

POULTRY BOARD BILL

EXPLANATORY NOTE

THIS Bill provides for the merging of the functions of the New Zealand Poultry Board and the Egg Marketing Authority into one body, the New Zealand Poultry Board. The membership of the Poultry Board is increased from 7 to 8, the same number as at present on the Authority.

Those provisions at present in the Primary Products Marketing Act 1953 that authorise the making of regulations relating to the marketing of eggs and egg products and the imposition of levies have been transferred to the Bill.

Part II of the Poultry Board Act 1976 (which relates to the registration of poultry farms and the payment of an annual registration fee) has not been re-enacted in the Bill.

Clause 1 relates to the Short Title and commencement. The Bill is expressed to come into force on 1 January 1981.

Clause 2 is the interpretation clause.

Clause 3 provides that the Bill shall bind the Crown.

PART I

THE NEW ZEALAND POULTRY BOARD

Clause 4 continues the New Zealand Poultry Board, increases the number of Government representatives on the Board from 2 to 3, and sets out the societies of poultry farmers entitled to nominate representatives to the Board.

Clause 5 sets out the terms of office of the members of the Board.

Clauses 6 to 11 relate to the administration of the Board, and are in similar terms to provisions contained in the present Poultry Board Act 1976.

Clause 12 sets out the expanded functions of the Board. The clause incorporates provisions from the Primary Products Marketing Act 1953 that relate to eggs and egg products.

Clause 13 is new in the context of the activities of the Poultry Board, and provides that the Government representatives on the Board are to represent the interests of consumers.

Clause 14 authorises the Board to delegate certain of its functions and powers.

No. 77—1

PART II

FINANCIAL PROVISIONS

Clause 15 provides that the Board shall maintain a bank account, either at the Reserve Bank of New Zealand (at present used by the Egg Marketing Authority) or at the Bank of New Zealand (at present used by the Poultry Board) or at both.

Clause 16 relates to the investment powers of the Board. The power to invest in such investments other than trustee investments as may be authorised by the Minister of Finance is new.

Clause 17 relates to the borrowing powers of the Board. *Subclauses (2) and (3)*, which authorise the Minister of Finance to advance money to the Board or give, in respect of money borrowed by the Board, a guarantee, indemnity, or security under the Public Finance Act 1977 is new.

Clause 18 provides for an unauthorised expenditure limit of \$5,000.

Clauses 19 and 20 provide for the keeping and the auditing of accounts and the presentation of an annual report to the Minister of Agriculture and to Parliament.

Clause 21 continues the Board's exemption from land tax and income tax.

PART III

GENERAL PROVISIONS

Clause 22 relates to officers and employees of the Board. Transitional provisions relating to the transfer of the staff of the Egg Marketing Authority consequent on its dissolution are contained in *clause 26 (3) (f)* of the Bill.

Clause 23 relates to the personal liability of the Board and its committees, officers, or employees.

Clause 24 authorises the making of regulations. The powers given to the Governor-General in respect of regulating the poultry industry are essentially those given at present under the Primary Products Marketing Act 1953 except that in that Act the power is a subjective power and in the Bill is expressed as an objective power. The Primary Products Marketing Act 1953 is consequentially amended in *clause 25* of the Bill.

Clause 25 relates to amendments, repeals, and revocations. A list of the regulations and notices revoked is contained in the *Schedule* to the Bill.

PART IV

DISSOLUTION OF EGG MARKETING AUTHORITY

This Part of the Bill, which consists of *clause 26*, provides for the dissolution of the Egg Marketing Authority and the vesting of its business and property in the new Poultry Board.

An exemption from stamp duty is granted in respect of any instrument required to carry out such vesting.

Rt. Hon. Mr MacIntyre

POULTRY BOARD

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A BILL INTITULED

An Act to consolidate and amend certain enactments relating to poultry farming and egg production and marketing, to merge the functions of the Egg Marketing Authority with those of the New Zealand Poultry Board, and to provide for the dissolution of the Egg Marketing Authority.

