



ANALYSIS

Title	
1. Short Title	4. Extraordinary vacancies
2. Constitution of Tobacco Board	5. Meetings of Board
3. Term of office	6. Regulations

1965, No. 12

An Act to amend the Tobacco Growing Industry Act 1935

[10 September 1965]

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 Tobacco Growing Industry Amendment Act 1965, and shall be read together with and deemed part of the Tobacco Growing Industry Act 1935 (hereinafter referred to as the principal Act).

2. Constitution of Tobacco Board—(1) The principal Act is hereby amended by repealing section 3, and substituting the following section:

“3. (1) There shall continue to be a Board to be known as the Tobacco Board which shall be the same Board as that constituted by this Act and existing under the same name immediately before the commencement of this section.

“(2) The Board shall consist of ten members of whom—

“(a) One shall be appointed as Chairman by the Governor-General on the recommendation of the Minister after consultation with growers’ representatives and manufacturers’ representatives on the Board:

“(b) Four (in this Act referred to as growers’ representatives) shall be elected by growers in accordance with this Act:

“(c) Four (in this Act referred to as manufacturers’ representatives) shall be appointed by the Governor-General on the recommendation of the Minister after consultation with persons representing manufacturers:

“(d) One, who shall be an officer of the Department of Industries and Commerce, shall be appointed by the Minister.

“(3) The Chairman and members of the Board in office at the commencement of this section shall continue in office until their successors are appointed or elected in accordance with this Act and shall then retire from office.”

(2) Section 4 of the Tobacco Growing Industry Amendment Act 1951 is hereby repealed.

(3) Section 9 of the principal Act is hereby repealed.

3. Term of office—(1) Section 4 of the principal Act (as amended by section 5 of the Tobacco Growing Industry Amendment Act 1951) is hereby further amended by repealing subsection (1), and substituting the following subsection:

“(1) The Chairman shall hold office for a term of three years but may from time to time be reappointed.”

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

“(4) The person appointed under paragraph (d) of subsection (2) of section 3 of this Act shall hold office during the pleasure of the Minister.

“(5) Notwithstanding anything to the contrary in this Act, every member of the Board, unless he sooner vacates his office under section 5 of this Act, shall continue to hold office until his successor comes into office.”

(3) The term of office of each member of the Board in office as a growers’ representative or a manufacturers’ representative at the commencement of this Act shall expire on the day on which it would have expired had this Act not been in force.

4. Extraordinary vacancies—(1) Section 5 of the principal Act (as amended by section 6 of the Tobacco Growing Industry Amendment Act 1951) is hereby further amended by repealing subsection (1), and substituting the following subsection:

“(1) Any member of the Board may at any time be removed from office by the Governor-General for disability, bankruptcy, neglect of duty, or misconduct proved to the satisfaction of the Governor-General, or may at any time resign his office by written notice given to the Minister.”

(2) Subsection (2) of section 6 of the Tobacco Growing Industry Amendment Act 1951 is hereby repealed.

5. Meetings of Board—(1) Section 10 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) At all meetings of the Board five members, of whom one shall be the Chairman or his deputy, shall form a quorum:

“Provided that, for the purposes of this subsection, the member appointed under paragraph (d) of subsection (2) of section 3 of this Act shall be deemed not to be a member of the Board.”

(2) Section 10 of the principal Act is hereby further amended by adding the following subsections:

“(8) The person appointed under paragraph (d) of subsection (2) of section 3 of this Act or his deputy or, in the absence of both of these persons, an officer of the Department of Industries and Commerce authorised in that behalf by the Minister may attend all meetings of the Board and take part in its deliberations but shall not be entitled to vote at any such meeting.

“(9) Subject to the provisions of this Act and any regulations thereunder, the Board may regulate its procedure in such manner as it thinks fit.”

6. Regulations—Subsection (1) of section 26 of the principal Act is hereby amended by inserting, after paragraph (f), the following paragraph:

“(ff) Providing for the insurance of growers against loss or damage to tobacco crops and prescribing conditions in respect of any insurance scheme in force under the regulations:”.