

HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Friday, 19 November 1982

STATUTES AMENDMENT BILL

*Proposed Amendments*

Hon. MR McLAY, in Committee, to move the following amendments:

*Administration*

*Clause 3:* To omit the clause on page 4, and substitute the following clause:

**3. Devolution of loan stock and payment without administration**—(1) Section 64 (1) of the principal Act (as amended by section 8 (1) of the Administration Amendment Act 1979) is hereby amended by omitting the expression “\$4,000” in both places where it occurs, and substituting in each case the expression “\$6,000”.

(2) Section 65 of the principal Act (as amended by section 8 (2) of the Administration Amendment Act 1979) is hereby amended by omitting from subsections (2) and (5) the expression “\$4,000”, and substituting in each case the expression “\$6,000”.

(3) Section 8 of the Administration Amendment Act 1979 is hereby repealed.

*Family Proceedings*

*Clause 36 (2):* To omit the expression “section 18 (2)” in line 31 on page 14, and substitute the expression “section 182 (2)”.

*Fisheries*

*Clause 41:* To omit from line 10 on page 16 the words “which is”, and to substitute the words “knowing such statement to be”.

*New Clauses*

To insert, after *clause 133*, the following headings and new clauses:

*State Services*

**134. Sections to be read with State Services Act 1962**—  
This section and the next succeeding section shall be read together with and deemed part of the State Services Act 1962\* (in that section referred to as the principal Act).

\*Reprinted 1971, Vol. 4, p. 2533

Amendments: 1973, No. 15; 1973, No. 92; 1974, No. 122; 1978, No. 37; 1981, No. 94; 1982, No. 23

**135. Services for Appeal Board**—Section 65 of the principal Act is hereby amended by omitting the word “Labour”, and substituting the word “Justice”.

That *clauses 134 and 135* be a separate Bill, and that for *clause 134* there be substituted the following Title, enacting words, and Short Title:

**An Act to amend the State Services Act 1962**

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 State Services Amendment Act (No. 2) 1982, and shall be read together with and deemed part of the State Services Act 1962 (hereinafter referred to as the principal Act).

*Orchard Levy*

**136. Sections to be read with Orchard Levy Act 1953**—This section and the next succeeding section shall be read together with and deemed part of the Orchard Levy Act 1953\* (in that section referred to as the principal Act).

\*1957 Reprint, Vol. 11, p. 473

**137. Interpretation**—Section 2 of the principal Act is hereby amended—

(a) By omitting from the definition of the term “fruit” (as substituted by section 2 (1) of the Orchard Levy Amendment Act 1972) the words “chinese gooseberries (kiwi fruit)”, and substituting the word “kiwifruit”; and

(b) By inserting, after that definition, the following definition:

“‘Kiwifruit’ means the fruit of any plant of the genus *Actinidia*.”

That *clauses 136 and 137* be a separate Bill, and that for *clause 136* there be substituted the following Title, enacting words, and Short Title:

**An Act to amend the Orchard Levy Act 1953**

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 Orchard Levy Amendment Act 1982, and shall be read together with and deemed part of the Orchard Levy Act 1953 (hereinafter referred to as the principal Act).

## EXPLANATORY NOTE

*Administration*

*Clause 3:* The clause as introduced did 2 things. First, it increased from \$4,000 to \$6,000 the nominal value of Government and local authority stock that may devolve on the death of the holder, and the amount of money that may be paid by certain institutions on the death of a depositor, without a grant of administration of his estate. Secondly, the clause would have allowed the registration of stock, or the payment of money, up to the statutory limit, regardless of the total value or money involved. The clause in this Paper is limited to the first objective.

*Family Proceedings*

*Clause 36 (2):* The amendment corrects a printing error.

*Fisheries*

*Clause 41:* This clause creates an offence of making false or misleading statements in relation to an application for a fishing permit. The amendment converts the offence from one of strict liability into one where the statement is made knowing it to be false or misleading.

*State Services*

*Clause 135* provides that the Department of Justice shall replace the Department of Labour as the Department that furnishes secretarial, recording, and clerical services for the Public Service Appeal Board.

*Orchard Levy*

*Clause 137* has 2 effects. It amends the definition of "fruit" in the principal Act so as to replace a reference to chinese gooseberries with a reference to kiwifruit; and it defines "kiwifruit" so as to include the fruit of all plants of the genus *Actinidia*, and thus ensure that any other variety or species, or hybrid, that may come into commercial production will be covered by the principal Act.

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