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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 and commencement—(1) This Act may be cited as the Poultry Board Act 1980.

(2) This Act shall come into force on the 1st day of January 1981.

2. Interpretation—(1) In this Act, unless the context otherwise requires,—

“Appointed member” means a member of the Board appointed pursuant to section 4 (2) (a) of this Act:

“Board” means the New Zealand Poultry Board constituted under section 4 of this Act: 10

“Eggs” means eggs produced by poultry; and includes eggs which have been chilled or preserved:

“Egg product” means any albumen, egg yolk, or other product obtained from eggs, or a mixture of any or all of any such products (with or without the admixture of any other substance); and includes any such product in its natural state or when chilled, frozen, dried, or preserved: 15

“Financial year” means the period of 12 months commencing with the 1st day of July in any year: 20

“Hatchery” means any place, building, or premises equipped with an incubator:

“Incubator” means any apparatus that can be used to hatch eggs artificially:

“Laying bird” means any head of poultry not less than 5 months old: 25

“Minister” means the Minister of Agriculture:

“Poultry” means any domestic fowls or domestic ducks of any age:

“Poultry farm” means any land used for the keeping of not less than 100 head of poultry: 30

“Poultry farmer” means the occupier of a poultry farm:

“Poultry product” means any product produced by or derived from poultry including the meat or other parts of poultry, any eggs or egg product, or any laying bird: 35

“Producer member” means a nominated member of the Board appointed pursuant to section 4 (2) (b) of this Act.

(2) For the purposes of this Act, 2 or more poultry farms occupied and used as such by the same occupier shall be deemed to be one poultry farm.

Cf. 1976, No. 136, s. 2

3. Act to bind the Crown—This Act shall bind the Crown.
Cf. 1976, No. 136, s. 3

PART I

THE NEW ZEALAND POULTRY BOARD

- 5 **4. The New Zealand Poultry Board**—(1) There is hereby continued the New Zealand Poultry Board.
- (2) The Board shall have 8 members, each of whom shall be appointed by the Governor-General on the recommendation of the Minister, and of whom—
- 10 (a) Three shall be appointed as representatives of the Government:
- (b) Five shall be appointed as representatives of poultry farmers, being—
- 15 (i) One nominated by members of the Auckland Provincial Association of Registered Poultry Farmers Incorporated:
- (ii) One nominated by members of the Central North Island Registered Poultry Keepers (Farmers) Society Incorporated:
- 20 (iii) One nominated by members of the Wellington Provincial Registered Poultry Farmers' Association Incorporated:
- (iv) One nominated by members of the Canterbury-Westland Registered Poultry Farmers Association Incorporated:
- 25 (v) One nominated by members of the Otago-Southland Provincial Association of Registered Poultry Farmers Incorporated.
- (3) The Board shall be a body corporate with perpetual
- 30 succession and a common seal and shall be capable of acquiring, holding, and disposing of real and personal property, of suing and being sued, and of doing or suffering all such other acts and things as bodies corporate may do and suffer.
- (4) The Board is hereby declared to be the same body
- 35 corporate as the Board of the same name established by section 4 of the Poultry Board Act 1976.
- (5) The powers of the Board shall not be affected by any vacancy in its membership.

Cf. 1976, No. 136, s. 4

5. Terms of office of members of Board—(1) Subject to this section, each producer member and appointed member of the Board shall hold office for a term of 3 years, but shall be eligible for reappointment from time to time.

