



ANALYSIS

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1. Short Title

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| | 2. Sale of fertilisers containing agricultural chemicals |
| | 3. Delivery of fertiliser to person other than purchaser |

1962, No. 66

An Act to amend the Fertilisers Act 1960

[6 December 1962

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Fertilisers Amendment Act 1962, and shall be read together with and deemed part of the Fertilisers Act 1960 (hereinafter referred to as the principal Act).

2. Sale of fertilisers containing agricultural chemicals—The principal Act is hereby amended by repealing section 19, and substituting the following section:

“19. Without limiting the provisions of section 17 or section 18 of this Act, on the delivery of any fertiliser containing any agricultural chemical sold by the proprietor, the vendor shall immediately deliver to the purchaser, in such manner as he may be required so to do by the Director-General, such

directions for use, precautionary advice, and other particulars relating to the fertiliser as may be specified in that behalf by the Director-General, and every subsequent vendor shall, on the delivery of the fertiliser, immediately deliver to the purchaser the same directions for use, precautionary advice, and other particulars relating to the fertiliser, and in the same manner, as the proprietor is required by this section to deliver."

3. Delivery of fertiliser to person other than purchaser—

(1) Section 20 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

"(1) Notwithstanding the provisions of sections 17, 18, and 19 of this Act, where a fertiliser is delivered on the instructions of the purchaser to some person other than the purchaser, the vendor shall immediately deliver to the person to whom the fertiliser is delivered the appropriate advice note and, where the fertiliser contains any agricultural chemical, shall at the same time deliver to that person the same directions for use, precautionary advice, or other particulars relating to the fertiliser, and in the same manner, as the proprietor is required by section 19 of this Act to deliver to a purchaser."

(2) Subsection (2) of section 20 of the principal Act is hereby amended by inserting, after paragraph (a), the following paragraph:

"(aa) The vendor shall, where the fertiliser contains any agricultural chemical, within fourteen days after the delivery of the fertiliser as aforesaid deliver to the purchaser, in addition to the advice note delivered under paragraph (a) of this subsection, the same directions for use, precautionary advice, or other particulars relating to the fertiliser, and in the same manner, as a vendor is required under subsection (1) of this section to deliver to the person to whom the fertiliser is delivered:

"Provided that where the directions for use, precautionary advice, or other particulars are shown on the package in which the fertiliser is delivered, the vendor shall not be required to deliver any such directions for use, precautionary advice, or other particulars to the purchaser."

(3) Subsection (2) of section 20 of the principal Act is hereby further amended by repealing paragraph (c), and substituting the following paragraph:

“(c) The purchaser shall not be required to deliver any advice note or, where the fertiliser contains any agricultural chemical, any directions for use, precautionary advice, or other particulars relating to the fertiliser, pursuant to the sale of the fertiliser by him to the person who has already taken delivery of the fertiliser as aforesaid.”

(4) Section 20 of the principal Act is hereby further amended by adding the following subsection:

“(3) Notwithstanding anything to the contrary in this section or in section 19 of this Act, where any fertiliser containing any agricultural chemical is registered under the Agricultural Chemicals Act 1959, it shall not be necessary for any vendor of the fertiliser to deliver, in accordance with those sections, to any purchaser, or to any person to whom the fertiliser is delivered on the instructions of any purchaser, any directions for use, precautionary advice, or other particulars relating to the fertiliser.”

This Act is administered in the Department of Agriculture.
