

**State-Owned Enterprises (Genesis
Power Limited, Hydro Energy
Limited, and Waikato SOE
Limited) Order 1998**

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 18th day of December 1998

Present:

The Right Hon Jenny Shipley presiding in Council

Pursuant to section 10A of the State-Owned Enterprises Act 1986, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

Contents

		Page
1	Title and commencement	2
2	Addition to Schedules 1 and 2 of State-Owned Enterprises Act 1986	2
3	Addition to Schedule 1 of Ombudsmen Act 1975	2
4	Addition to Schedule 18 of Income Tax Act 1994 [<i>Revoked</i>]	2

Order

1 Title and commencement

- (1) This order may be cited as the State-Owned Enterprises (Genesis Power Limited, Hydro Energy Limited, and Waikato SOE Limited) Order 1998.
- (2) This order comes into force on the day after the date of its notification in the *Gazette*.

2 Addition to Schedules 1 and 2 of State-Owned Enterprises Act 1986

The State-Owned Enterprises Act 1986 is amended by inserting in Schedule 1 and also in Schedule 2, in their appropriate alphabetical order, the following items:

“Genesis Power Limited
“Hydro Energy Limited
“Waikato SOE Limited”.

3 Addition to Schedule 1 of Ombudsmen Act 1975

The Ombudsmen Act 1975 is amended by inserting in Part 2 of Schedule 1, in their appropriate alphabetical order, the following items:

“Genesis Power Limited
“Hydro Energy Limited
“Waikato SOE Limited”.

4 Addition to Schedule 18 of Income Tax Act 1994

[Revoked]

Clause 4: revoked, on 1 April 2005, by section YA 2 of the Income Tax Act 2004 (2004 No 35).

Marie Shroff,
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, which comes into force on notification in the *Gazette*, provides for Genesis Power Limited, Hydro Energy Limited, and Waikato SOE Limited, to become State enterprises under the State-Owned Enterprises Act 1986.

Clause 2 adds the names of the companies to Schedules 1 and 2 of the State-Owned Enterprises Act 1986. The companies therefore become State enterprises when the order comes into force.

Clause 3 includes the names of the companies in Part 2 of Schedule 1 of the Ombudsmen Act 1975. The companies therefore become subject to that Act and to the Official Information Act 1982 when the order comes into force.

Clause 4 includes the names of the companies within the list of State-owned enterprises in Schedule 18 of the Income Tax Act 1994. Under section CB 3(a) of that Act, the incomes of public authorities are exempt from tax. That exemption does not apply to State-owned enterprises. State-owned enterprises are also special corporate entities for the purposes of the definition of that term in section OB 1 of that Act, which definition relates to the loss carry forward and grouping provisions.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 21 December 1998.