(2) The persons holding office as members of the Board immediately before the commencement of this Act and appointed under section 4 of the Poultry Board Act 1976 shall be deemed to have been duly appointed as members of the Board under section 4 of this Act; and each such person shall continue to hold office until the expiry of the term of office for which he was appointed. 5 10

(3) The person holding office as the Government member of the Egg Marketing Authority (within the meaning of section 26 (1) of this Act) immediately before the commencement of this Act shall be deemed to be a Government member duly appointed to the Board on the commencement of this Act and whose term of office shall expire with the 30th day of June 1983. 15

Cf. 1976, No. 136, s. 5; 1978, No. 117, s. 2

6. Deputies of members—(1) In any case in which the Minister is satisfied that any producer member or appointed member of the Board is incapacitated by illness, or absence, or other sufficient cause from performing the duties of his office, the Minister may, subject to subsection (2) of this section, appoint a deputy to act for the member during his incapacity; and any such deputy shall, while he acts as such, be deemed for all purposes to be a member of the Board. 20 25

(2) Every deputy appointed under this section to act for any member whose appointment was made on the recommendation of the Minister after being nominated by the bodies referred to in section 4 (2) (b) of this Act, shall be appointed by the Minister after consultation with those bodies. 30

(3) No such appointment of a deputy and no acts done by him as such, and no acts done by the Board, while any deputy is acting as such, shall in any proceedings be questioned on the ground that the occasion for his appointment had not arisen or had ceased. 35

Cf. 1976, No. 136, s. 6

7. Extraordinary vacancies—(1) Any member of the Board may at any time be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Minister.

5 (2) Any member may at any time resign his office by writing addressed to the Minister.

(3) If any member of the Board dies, or resigns, or is removed from office, his office shall become vacant and the vacancy shall be an extraordinary vacancy.

10 (4) In the case of any extraordinary vacancy, the Governor-General may appoint some qualified person to fill the vacancy and any such appointment shall be made in the same manner as the appointment of the vacating member.

15 (5) Any member appointed to fill an extraordinary vacancy shall hold office for the residue of the term for which the vacating member was appointed.

Cf. 1976, No. 136, s. 7

8. Chairman and Deputy Chairman—(1) In the month of July every year, the Board shall hold a meeting for the purposes of electing a Chairman and a Deputy Chairman for the ensuing 12 months.

(2) Every person appointed as Chairman or Deputy Chairman shall hold office until his successor comes into office, and shall be eligible for re-election.

25 (3) The Chairman shall preside at all meetings of the Board at which he is present.

(4) In the absence of the Chairman from any meeting the Deputy Chairman shall preside, and, if both should be absent, one of the members present shall be appointed by the members attending to preside at that meeting.

30 (5) At any meeting of the Board the Chairman or other person presiding shall have a deliberate vote and, in the case of an equality of votes, shall also have a casting vote.

Cf. 1976, No. 136, s. 8

9. Meetings of Board—(1) Meetings of the Board shall be held at such times and places as the Board shall from time to time appoint.

(2) The Chairman of the Board, or any 3 members, may at any time call a special meeting.

(3) At all meetings of the Board, 5 members, of whom at least one shall be an appointed member, shall form a quorum.

(4) All questions arising at any meeting of the Board shall be decided by a majority of the votes recorded thereon.

(5) A resolution in writing signed or assented to by letter, telegram, or telex by all members of the Board shall be as valid and effectual as if it had been passed at a meeting of the Board duly called and constituted. 5

(6) Subject to the provisions of this Act, the Board may regulate its own procedure. 10

Cf. 1976, No. 136, s. 9

10. Advisory and technical committees—(1) The Board may from time to time appoint advisory or technical committees of one or more persons to advise the Board on such matters relating to its functions and powers as are referred to the committee by the Board. 15

(2) A person may be appointed to be a member of any committee appointed under this section whether or not he is a member of the Board.

(3) Subject to the provisions of this Act and to any regulations made under it and to any directions given by the Board, each committee shall be subject to the control of the Board but may regulate its own procedure. 20

Cf. 1976, No. 136, s. 10.

