



# Kiwifruit Export Amendment Regulations 2000

Michael Hardie Boys, Governor-General

## Order in Council

At Wellington this 28th day of February 2000

Present:

His Excellency the Governor-General in Council

Pursuant to Part 2 of the Kiwifruit 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 Kiwifruit Export Amendment Regulations 2000.
- (2) In these regulations, the Kiwifruit Export Regulations 1999<sup>1</sup> are called “the principal regulations”.

<sup>1</sup> SR 1999/310

## 2 Commencement

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

## 3 New regulation 47 substituted

The principal regulations are amended by revoking regulations 47 and 49, and substituting the following regulation:

### “47 Transitional provisions relating to Board

- “(1) The members of the New Zealand Kiwifruit Marketing Board established by the Kiwifruit Marketing Regulations 1977 may take all steps that are reasonably necessary or desirable to prepare for the establishment and operation of the Board under these regulations.
- “(2) In particular, those members must arrange for an election to be held in accordance with regulation 37, as soon as practicable, to take account of any expected vacancies on the Board.
- “(3) Replacement members are to fill any vacancies on the Board that arise on or after 2 April 2000, and that would otherwise result in the number of members falling below 5, in the following order:
- “(a) those members elected under subclause (2), in order of votes cast for those members:
  - “(b) the member appointed under regulation 36(b):
  - “(c) the member appointed under regulation 36(c).
- “(4) The members may appoint 1 of their number to be chairperson until a chairperson is appointed under regulation 36(c).
- “(5) No initial member is entitled to compensation for loss of office by reason of the expiry of his or her term of office.
- “(6) The Board may consist of up to 8 members until 1 or more replacement members take office under subclause (3).
- “(7) The directors of the Board who are also directors of ZGL must not participate in discussions or decisions about the enforcement regime to be specified in ZGL’s export authorisation as required under regulation 7(1)(a).”

#### 4 Corrections to Schedule

The Schedule 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 day after the date of their notification in the *Gazette*, allow—

- elections for new members of Kiwifruit New Zealand to be held before 1 April 2000; and
- elected and appointed members of Kiwifruit New Zealand to take office before 1 November 2000, if initial members of Kiwifruit New Zealand resign before that date.

At present the Kiwifruit Export Regulations 1999 provide that the elections of new members must be held after 1 April 2000 and before 1 November 2000. Until then, the existing members of the old New Zealand Kiwifruit Marketing Board (established by the Kiwifruit Marketing Regulations 1977) continue to hold office as initial members of Kiwifruit New Zealand. The regulations do not currently provide for a situation where some of those initial members may wish to resign.

This amendment also corrects 4 incorrect references in the Schedule of the regulations. 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*: 2 March 2000.

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

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