



ANALYSIS

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1975, No. 49

An Act to amend the Hydatids Act 1968

[19 September 1975]

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 Hydatids Amendment Act 1975, and shall be read together with and deemed part of the Hydatids Act 1968 (hereinafter referred to as the principal Act).

2. Interpretation—(1) Section 2 of the principal Act is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“‘Director-General’ means the Director-General of Agriculture and Fisheries appointed under the State Services Act 1962:

“‘Secretary’ means the person for the time being appointed in accordance with section 21 of this Act as Secretary to the Council:”.

(2) Section 2 of the principal Act is hereby further amended by omitting from the definition of the term “Field

Advisory Officer” the words “by the Council under”, and substituting the words “in accordance with section 21 of”.

3. Amendment of functions of Council—Section 10 (1) (c) of the principal Act is hereby repealed.

4. Expenses of Council—(1) The principal Act is hereby amended by repealing section 13, and substituting the following section:

“13. There shall be paid from the Consolidated Revenue Account, out of money appropriated by Parliament for the purpose, such sums as the Minister from time to time approves for the purpose of defraying the expenses incurred by the Council in the exercise and performance of its functions, powers, and duties.”

(2) Section 3 of the Hydatids Amendment Act 1971 is hereby consequentially repealed.

5. Financial provisions repealed—(1) The following enactments are hereby repealed:

(a) Sections 14, 15, 16, 17A, 18, and 20 of the principal Act:

(b) The Hydatids Amendment Act 1973.

(2) Notwithstanding subsection (1) of this section, the Council shall keep records and accounts of all its financial transactions, assets, liabilities, and funds for the year ended the 31st day of March 1975 and have such records and accounts audited, in accordance with section 20 of the principal Act as if subsection (1) of this section had not been passed.

6. Minister may make grants—The principal Act is hereby amended by repealing section 17, and substituting the following section:

“17. (1) On the recommendation of the Council, the Minister may from time to time, out of money appropriated by Parliament for the purpose, make grants, advances, or other payments to any person for any purpose in connection with the control, prevention, or eradication of hydatids.

“(2) Without limiting the powers conferred on the Minister by subsection (1) of this section, where for any financial year any Hydatids Control Authority fixes, in respect of dogs owned by any specified class or classes of persons or kept solely for the purpose of any specified work, a hydatids control fee that is less than the fee fixed by the Authority in respect

of other dogs, on the recommendation of the Council the Minister may at any time after the end of that year, make, out of money appropriated by Parliament for the purpose, a grant to the Hydatids Control Authority of such sum as the Minister thinks fit:

“Provided that no such grant shall exceed the difference between the total amount of hydatids control fees received in that year by the Authority in respect of dogs owned or so kept and the total amount of hydatids control fees that would have been received by it in respect of those dogs if paid at the rates fixed by the Authority in respect of other dogs.”

7. Staff of Council—(1) The principal Act is hereby amended by repealing section 21, and substituting the following section:

“21. There shall from time to time be appointed under the State Services Act 1962 as officers and employees of the Ministry of Agriculture and Fisheries a Secretary to the Council, such Field Advisory Officers as may be necessary, and such other officers and employees as may be necessary to enable the Ministry of Agriculture and Fisheries to provide technical and administrative services to the Council and to enable the Council to carry out and exercise its functions, powers, and duties.”

(2) Every Field Advisory Officer appointed or deemed to have been appointed under section 21 of the principal Act before the commencement of this Act and holding office at the commencement of this Act shall be deemed to have been appointed as a Field Advisory Officer in accordance with section 21 of the principal Act (as substituted by subsection (1) of this section).

8. Appeal against decision of Council—Section 26 of the principal Act is hereby amended by omitting from subsection (1) the words “of the Council” where they first appear.

9. Powers of Council in respect of Hydatids Control Authorities—(1) Section 28 of the principal Act is hereby amended—

(a) By inserting in subsections (1), (2), and (3), after the word “assume” in each place where it appears, the words “, or request the Director-General to assume,”:

(b) By omitting from subsection (4) the words “of the Council” where they secondly appear:

(c) By inserting in subsection (6), after the word “Council” in each place where it appears, the words “, or the Director-General, as the case may be,”.

(2) Section 28 of the principal Act is hereby further amended by inserting, after subsection (1), the following subsection:

“(1A) Upon being requested to do so by the Council pursuant to subsection (1) of this section, the Director-General may assume in respect of any hydatids control district the functions, powers, and duties of the Hydatids Control Authority for the district.”

10. Recoverable expenses—Section 30 of the principal Act is hereby amended by omitting from subsection (5) the words “those expenses”, and substituting the words “the sum of \$5 or the amount of those expenses (whichever is the greater)”.

11. Maximum hydatids control fee increased—Section 32 of the principal Act is hereby amended by omitting from subsection (1) (as substituted by section 9 (1) of the Hydatids Amendment Act 1972) the expression “\$5”, and substituting the expression “\$10”.

12. Offences—Section 43 (3) of the principal Act is hereby amended by repealing paragraph (g), and substituting the following paragraph:

“(g) For the purposes of obtaining any payment, grant, financial assistance, or any other benefit under this Act, whether for himself or for any other person, makes any false statement to, or otherwise misleads or attempts to mislead, the Council or any member of the Council or any officer or employee of the Ministry of Agriculture and Fisheries or any Hydatids Control Authority or any officer of any such Authority.”

13. Annual report to Minister—(1) The principal Act is hereby amended by repealing section 45, and substituting the following section:

“45. (1) The Council shall, not later than the 30th day of June in every year, furnish to the Minister a report of its proceedings and operations for the preceding financial year.

“(2) A copy of the report of the Council shall be laid before Parliament as soon as practicable after the date of the receipt thereof by the Minister.”

(2) Notwithstanding subsection (1) of this section, the Council shall furnish to the Minister its accounts and balance sheet for the year ended the 31st day of March 1975, and such accounts and balance sheet shall be laid before Parliament, in accordance with section 45 of the principal Act as if subsection (1) of this section had not been passed.

This Act is administered in the Ministry of Agriculture and Fisheries.