11. Remuneration and travelling allowances—(1) The Board and each advisory or technical committee appointed by it is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951. 25

(2) The Board shall pay to its members and to the members of any advisory or technical committee appointed by it remuneration by way of fees, salary, or allowances, and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly. 30

Cf. 1951, No. 79, s. 2; 1976, No. 136, s. 11 35

12. Functions and powers of Board—(1) The functions of the Board shall be—

(a) Generally, to promote, organise, and develop the poultry industry:

- (b) To regulate and control the production, marketing, and distribution of eggs and egg products within New Zealand and elsewhere for the purposes of—
 - 5 (i) Ensuring, as far as possible, a sufficient supply of eggs and egg products and their equitable distribution in the general interests of poultry farmers and consumers:
 - (ii) Promoting greater efficiency in the production, marketing, and distribution of eggs and egg products:
 - 10 (iii) Promoting improvements to the standard of quality of eggs and egg products:
 - (iv) Increasing the consumption of eggs and egg products:
- 15 (c) To assist, develop, and promote efficiency in production, marketing, and distribution of poultry and poultry products, by such means and in respect of such classes or categories of poultry and poultry products as it thinks fit, for the purposes of improving standards of quality and increasing the consumption of poultry and poultry products.
- 20 (2) The Board shall have all such powers as may be reasonably necessary or expedient to enable it to carry out its functions; and in particular it may, from time to time,—
 - 25 (a) Publicise, in New Zealand, the activities of the Board and disseminate information generally relating to matters of interest to poultry farmers and directed to the purpose of encouraging the development of the poultry industry in New Zealand:
 - 30 (b) Grant, on such terms and conditions as it thinks fit and by way of subsidy or otherwise, payment in respect of the provision and carrying out by or on behalf of the Board any exhibit, display, advertisement, research, or experimental work in New Zealand or elsewhere in relation to New Zealand eggs, egg products, poultry, or poultry products:
 - 35 (c) Devise, promote, and carry out, by such means as commend themselves to the Board, measures for the improvement of poultry and poultry products and for

improvement in the methods of producing, marketing, and distributing poultry and poultry products in New Zealand and elsewhere:

- (d) Pay expenses incurred in New Zealand or elsewhere for the purpose of assisting generally in the export of eggs, egg products, poultry, and poultry products: 5
- (e) Pay such sums as it thinks fit in respect of the establishment and maintenance of any organisation of poultry farmers in New Zealand and in respect of the expenses incurred in connection with any conference of representatives of poultry farmers: 10
- (f) Pay expenses, commissions, and other charges incurred by the Board or for which the Board may become liable in the exercise of its functions:
- (g) Purchase, exchange, take on lease, rent, hire, or otherwise acquire real or personal property as in the opinion of the Board is necessary for the performance of its functions and the exercise of its powers: 15
- (h) Sell, exchange, transfer, lease, hire out, or otherwise dispose of any of the Board's real or personal property: 20
- (i) Enter into any contract, arrangement, or scheme for any of the purposes of this Act:
- (j) Receive, hold, and administer as agent, trustee or otherwise howsoever any money or other property in accordance with the terms upon which such money or other property have been accepted by or vested in the Board and generally in such manner as it thinks appropriate: 25
- (k) With the consent either generally or specifically of the Minister of Finance and subject to such conditions as he thinks fit, advance money with or without security and at such rates of interest or at no interest as the Board thinks fit, or guarantee, with or without security and with or without making any monetary charge, any advances made by any person to any other person or the performance of contracts or obligations entered into by any person. 30 35

Cf. 1976, No. 136, s. 12

13. **Government members to represent consumers**—The appointed members shall, in addition to their other functions as members of the Board under this Act, represent the interests of consumers of eggs, egg products, poultry, and poultry products.

5 Cf. 1953, No. 10, s. 3 (4)

14. **Delegation of powers of Board**—(1) The Board may from time to time delegate in writing to any committee of the Board, or to any member, officer, or employee of the Board, any of the functions or powers of the Board under this Act except this power of delegation.

10 (2) Subject to any general or special directions given or conditions imposed by the Board, the committee or person to whom any functions and powers are delegated may exercise them in the same manner and with the same effect as if they had been conferred on it or him directly by this Act and not by delegation.

