

STOCK REMEDIES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Stock Remedies Act 1934.

Clause 2 grants a right of appeal to a Magistrate against any refusal by the Stock Remedies Registration Board to register any stock remedy or to approve any label or advertisement. The appeal must be lodged within 28 days after the appellant has been officially informed of the decision to which the appeal relates. The decision of the Magistrate is to be final. The Magistrate's power to reverse a decision of the Board is restricted to cases where he considers that the decision could not reasonably have been arrived at on any of the grounds specified in section six of the principal Act. Where the Court orders the reversal of any decision of the Board refusing to approve any label or advertisement, the order may be made either unconditionally or subject (where convenient) to any statement in the label or advertisement being omitted, altered, or amplified so as to comply with the principal Act.

Section 8 (4) of the principal Act provides that no reference shall be made in any label or advertisement to the registration of a stock remedy except in the words "Registered pursuant to the Stock Remedies Act 1934". *Clause 3* makes it clear that the restriction is confined to references to registration *under the principal Act*. Many stock remedies are also registered for sale in Australia.

Right Hon. Mr Holyoake

STOCK REMEDIES AMENDMENT

ANALYSIS

Title.	2. Appeals against decisions of Stock Remedies Registration Board.
1. Short Title.	

A BILL INTITULED

AN ACT to amend the Stock Remedies Act 1934.

Title.

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

1. This Act may be cited as the Stock Remedies
Amendment Act 1954, and shall be read together with
and deemed part of the Stock Remedies Act 1934
(hereinafter referred to as the principal Act).

Short Title.
1934, No. 5

10 2. The principal Act is hereby amended by inserting,
after section six, the following section:

Appeals
against
decisions of
Stock Remedies
Registration
Board.

15 "6A. (1) If the Board refuses to register any stock
remedy or to approve any label or advertisement, the
applicant for registration or approval may, at any time
not later than twenty-eight days after the date on which
he is officially informed of the Board's decision, apply to
a Magistrate's Court of civil jurisdiction for an order
reversing that decision.

“(2) A copy of the application to the Court shall be served on the Registrar of the Board.

“(3) Every such application shall be heard and determined in the Magistrate’s Court before a Magistrate alone. 5

“(4) On hearing the application, the Court may,—

“(a) Confirm the decision of the Board:

“(b) Reverse that decision if the Court considers that the decision could not reasonably have been arrived at on any of the grounds specified 10 in section six of this Act:

“(c) Where the Court orders the reversal of any decision of the Board refusing to approve any label or advertisement, make the order either unconditionally or subject (where convenient) 15 to any statement in the label or advertisement being omitted, altered, or amplified so as to comply with this Act.

“(5) The decision of the Court shall be final, and the Board and the Registrar of the Board shall forthwith 20 take any action which may be necessary to give effect thereto.

“(6) For the purpose of dealing with any such application, the Court shall have all the powers vested in it in its civil jurisdiction.” 25

Labels and advertisements.

3. Section eight of the principal Act is hereby amended by inserting in subsection four, after the words “registration of a stock remedy”, the words “under this Act”.