

Version
as at 3 June 2017



Television New Zealand (Assets) Order 1994 (SR 1994/62)

Television New Zealand (Assets) Order 1994: revoked, on 3 June 2017, pursuant to section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

Thomas Eichelbaum, Administrator of the Government

Order in Council

At Wellington this 26th day of April 1994

Present:

His Excellency the Administrator of the Government in Council

Pursuant to section 3(3) of the Finance Act (No 2) 1989, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Treasury.

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Order

1 Title

This order may be cited as the Television New Zealand (Assets) Order 1994.

2 Interpretation

In this order, unless the context otherwise requires,—

the company means Television New Zealand Limited (being a company duly incorporated under the Companies Act 1955, having its registered office at Auckland, and being a State enterprise)

the former corporation means the Broadcasting Corporation of New Zealand dissolved by section 5(a) of the Broadcasting Amendment Act (No 2) 1988

Ministers has the meaning given to that word by section 2 of the Finance Act (No 2) 1989

the vesting day means 1 June 1994.

3 Issue of equity securities

Consequent upon the vesting in it of the assets and liabilities specified in this order, the company shall on the vesting day issue to its shareholders 136 900 000 fully paid up ordinary shares of \$1 each.

4 Vesting of assets

On the vesting day the following assets (being assets specified in a list prepared by the Ministers pursuant to section 3(1) of the Finance Act (No 2) 1989 dated 29 March 1994 shall vest in the company:

- (a) all motor vehicles that—
 - (i) were vested in the Crown by section 5 of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) were still vested in the Crown at the close of 31 May 1994; and
 - (iii) are not described in Schedule 2 of the Radio New Zealand (Assets) Order 1992; and
- (b) the interests in land described in Schedule 1; and
- (c) the assets described in Schedule 2.

5 Vesting of liabilities

On the vesting day there shall vest in the company the liabilities described in Schedule 3 (being liabilities specified in a list prepared by the Ministers pursuant to section 3(1) of the Finance Act (No 2) 1989 dated 29 March 1994).

Schedule 1 Interests in land

cl 4(b)

Description	Area (more or less)	Title document
<i>North Auckland Land District</i>		
Allotment 5 section 23, City of Auckland all Deposited Plan 1293	1012 square metres	Certificate of Title 1874/26
Lot 1, being allotment 4 and part allotment 3 section 23, Town of Auckland	1029 square metres	Certificate of Title 1041/140
CT Part allotment 3, section 23, Town of Auckland	1009 square metres	Certificate of Title 1041/141
CT allotment 23 and part allotment 1, section 23 City of Auckland being part Lot 1 Deposited Plan 3441	934 square metres	Certificate of Title 2B/1266
CT allotment 18, section 23, Town of Auckland	1012 square metres	Certificate of Title 599/33
Allotment 611, Takapuna Parish in Block XII Waitemata Survey District	8.8450 hectares	Certificate of Title 33A/1184
Part allotment 10 and 11 Deposited Plan 874, Section 3 City of Auckland	1341 square metres	Certificate of Title 67C/507
Part allotment Lot 12, Section 3 Deposited Plan 4351 City of Auckland	393 square metres	Certificate of Title 152/135
CT Part allotment 22, section 23	159 square metres	Certificate of Title 30A/177
Lot 1, Deposited Plan 113371	9.4906 hectares	Certificate of Title 63D/289
Section 14, Block III Tangihua Survey District	98.685 hectares	Certificate of Title 241/300
CT allotment 22, section 23	154 square metres	Certificate of Title 112/110
CT part allotment 21, section 23	177 square metres	Certificate of Title 2D/589
CT part allotment 21, section 23	166 square metres	Certificate of Title 599/34