15 (3) Every committee or person purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

20 (4) If any person to whom any delegation under this section has been made ceases to hold office, the delegation shall continue to have effect as if it were made to the person for the time being holding the corresponding office.

25 (5) Every delegation under this section shall be revocable at will.

(6) No delegation under this section shall prevent the exercise of any function or power by the Board.

30 Cf. 1976, No. 136, s. 14

PART II

FINANCIAL PROVISIONS

15. **Bank accounts**—(1) For the purposes of this Act, there shall be maintained either at the Reserve Bank of New Zealand or at the Bank of New Zealand or at both, bank accounts into which shall be paid all money received by the Board.

20 (2) The Board may from time to time open with the bank at which its accounts are kept, or with any branch or agency of that bank, such imprest or subsidiary accounts as the Board thinks necessary for the exercise of its functions and powers.

(3) The Board may also from time to time establish such special funds or reserves as the Board thinks necessary for the exercise of its functions and powers.

(4) Every account under this section shall be operated upon only by cheque or other instrument (not being a bill or promissory note) signed by such person or persons as may from time to time be authorised by the Board for that purpose. 5

Cf. 1976, No. 136, s. 20

16. Investment of money of Board—The Board may invest any of its surplus money in any investment authorised as a trustee investment under the Trustee Act 1956, or in any other investment that may from time to time be authorised by the Minister of Finance for the purpose. 10

Cf. 1976, No. 136, s. 21 15

17. Borrowing powers of Board—(1) The Board may, with the consent of the Minister of Finance and upon and subject to such conditions as that Minister thinks fit, borrow money and mortgage or charge any of its real or personal property.

(2) The Minister of Finance may, from time to time,— 20

(a) Advance money to the Board:

(b) Give, in respect of any amounts borrowed by the Board, a guarantee, indemnity, or security pursuant to section 86 of the Public Finance Act 1977.

(3) All money advanced by the Minister of Finance under subsection (2) (a) of this section shall be paid from money appropriated by Parliament for the purpose. 25

Cf. 1976, No. 136, s. 22

18. Unauthorised expenditure—The Board may in any financial year expend out of its funds for purposes not otherwise authorised by this or any other Act any sum or sums not exceeding in the whole more than \$5,000. 30

Cf. 1976, No. 136, s. 23

19. Audit of accounts—(1) Within 6 months after the end of each financial year or within such further period as the Minister may allow, the Board shall prepare a balance sheet and such other statements of account as are necessary to show fully the financial position of the Board, and the financial results of its operations during the year. 35

(2) The balance sheet and other accounts shall be audited by the Audit Office which shall, for that purpose, have the same powers as it has under the Public Finance Act 1977 in respect of public money and stores and the audit of local authorities' accounts.

Cf. 1976, No. 136, s. 24

20. Annual report and statement of accounts—(1) As soon as reasonably practicable after the end of each financial year the Board shall deliver to the Minister a general report of its operations during the year together with a copy of its duly audited accounts for that year and the report of the Audit Office on those accounts.

(2) A copy of the general report and of the accounts of the Board, together with a copy of the report of the Audit Office on the accounts, shall be laid before Parliament as soon as practicable after their receipt by the Minister.

Cf. 1976, No. 136, s. 25

21. Taxation—The Board shall be exempt from land tax and income tax.

Cf. 1976, No. 136, s. 26

PART III

GENERAL PROVISIONS

22. Officers and employees of Board—(1) The Board may from time to time, on such terms and conditions (whether as to salaries, allowances, or otherwise) as it thinks fit but subject to the provisions of the Higher Salaries Commission Act 1977, appoint such officers and employees as it considers necessary for the efficient exercise of its functions and powers.

(2) The Board may, for the purpose of providing superannuation or retiring allowances for its officers and employees or their dependants, subsidise out of its funds any scheme under the National Provident Fund Act 1950 containing provision for employer subsidy or any other employer-subsidised scheme approved by the Minister of Finance.

