

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 6 October 1981

STATUTES AMENDMENT BILL

Proposed Amendments

HON. J. K. McLAY, in Committee, to move the following amendments:

To add the following clauses:

Apple and Pear Marketing

126. Sections to be read with Apple and Pear Marketing Act 1971—This section and the next succeeding section shall be read together with and deemed part of the Apple and Pear Marketing Act 1971* (in that section referred to as the principal Act).

*1971, No. 33

Amendments: 1974, No. 75; 1977, No. 73; 1979, No. 76; 1980, No. 9; 1980, No. 99; 1981, No. 24

127. Compulsory hail insurance scheme—The principal Act is hereby amended by inserting, after section 30, the following section:

“31B. (1) The Board may from time to time, after consultation with the Minister, on behalf of growers, institute, enter into, carry out, or renew, any scheme or schemes of insurance against hail damage to apple and pear crops (including blossom and immature and unripe fruit) intended to be sold to the Board, and may for the purpose enter into contracts with growers and other persons.

“(2) The Board may pay all premiums payable in respect of any such scheme for the time being in force.

“(3) Where any such scheme is for the time being in force, the Board shall impose upon growers who sell or intend to sell apples or pears to the Board during any period of 12 months, a levy for the purpose of recovering the amount of the premium paid by the Board in respect of that scheme for that period.

“(4) Subject to subsection (5) of this section, a levy imposed under subsection (3) of this section—

“(a) May be imposed on all growers, or on any specified class or classes of grower, or on growers in any specified part or parts of New Zealand:

“(b) May be imposed at differing rates on different classes of grower, whether ascertained by geographical location, class or quantity of fruit grown, or otherwise howsoever.

“(5) Except with the consent of the Minister, the Board shall not impose a levy under subsection (3) of this section on any basis other than at a uniform rate.

“(6) The amount of any levy imposed under subsection (3) of this section shall be collected by the Board in such manner as the Board decides, and—

“(a) Shall be recoverable as a debt due to the Board in any Court of competent jurisdiction; and

“(b) May be deducted by the Board from any money owing to the grower.”

That clauses 126 and 127 be a separate Bill, and that for clause 126 there be substituted the following Title, enacting words, and Short Title:

An Act to amend the Apple and Pear Marketing Act 1971

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 Apple and Pear Marketing Amendment Act (No. 2) 1981, and shall be read together with and deemed part of the Apple and Pear Marketing Act 1971 (hereinafter referred to as the principal Act).

EXPLANATORY NOTE

New clause 127 authorises the New Zealand Apple and Pear Marketing Board to set up a compulsory hail insurance scheme, pay the premiums, and recover the amount of those premiums from growers by imposing a levy on some or all growers. The levy may be imposed on different growers at different rates, but only with the consent of the Minister.