Description	Area (more or less)	Title document
CT Lot 1 Deposited Plan 72686 and part allotment 21, section 23	85 square metres	Certificate of Title 28D/1188
CT part allotment 21, section 23, City of Auckland	101 square metres	Certificate of Title 30/85
CT Part allotment 2, section 23, City of Auckland	308 square metres	Certificate of Title 599/26
CT Lots 1 and 2 Deposited Plan 60213, part allotments 2, 19, 20, 21, 22 of section 23, City of Auckland	3746 square metres	Certificate of Title 15C/796
CT Lot 2, Deposited Plan 60214, parts allotments 19, 20, 21 and 22 of section 23, City of Auckland	2249 square metres	Certificate of Title 15C/797
Part Lots 3 and 4, Deposited Plan 8837, allotment 566, Parish of Waipareira	1.6890 hectares	Certificate of Title 9B/564
Allotment 550, Parish of Waipareira	440 square metres	Certificate of Title 3A/1104
Lot 1, Deposited Plan 47977, Part Allotment 6, Section 23, City of Auckland	1034 square metres	Certificate of Title 2034/97
<i>South Auckland Land District</i>		
Part Rotomahana Parekarangi 3A 3B 5B block	1184 square metres	Certificate of Title 12D/123
Lot 13, Deposited Plan 37404 and Part Section 75, Block IX, Aroha Survey District	984 square metres	Certificate of Title 998/189
Section 7, Block XX, Town of Te Aroha	498 square metres	Certificate of Title 12D/1263
Lot 4, Deposited Plan 34911, (Town of Te Aroha extension), Part Section 10, Block IX, Aroha Survey District	1012 square metres	Certificate of Title 911/254
<i>Hawkes Bay Land District</i>		

Description	Area (more or less)	Title document
Blocks VII and XI, Te Mata Survey District, being Part Lot 24, Deeds Plan 107, more particularly described on Survey Office Plan 6486	2.3435 hectares	Certificate of Title F2/719
Block XI, Te Mata Survey District being Part Lot 4 and Parts of Lot 5, Deeds Plan 714, being part Block 12, Te Mata Crown Grant, District Part Te Wharau, and part Kohinurakau Blocks	3.9337 hectares	Certificate of Title E4/1121
Borough of Woodville, Town Section 75, Woodville	885 square metres	Certificate of Title F3/1094
<i>Wellington Land District</i>		
Part Sections 455, 56 and 707 Hutt District and being also Lot 18 on Lot 22521, Part Lot 2, Deposited Plan 6860 and Part Lot 2, Deposited Plan 8182, situated in City of Lower Hutt	6.9782 hectares	Certificate of Title D1/547
Lot 1, Deposited Plan 61858	3350 square metres	Certificate of Title 31A/317
Situated partly in the City of Wellington and partly Blocks III Port Nicholson Survey District and Block IX Belmont Survey District being part section 135 Ohariu District and being also Lot 2 Deposited Plan 27542	29.29 hectares	Certificate of Title 10A/838
Situated in the City of Wellington being Part Section 94, Ohariu District	6.0275 hectares	Certificate of Title 13C/999
City of Wanganui, Section 351, Right Bank Wanganui River	2.2763 hectares	Certificate of Title 12C/965
County of Masterton, Lot 1 Deposited Plan 59378	6999 square metres	Certificate of Title 32A/765
City of Lower Hutt part Sections 55 and 707 Hutt District being also Lot 9 Deposited Plan 22521	547 square metres	Certificate of Title 18B/ 1243

Description	Area (more or less)	Title document
Lot 4 Deposited Plan 45579 part section 66 Hutt District <i>Nelson Land District</i>	955 square metres	Certificate of Title D2/1159
City of Nelson, Section 31 Block "D", Wakatu District	1801 square metres	Certificate of Title 3C/881
Blocks VI and X Kawatiri Survey District		Easement 3B/1054
Part Block IX Kawatiri Survey District <i>Westland Land District</i>		Lease 3B/34
Rural Section 5640, Block I, Cobden Survey District <i>Canterbury Land District</i>	600 square metres	Lease 5C/829
City of Christchurch, Town Section 679	1029.4 square metres	Certificate of Title 222/202
Block VIII Part Run 284, Wai- hao Survey District	11.5158 hectares	Certificate of Title 8F/956
City of Christchurch, Town Section 677, Part Town Sec- tions 671, 672 and 676, part being described as Lot 3 on Deposited Plan 5628 and Lot 2 on Deposited Plan 9865 <i>Otago Land District</i>	1947 square metres	Certificate of Title 1C/1172
Lots 2 and 3, Deposited Plan 6275, Part Section 10, Block XV Town of Dunedin, and part reserve No. 4 and part land between Reserve and High Street	1624 square metres	Certificate of Title B1/357
Sections 31 and 32, Block I and Section 31 Block IV Kuri- wao District	51.3154 hectares	Certificate of Title 3B/435
Section 68 Block II, Cairnhill Survey District	2.2210 hectares	Lease 10A/399
Section 48, Block IX, Tarras Survey District	4800 square metres	Lease 9A/222
Section 1, Block IV, Naseby Survey District	6650 square metres	Lease 8D/701

