

Reprint
as at 7 September 1990

**Berryfruit Marketing Licensing
Authority (Dissolution) Regulations
1990**

(SR 1990/189)

Berryfruit Marketing Licensing Authority (Dissolution) Regulations 1990:
expired, on 7 September 1990, pursuant to section 4(1) of the Primary Products
Marketing Act 1953 (1953 No 10).

Thomas Eichelbaum, Administrator of the Government

Order in Council

At Wellington this 6th day of August 1990

Present:

The Right Hon G W R Palmer presiding in Council

Pursuant to the Primary Products Marketing Act 1953, His Excellency the Administrator of the Government, acting by and with the

Note

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

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

These regulations are administered by the Ministry of Agriculture and Fisheries.

advice and consent of the Executive Council, hereby makes the following regulations.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Berryfruit Marketing Licensing Authority (Dissolution) Regulations 1990.
- (2) Except as provided in subclause (3), these regulations shall come into force on 1 September 1990.
- (3) Regulation 4 shall come into force on the date of dissolution as notified in the *Gazette* pursuant to regulation 3(8).

2 Interpretation

- (1) In these regulations,—

Act means the Primary Products Marketing Act 1953

Director-General means the Director-General of Agriculture and Fisheries

Marketing Regulations means the Berryfruit Marketing Licensing Regulations 1983 (SR 1983/135), Amendment No 1: SR 1985/132, Amendment No 2: SR 1987/234, Amendment No 3: SR 1989/124, Amendment No 4: SR 1990/19.

- (2) Words and expressions used in these regulations and defined in the Act or the Marketing Regulations have the meanings as so defined.

3 Dissolution of Berryfruit Marketing Licensing Authority

- (1) The Berryfruit Marketing Licensing Authority shall, upon the date of commencement of this regulation,—

- (a) cease all business as a marketing licensing authority; and
 - (b) as soon as practicable after that date, by advertisement in any daily newspaper or newspapers circulating generally in its area of operations, give notice of its proposed dissolution and call for any claims against the Authority (of which it is not already aware) to be made in writing to the Authority within a period ending not less than one month after the date of the advertisement (in this regulation referred to as the due date).
- (2) Notwithstanding the Marketing Regulations, no person shall, on or after the commencement of this regulation, be required to—
 - (a) hold, apply for, or renew any licence, which, except for this subclause, that person would otherwise be required to do pursuant to the Marketing Regulations; or
 - (b) pay any levy pursuant to regulation 18 of the Marketing Regulations, other than a levy which the person was liable to pay before the commencement of this regulation.
- (3) For the purposes of these regulations, no person shall have or claim any interest in any property of the Authority solely by reason of being required, under the Marketing Regulations, to be licensed by or sell blackcurrants to the Authority, or to pay a levy to the Authority.
- (4) As soon as practicable after the due date the Authority shall—
 - (a) get in, sell, transfer, or otherwise dispose of all of its real and personal property; and
 - (b) pay or arrange to satisfy all of its creditors, both secured and unsecured, and all persons with proper claims against the Authority; and
 - (c) hold funds sufficient to meet any expenses relating to the dissolution of the Authority under these regulations.
- (5) On being satisfied that the provisions of subclause (4) have been complied with, the Authority shall distribute its remaining assets (including such as may be on loan to any other body or bodies) in the following proportions:
 - (a) to Blackcurrants NZ Ltd, 50 percent:
 - (b) to Berryfruit Export NZ Ltd, 50 percent.

- (6) As soon as practicable after the provisions of subclause (5) have been completed, the Authority shall—
- (a) furnish to the Minister its annual report and audited accounts; and
 - (b) dispose of all books, accounts, and records of the Authority pursuant to the direction of the Director-General; and
 - (c) distribute, in the proportions and to the bodies specified in subclause (5), such funds as may remain of those held under subclause (4)(c).
- (7) On being satisfied that the requirements of this regulation have been complied with, the Authority shall advise the Director-General in writing accordingly.
- (8) Upon receipt of the advice of the Authority under subclause (7), the Director-General shall give notice in the *Gazette* that the Berryfruit Marketing Licensing Authority is thereby dissolved as from the date specified in the notice.
- (9) Upon the date of the dissolution of the Authority, any money remaining owing as a debt to the Authority shall be deemed owing to the bodies specified in subclause (5), in the proportions specified in that subclause.

4 Revocations

The following regulations are hereby revoked:

- (a) the Berryfruit Marketing Licensing Regulations 1983 (SR 1983/135);
- (b) the Berryfruit Marketing Licensing Regulations 1983, Amendment No 1 (SR 1985/132);
- (c) the Berryfruit Marketing Licensing Regulations 1983, Amendment No 2 (SR 1987/234);
- (d) the Berryfruit Marketing Licensing Regulations 1983, Amendment No 3 (SR 1989/124);
- (e) the Berryfruit Marketing Licensing Regulations 1983, Amendment No 4 (SR 1990/19).

Marie Shroff,
Clerk of the Executive Council.

Reprinted as at **Berryfruit Marketing Licensing Authority**
7 September 1990 **(Dissolution) Regulations 1990**

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 9 August 1990.

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Notes**1 General**

This is an eprint of the Berryfruit Marketing Licensing Authority (Dissolution) Regulations 1990. It incorporates all the amendments to the regulations as at 7 September 1990. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 4 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 List of amendments incorporated in this eprint
(most recent first)**

Primary Products Marketing Act 1953 (1953 No 10): section 4(1)