Cf. 1976, No. 136, s. 27

23. Personal liability—No member of the Board or any of its committees, and no officer or employee of the Board, shall be personally liable for any liability of the Board or for any act done or omitted by the Board or any of its committees, or by any member, officer, or employee of the Board in good faith in pursuance or intended pursuance of the functions or powers of the Board. 5

Cf. 1976, No. 136, s. 28

24. Regulations—(1) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes: 10

- (a) Providing for the registration of hatcheries and any classes or categories of poultry farms, and for the imposition, payment, and disposition of registration fees whether by notice given by the Minister or otherwise: 15
- (b) Providing for the imposition, payment, and disposition of fees in respect of functions exercised by the Board and of levies on poultry, poultry products, eggs, or egg products, or on any class or category thereof, and for deductions from money that would otherwise be payable to poultry farmers or any class or category of poultry farmer, in any case whether by notice given by the Minister or otherwise: 20
- (c) Providing for the acquisition of eggs and egg products by the Board, and for the marketing and distribution whether in New Zealand or elsewhere of any such acquisitions, and for the further manufacture of any such products: 25
- (d) Providing for all such matters relating to the prices to be paid and the method of payment for such eggs and egg products acquired by the Board or its agents as may be considered necessary: 30
- (e) Providing for the regulation and control by the Board of the production, grading, marketing, distribution, storage, and quality of eggs and egg products, whether or not they have been acquired by the Board: 35
- (f) Providing for the appointment of agents by the Board, and for payments to them: 40

- (g) Prescribing conditions to be observed by persons engaged in the production, grading, marketing, distribution, and storage of eggs or egg products:
- 5 (h) Providing for the licensing of persons engaged in the production, grading, marketing, distribution, or storage of eggs or egg products, and for the conditions subject to which licences may be granted, refused, transferred, renewed, suspended, or revoked:
- 10 (i) Providing for the licensing of the number of laying birds entitled to be kept by a poultry farmer, for the conditions to be observed by licensees, and for the conditions subject to which licences may be granted, refused, transferred, renewed, suspended, or revoked, and the number of laying birds increased or reduced:
- 15 (j) Providing for appeals against the Board's decisions or certain of them:
- 20 (k) Providing for the acquisition and sale by the Board of any licence, or any part of any entitlement rights under any licence, granted pursuant to regulations made under paragraph (i) of this subsection, and for the source and disposition of any funds to be used for any such acquisition or received from any such sale and for the conditions subject to which any such acquisition or sale is to take place:
- 25 (l) Providing for the cancellation of any licences, or any part of the entitlement rights under any licence, acquired pursuant to regulations made under paragraph (k) of this subsection:
- 30 (m) Prohibiting the production, grading, marketing, distribution, or storage of eggs or egg products except in accordance with such terms and conditions as may be prescribed or as may be notified by the Board by notice in the *Gazette*:
- 35 (n) Providing for returns to be made and records to be kept, and for the obtaining of any information or particulars that may be required for the purposes of the Board:
- 40 (o) Prescribing offences in respect of contravention of or non-compliance with any regulations made under

this Act or any notice, requirement, or direction made or given by the Minister or the Board pursuant to any such regulation; and prescribing penalties not exceeding \$5,000 in respect of any offences prescribed under this paragraph and, in the case of continuing offences, prescribing further penalties not exceeding \$50 for each day during which the offences have continued: 5

(p) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration. 10

(2) Any regulations made under this Act may apply generally throughout New Zealand or within any specified district or districts or part or parts of New Zealand and may apply generally to all poultry farmers or to persons in any way engaged in the poultry industry or to specified classes of poultry farmers or persons in any way engaged in the poultry industry. 15

Cf. 1976, No. 136, s. 30

25. Amendments, repeals, and revocations—(1) The First Schedule to the Fees and Travelling Allowances Act 1951 (as amended by section 32 (3) of the Poultry Board Act 1976) is hereby consequentially amended by repealing the item that relates to the Poultry Board Act 1976. 20

