



Title.

ANALYSIS

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1951, No. 36

Title.

AN ACT to amend the Tobacco Growing Industry Act 1935. [1 December 1951

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

Short Title.

1. This Act may be cited as the Tobacco Growing Industry Amendment Act 1951, and shall be read together with and deemed part of the Tobacco Growing Industry Act 1935 (hereinafter referred to as the principal Act).

Definition of "appointed day".

2. Section two of the principal Act is hereby amended by inserting, before the definition of the term "Board", the following definition,—

" "Appointed day" means a day to be appointed for the first election of members of the Board by the Minister by notice in the *Gazette*:".

Growers' representatives to be elected.

3. (1) The members of the Board holding office as growers' representatives on the passing of this Act under paragraph (b) of subsection two of

section three of the principal Act shall remain in office until their successors are elected in accordance with this Act.

(2) With respect to the members of the Board holding office as growers' representatives on the passing of this Act the following provisions shall apply:—

(a) On the appointed day the two growers' representatives who have been longest in office shall go out of office and on the date fixed for the second election of members of the Board the two remaining growers' representatives shall go out of office:

(b) The vacancies created by the retirement of growers' representatives in accordance with this subsection shall be filled by the election of members as hereinafter provided.

(3) On the appointed day and on the corresponding date in every year thereafter an election shall be held for two members of the Board to hold office as growers' representatives.

(4) The members elected to the Board shall be elected by growers in the manner prescribed by regulations made under the principal Act.

4. (1) Section three of the principal Act is hereby amended by omitting from subsection two the words "The Board shall consist of", and substituting the words "Until the appointed day the Board shall consist of".

Membership of Board.

(2) From the date fixed for the second election of members the Board shall consist of nine members, of whom one shall be the person appointed pursuant to paragraph (a) of subsection two of section three of the principal Act, four shall be appointed as provided by paragraph (c) of that subsection, and four shall be elected as provided by this Act.

5. Section four of the principal Act is hereby amended by repealing subsection three, and substituting the following subsection:—

Term of office of members.

"(3) Except as otherwise provided by this Act, every person who is elected to the Board or who is appointed to the Board as a manufacturers' representative shall hold office for a term of two years but may be re-elected or reappointed."

Extraordinary vacancies in membership of Board.

6. (1) Section five of the principal Act is hereby amended by repealing subsections two and three, and substituting the following subsections:—

“(2) If any member of the Board dies, or resigns, or is removed from office, the vacancy shall be deemed to be an extraordinary vacancy.

“(3) Except as provided by subsection three A of this section, every extraordinary vacancy shall be filled by the appointment of some person made in the same manner as the appointment of the vacating member, and the member appointed in his stead shall hold office for the residue of the term of the vacating member.

“(3A) In the event of an extraordinary vacancy in the office of an elective member of the Board the vacancy shall be filled by election in the manner prescribed by regulations made under this Act:

“Provided that where any such vacancy occurs within six months before the expiry of the term of office of the member whose office has become vacant, the Board may by resolution determine—

“(a) That the vacancy shall be filled by appointment by the Board of a person qualified to be elected as a member; or

“(b) That the vacancy shall not be filled until the next election of members is held.

“(3B) Every person appointed by the Board pursuant to the last preceding subsection shall for all purposes be deemed to have been elected to fill the vacancy.”

(2) Subsection one of section five of the principal Act is hereby amended by inserting, after the words “manufacturers’ representative”, the words “or elected to the Board”.

Increasing levy on raw tobacco sold by growers.

7. Section nineteen of the principal Act is hereby amended by omitting from subsection one the words “one halfpenny a pound”, and substituting the words “three farthings a pound”.