



ANALYSIS

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1963, No. 52

An Act to amend the Rabbits Act 1955

[22 October 1963]

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 Rabbits Amendment Act 1963, and shall be read together with and deemed part of the Rabbits Act 1955 (hereinafter referred to as the principal Act).

2. Destruction of rabbits in boroughs and town districts—
 (1) The principal Act is hereby amended by repealing section 22, and substituting the following section:

“22. (1) Any borough or town district lying wholly or in part within any rabbit district shall be deemed not to form part of the district:

“Provided that the Board of the rabbit district shall be deemed to be charged with the administration of Part III of this Act for the purpose of enforcing the destruction of rabbits on land within the borough or town district; and for

the purposes of this subsection the provisions of that Part shall be read subject to the provisions of subsection (2) of section 53 of this Act.

“(2) Notwithstanding anything to the contrary in subsection (1) of this section, the Board may, with the prior consent of the Council of any borough or town district, as the case may be, exercise on any land (other than Crown land or Maori land) which is within the borough or town district, the powers conferred on the Board by section 48 of this Act; and, on any such consent being given in respect of any land, the Board shall cease to be charged with the administration of Part III of this Act for the purpose of enforcing the destruction of rabbits on that land.

“(3) Nothing in section 49 of this Act shall apply in any case where, pursuant to a consent given under subsection (2) of this section, any work is carried out on any land by or on behalf of the Board; and in every such case the Council of the borough or town district, as the case may be, shall pay to the Board out of its General Account a sum equal to fifty per cent of the expenses incurred by the Board in respect of the work.”

3. Power of Boards to purchase and sell goods intended to be used for destruction of rabbits—Section 54 of the principal Act is hereby amended by adding to subsection (2) the words “or to the holder of any licence under section 17 of the Poisons Act 1960, or to any person who may sell poisons in accordance with section 13 of that Act, or to any other person for use in agriculture or horticulture or in the destruction of animal pests”.

4. Power of Board to purchase and dispose of real or personal property—(1) The principal Act is hereby amended by repealing section 54A, as inserted by section 8 of the Rabbits Amendment Act 1959, and substituting the following section:

“54A. (1) The Board may, out of its funds, purchase, take on lease or hire, or otherwise acquire such land, buildings, plant, machinery, and equipment as in the opinion of the Board are necessary for the carrying out of its functions and the exercise of its powers.

“(2) The Board may, if it thinks fit, sell, transfer, grant on lease, let out on hire, or otherwise dispose of any of its real or personal property:

“Provided that, except with the consent of the Minister given on the recommendation of the Council and on such terms and conditions as the Minister may think fit to impose, the Board shall not sell or otherwise dispose of any land, buildings, plant, or machinery used by the Board for the manufacture or distribution of any poison or poisonous substances if the land, buildings, plant, or machinery was purchased by the Board wholly or in part out of money granted to the Board under section 77 of this Act.”

(2) Section 8 of the Rabbits Amendment Act 1959 is hereby consequentially repealed.

5. Power to levy differential rates—(1) Section 65 of the principal Act is hereby amended by adding to subsection (1) the following proviso:

“Provided that the Board shall so levy any such rate if the Minister, acting on the recommendation of the Council, at any time so directs.”

(2) Section 65 of the principal Act is hereby further amended by repealing subsection (7), and substituting the following subsection:

“(7) Any person aggrieved by the classification may appeal against it on the ground that the land of the appellant, or any other land in the district, has not been fairly classified.”

6. Power to remit rates—(1) Section 68 of the principal Act is hereby amended by omitting the words “No such recommendation shall be made by the Council unless it is satisfied that hardship would otherwise be caused to the rate-payer.”

(2) This section shall be deemed to have come into force on the first day of April, nineteen hundred and sixty-two.

7. Subsidy on general rates—Section 76 of the principal Act is hereby amended by adding to subsection (3) the following proviso:

“Provided that, where any rates are received by the Board later than three months after the close of the financial year, a subsidy may be paid on those rates if the Minister, on the recommendation of the Council, is satisfied that in all the circumstances the failure of the Board to collect the rates by not later than three months after the close of the financial year was excusable.”

8. Regulations—Section 117 of the principal Act is hereby amended by inserting in paragraph (d) of subsection (1), as inserted by section 13 of the Rabbits Amendment Act 1960, after the word “rabbits”, the word “hares”.

This Act is administered in the Department of Agriculture.