Description	Area (more or less)	Title document
Lot 1 on Deposited Plan 10292	1419 square metres	Leasehold Certificate of Title B1/584
<i>Southland Land District</i>		
Lot 2, Deposited Plan 8310 being part section 65 Block VI Waimumu Hundred	13.0840 hectares	Certificate of Title 5A/398

Schedule 2 Other assets

cl 4(c)

The following assets:

- (a) all stocks of consumable items that on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988, and that at the close of 31 May 1994 are—
 - (i) still vested in the Crown; and
 - (ii) held (whether by the Crown or by the company) for use in relation to the business of the company; and
- (b) all rights (being rights arising under or in respect of any contract or agreement for the supply of goods or services, or the construction of works or facilities) relating to or arising out of the business of the company, or business activities carried on by the former corporation that were analogous to the business of the company, that—
 - (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) at the close of 31 May 1994 are still vested in the Crown; and
- (c) all rights (being rights arising under or in respect of any lease, licence, or concession) relating to or arising out of the business of the company, or business activities carried on by the former corporation that were analogous to the business of the company, that—
 - (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) at the close of 31 May 1994 are still vested in the Crown; and
- (d) all documents, correspondence, files, notes, plans, drawings, reports, and other written or recorded information (whether recorded on paper, by computer, or otherwise howsoever) relating to any of the assets vested in the company by this order, to the business of the company, or to business activities carried on by the former corporation that were analogous to the business of the company, that—
 - (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) at the close of 31 May 1994 are still vested in the Crown; and
- (e) all shares in TVNZ Investments Limited (formerly Television Two Telethon Limited), South Pacific Pictures Limited, Avalon Studios Limited (formerly Broadcasting Properties Limited), Moving Pictures Limited (formerly South Pacific Television Corporation Limited), or Reuters Television Limited (formerly Visnews Limited) that—

- (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
- (ii) at the close of 31 May 1994 are still vested in the Crown.

Schedule 3

Liabilities

cl 5

The following liabilities:

- (a) all liabilities (being liabilities arising under or in respect of any contract or agreement for the supply of goods and services, or the construction of works or facilities) relating to or arising out of the business of the company, or business activities carried on by the corporation that were analogous to the business of the company, that—
 - (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) at the close of 31 May 1994 are still vested in the Crown; and
- (b) all liabilities (being liabilities arising under or in respect of any lease, licence, or concession) relating to or arising out of the business of the company, or business activities carried on by the former corporation that were analogous to the business of the company, that—
 - (i) on 1 December 1988 vested in the Crown under section 5(b) of the Broadcasting Amendment Act (No 2) 1988; and
 - (ii) at the close of 31 May 1994 are still vested in the Crown.

Martin Bell,
Acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order vests certain Crown assets in, and imposes the burden of certain Crown liabilities on, Television New Zealand Limited (a State enterprise) on 1 June 1994. The assets and liabilities were formerly assets and liabilities of the Broadcasting Corporation of New Zealand, and were vested in the Crown on the dissolution of that body. The order also requires Television New Zealand to issue to its shareholders 136 900 000 fully paid up ordinary \$1 shares.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 28 April 1994.

Notes

1 *General*

This is a consolidation of the Television New Zealand (Assets) Order 1994 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

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