by the Examining Board with the authority of the Institute in relation to the conduct of examinations shall extend to authorize the approval, in any such scheme as aforesaid, of conditions subject to which certificates and diplo-

mas may be granted, including conditions requiring applicants therefor to undergo specified courses of practical training and instruction in practical horticulture or in practical beekeeping for specified periods.

- (3) Any scheme of examination approved under this section may provide for the recognition of any examination conducted by any university or other institution (whether in New Zealand or elsewhere) as the equivalent of examination under the scheme; and on production by any candidate of evidence satisfactory to the Institute that he has passed any such examination the Institute may dispense in whole or in part with any examination under the scheme.
- (3A) Any scheme of examination approved under this section may provide for the recognition of any other examination conducted by the Institute as the equivalent of examination under the scheme and where a candidate has passed any such examination the Institute may dispense in whole or in part with any examination under the scheme.
- (4) Every scheme of examination which has been approved by the Governor-General in Council under the Royal New Zealand Institute of Horticulture Act 1927 and is subsisting at the commencement of this Act shall be deemed to have been approved by the Minister under this Act.

Compare: 1927 No 20 s 4

Section 4(2): amended, on 24 October 1957, by section 2(2) of the Royal New Zealand Institute of Horticulture Amendment Act 1957 (1957 No 70).

Section 4(3A): inserted, on 17 December 1985, by section 3 of the Royal New Zealand Institute of Horticulture Amendment Act 1985 (1985 No 189).

5 Form of certificate or diploma

Every certificate and diploma granted in accordance with the foregoing provisions of this Act may bear on its face the words “Granted after examination in accordance with the requirements of the Royal New Zealand Institute of Horticulture Act 1953”.

Compare: 1927 No 20 s 5

6 Grant of certificates and diplomas without examination

- (1) The Institute may, on the recommendation of the Examining Board, without examination, grant a certificate or diploma under this Act to any person who is not less than 40 years of age and has practised horticulture or any branch thereof or beekeeping for not less than 20 years and who, in the opinion of the Examining Board, is qualified to receive the certificate or diploma:

provided that—

- (a) after the commencement of this Act, the certificate and diploma in horticulture which may be granted at the commencement of this Act shall not be granted without examination:
- (b) after the expiration of 2 years from the date of the commencement of this Act, the certificate and diploma in fruit culture, and the certificate in

school gardening, which may be granted at the commencement of this Act shall not be granted without examination:

- (c) after the expiration of 2 years from the date of the coming into effect of the Minister's approval of any scheme which provides for the grant of any certificate or diploma which cannot be granted at the commencement of this Act, the certificate or diploma shall not be granted without examination.
- (2) Every certificate or diploma granted under this section shall bear on its face the words "Granted without examination in accordance with the Royal New Zealand Institute of Horticulture Act 1953".

Compare: 1927 No 20 s 6

Section 6(1): amended, on 24 October 1957, by section 2(3) of the Royal New Zealand Institute of Horticulture Amendment Act 1957 (1957 No 70).

7 Regulations

- (1) The Governor-General may from time to time, by Order in Council, make all such regulations as may in his opinion be necessary or expedient for giving effect to the provisions of this Act and for the due administration thereof.
- (2) *[Repealed]*

Section 7(2): repealed, on 19 December 1989, by section 11 of the Regulations (Disallowance) Act 1989 (1989 No 143).

8 Repeals and savings

- (1) The enactments specified in the Schedule are hereby repealed.
- (2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of any provision by this Act shall not affect any document made or any thing whatsoever done under the provision so repealed or under any corresponding former provision, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under this Act, shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was made or the thing was done.

Schedule
Enactments repealed

s 8(1)

Royal New Zealand Institute of Horticulture Act 1927 (1927 No 20) (Reprint of Statutes, Vol I, p 121)

Statutes Amendment Act 1946 (1946 No 40)

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

Reprints notes

1 *General*

This is a reprint of the Royal New Zealand Institute of Horticulture Act 1953 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)

Regulations (Disallowance) Act 1989 (1989 No 143): section 11

Royal New Zealand Institute of Horticulture Amendment Act 1985 (1985 No 189)

Royal New Zealand Institute of Horticulture Amendment Act 1957 (1957 No 70)