



# Apple and Pear Export Amendment Regulations 2000

Michael Hardie Boys, Governor-General

## Order in Council

At Wellington this 6th day of March 2000

Present:

His Excellency the Governor-General in Council

Pursuant to Part 2 of the Apple and Pear Industry Restructuring Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister of Agriculture, makes the following regulations.

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## Regulations

### 1 Title

- (1) These regulations are the Apple and Pear Export Amendment Regulations 2000.
- (2) In these regulations, the Apple and Pear Export Regulations 1999<sup>1</sup> are called the “the principal regulations”.

<sup>1</sup> SR 1999/311

## 2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## 3 Interpretation

Regulation 2 of the principal regulations is amended by revoking the definition of **Committee**, and substituting the following definition:

“**Committee** means the Apple and Pear Export Permits Committee established under regulation 36”.

## 4 Establishment of Export Permits Committee

Regulation 36 of the principal regulations is amended by revoking subclauses (1) and (2), and substituting the following subclauses:

- “(1) The Board must establish a committee, to be known as the Apple and Pear Export Permits Committee, to decide applications for export permits and to monitor compliance with any permit conditions.
- “(2) The Committee is a separate legal entity from the Board and, for the avoidance of doubt, is, and has been since its establishment, a body corporate with perpetual succession.”

## 5 Corrections to Schedule 3

Schedule 3 of the principal regulations is amended by omitting from clauses 5(7), 10(3), 11(5), and 16 the words “this Act”, and substituting the words “these regulations”.

Marie Shroff,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*,—

- clarify the legal status of the Export Permits Committee:
- alter the name of that committee to the Apple and Pear Export Permits Committee:
- correct 4 references in Schedule 3 relating to the New Zealand Apple and Pear Board.

#### *Legal status of Export Permits Committee*

The Apple and Pear Export Regulations 1999 provide for the establishment of the Committee, and state that the Committee is a separate legal entity from the New Zealand Apple and Pear Board. The intention was to create a new legal entity. This amendment clarifies the nature of the entity by providing that the Committee is a body corporate with perpetual succession, and has been so since establishment.

#### *Name of Export Permits Committee*

The Committee is currently called the Export Permits Committee in the regulations. This amendment changes its official name to the Apple and Pear Export Permits Committee.

#### *Incorrect references in Schedule 3*

The references are to “this Act” when they should be references to “these regulations”.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 9 March 2000.

These regulations are administered in the Ministry of Agriculture and Forestry.

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