(2) The Primary Products Marketing Act 1953 is hereby amended— 25

(a) By omitting from paragraph (a) of the definition of the term “primary product” (as substituted by section 2 (1) of the Primary Products Marketing Amendment Act 1975) in section 2 the words “or poultry”: 30

(b) By repealing paragraphs (ka), (kb), and paragraph (kc) of section 3 (2) (as inserted by section 3 (1) of the Primary Products Marketing Amendment Act 1975 and section 2 (1) of the Primary Products Marketing Amendment Act 1977): 35

(c) By omitting from paragraph (1) of section 3 (2) (as amended by section 3 (2) of the Primary Products Marketing Amendment Act 1975) the words “, and, in the case of poultry farming, on laying birds”. 40

(3) The Schedule to the Ministry of Agriculture and Fisheries Act 1953 (as substituted by section 4 (1) of the Ministry of Agriculture and Fisheries Amendment Act 1972) is hereby amended by omitting the reference to the Poultry Board Act 1976, and substituting a reference to this Act.

(4) Part II of the First Schedule to the Public Bodies Contracts Act 1959 is hereby consequentially amended by omitting from the item relating to the New Zealand Poultry Board (as inserted by section 13 of the Poultry Board Act 1976) the words “1976, No. 136—The Poultry Board Act 1976.”, and substituting the words “1980, No. 00—The Poultry Board Act 1980.”.

(5) Part II of the First Schedule to the Higher Salaries Commission Act 1977 is hereby consequentially amended by omitting the words “The Egg Marketing Authority.”.

(6) The following enactments are hereby consequentially repealed:

- (a) Section 3 of the Primary Products Marketing Amendment Act 1975:
- 15 (b) The Poultry Board Act 1976:
- (c) Section 2 (1) of the Primary Products Marketing Amendment Act 1977:
- (d) The Poultry Board Amendment Act 1978.
- 20 (7) The regulations specified in Part A of the Schedule to this Act and the notices specified in Part B of that Schedule are hereby consequentially revoked.

PART IV

DISSOLUTION OF EGG MARKETING AUTHORITY

25 **26. Dissolution of Egg Marketing Authority**—(1) In this section, “Egg Marketing Authority” means the marketing authority of that name constituted by regulations made under the Primary Products Marketing Act 1953 (and revoked by section 25 (7) of this Act); and “Authority” has the same meaning.

- 30 (2) The Egg Marketing Authority is hereby dissolved.
- (3) On the commencement of this Act—
- (a) The estate and interest of the Authority in any real and personal property shall vest in the Board subject to all liabilities, charges, obligations, or trusts affecting that property:
- 35 (b) Any levy, fee, charge, interest, debt, or money payable to the Authority shall become payable to and be recoverable by the Board:
- 40 (c) All liabilities, contracts, and engagements, and all rights and authorities of any nature whatever of the Authority shall become liabilities, contracts, engagements, rights, and authorities of the Board:

- (d) All rights, authorities, and licences granted or issued by the Authority and all rights arising from registration of any property with the Authority shall continue in force on the same terms and conditions on which they were granted or issued or on which they arose as if such rights, authorities, and licences had been granted or issued by the Board and as if such property had been registered with the Board: 5
- (e) All proceedings pending by or against the Authority may be carried on, completed, and enforced by or against the Board: 10
- (f) Every person who immediately before such commencement was an officer or employee of the Authority shall become, without further appointment than this section, an officer or employee of the Board on and subject to the same terms and conditions of employment (including those applicable to salaries and allowances) as applied to him immediately before such commencement. 15
- (4) Subject to subsection (6) of this section, the District Land Registrar, on receiving a written request from the Board under its seal incorporating a reference to this section, shall without fee make such entries in his registers and on any outstanding documents of title and generally do all such things as may be necessary to give effect to the provisions of subsection (3) of this section in respect of land and interests in land specified in the request. 20 25
- (5) All references to the Authority in any security, licence, or other document whatever which is subsisting immediately before the date of commencement of this Act, or in any notice or other communication served, given, or sent before, on, or after that date in relation to any such security, licence, or other document shall, unless the context otherwise requires, be read as references to the Board. 30
- (6) No Registrar of Deeds or District Land Registrar or any other person charged with the keeping of any books or registers shall be obliged, solely by the provisions of this section, to change the name of the Authority to that of the Board in his books or registers or in any document in his charge; but the presentation to any such Registrar or other person of any instrument— 35 40
- (a) Executed or purporting to be executed by the Board; and
- (b) Relating to any property held immediately before the commencement of this Act by the Authority; and 45

(c) Containing a recital that the property has become vested in the Board by virtue of the provisions of this section—

shall, in the absence of proof to the contrary, be sufficient evidence that the property is vested in the Board.

(7) Except as provided in subsections (4) and (6) of this section, nothing in this section shall derogate from the provisions of the Land Transfer Act 1952.

(8) No stamp duty shall be payable on any instrument required for any purpose in relation to the vesting of any real or personal property in the Board under this section.

SCHEDULE

Section 25 (7)

PART A

REGULATIONS REVOKED

Title	Reference
The Egg Marketing Authority Regulations 1953	S.R. 1953/156 (Reprinted with Amendments Nos. 1 to 9)
The Egg Marketing Authority Regulations 1953, Amendment No. 1	S.R. 1967/229
The Egg Marketing Authority Regulations 1953, Amendment No. 2	S.R. 1954/89
The Egg Marketing Authority Regulations 1953, Amendment No. 3	S.R. 1954/124
The Egg Marketing Authority Regulations 1953, Amendment No. 4	S.R. 1955/130
The Egg Marketing Authority Regulations 1953, Amendment No. 7	S.R. 1956/32
The Egg Marketing Authority Regulations 1953, Amendment No. 8	S.R. 1960/136
The Egg Marketing Authority Regulations 1953, Amendment No. 9	S.R. 1962/88
The Egg Marketing Authority Regulations 1953, Amendment No. 10	S.R. 1966/28
The Egg Marketing Authority Regulations 1953, Amendment No. 11	S.R. 1968/68
The Egg Marketing Authority Regulations 1953, Amendment No. 12	S.R. 1972/230
The Egg Marketing Authority Regulations 1953, Amendment No. 14	S.R. 1974/148
	S.R. 1977/238

SCHEDULE—*continued*

Title	Reference
The Egg Marketing Authority Regulations 1953, Amendment No. 15	S.R. 1978/267
The Egg Marketing Authority Regulations 1953, Amendment No. 16	S.R. 1979/120
The Egg Marketing (Production Entitlement) Regulations 1970	S.R. 1970/236
The Egg Marketing (Production Entitlement) Regulations 1970, Amendment No. 1	S.R. 1975/10
The Egg Marketing (Production Entitlement) Regulations 1970, Amendment No. 2	S.R. 1976/317
The Egg Marketing (Production Entitlement) Regulations 1970, Amendment No. 3	S.R. 1978/208

PART B

NOTICES REVOKED

Title	Reference
Notice Declaring Rate of Chick Levy	1968 <i>Gazette</i> , p. 747
Notice Fixing and Determining Quality Standards and Grades for Eggs	1971 <i>Gazette</i> , pp. 88-90
Notice Amending the Quality Standards and Grades for Eggs	1972 <i>Gazette</i> , p. 1258
The Egg Marketing Areas (Auckland and Nelson) Notice 1976	S.R. 1976/266
The Egg Marketing Areas (Rotorua) Notice 1978	S.R. 1978/98
Notice of Poultry Farm Registration Fee	1978 <i>Gazette</i> , p. 472
Notice of Poultry Entitlement Levy—Determination of Nature and Incidence	1979 <i>Gazette</i> , p. 1905
The Egg Marketing (Production Entitlement) Regulations Extension Notice 1980	S.R. 1980/159