

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Altering titles of principal Act and amending Act. 3. Altering name and constitution of Department. 4. Extension of functions of Department. | <ol style="list-style-type: none"> 5. Special Accounts may be opened in Reserve Bank for purposes of this Act. 6. Subsidiary Accounts. 7. Moneys payable into or out of a special Account. 8. In fixing prices of goods acquired by Department, consideration to be had to existence of state of emergency or state of war. |
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1939, No. 40.

AN ACT to amend the Primary Products Marketing Act, 1936. Title.
[7th October, 1939.

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

1. This Act may be cited as the Marketing Amendment Act, 1939, and shall be read together with and deemed part of the Act heretofore known as the Primary Products Marketing Act, 1936 (hereinafter referred to as the principal Act). Short Title.

2. The principal Act may hereafter be cited as the Marketing Act, 1936, and the Primary Products Marketing Amendment Act, 1937, may hereafter be cited as the Marketing Amendment Act, 1937. Altering titles of principal Act and amending Act.
1936, No. 5
1937, No. 21

Altering
name and
constitution of
Department.

3. (1) The Department established by section four of the principal Act as the Primary Products Marketing Department shall hereafter be known as the Marketing Department.

(2) The Dairy-produce Export Division of the Department shall hereafter be known as the Export Division, and the Director of that Division shall hereafter be called the Director of the Export Division.

Extension of
functions of
Department.

4. (1) The Governor-General may by Order in Council authorize the Department to purchase or otherwise acquire any specified goods or goods of any specified classes, and to sell or otherwise dispose of any such goods for consumption or use in New Zealand or elsewhere.

(2) The prices to be paid by the Department for any goods acquired by it in accordance with any Order in Council under the last preceding subsection may be fixed by the same or any subsequent Order in Council or may be ascertained in a manner to be prescribed by any such Order in Council. Any such Order in Council may also prescribe the services in respect of any such goods (being services rendered before the acquisition of such goods by the Department) for which charges may be made, and may determine the persons by and to whom respectively any such charges shall be paid, and the manner in which such charges shall be fixed.

(3) The provisions of subsection two of section seventeen of the principal Act shall, with any necessary modifications, apply with respect to any goods acquired by the Department under the authority of this section in the same manner as they apply with respect to dairy-produce.

(4) In any case where the Department has been authorized, by virtue of an Order in Council under this section, to acquire any goods, it may, if it thinks fit, in lieu of acquiring such goods or any such goods, exercise in respect thereof the same powers as it has in respect of goods to which section six of the Marketing Amendment Act, 1937, is applicable, and in any such case the provisions of that section shall apply in all respects notwithstanding that any of the goods to which this section applies may not be foodstuffs within the meaning of that section.

5. (1) For the purposes of this Act, there may be established in the Reserve Bank of New Zealand one or more special Accounts, as the Minister from time to time determines. Every such special Account shall be given such appropriate name as the Minister may approve or determine.

Special Accounts may be opened in Reserve Bank for purposes of this Act.

(2) Part X of the Public Revenues Act, 1926, shall apply with respect to every special Account in the same manner as it applies to the several accounts mentioned therein.

See Reprint of Statutes, Vol. VII, p. 10

(3) A special Account established under this section may be operated on only by cheque signed by or on behalf of a Director of a Division of the Department, and countersigned by the Audit Office. For the purposes of this section the Minister of Finance may from time to time authorize any officer of the Department to sign cheques on behalf of a Director.

(4) No limits imposed by any Act upon the borrowing powers of the Government of New Zealand or of any person on behalf of that Government shall operate to limit the authority conferred on the Reserve Bank of New Zealand by paragraph (gg) of section thirteen of the Reserve Bank of New Zealand Act, 1933, as amended by section twelve of the Reserve Bank of New Zealand Amendment Act, 1936, and the said paragraph shall be construed as an authority for the Bank to grant and for the Government to receive accommodation by way of overdraft in aid of any special Account established under this section, and the said Account may be overdrawn accordingly.

1933, No. 11;
1936, No. 1

(5) The grant by the Reserve Bank of accommodation in aid of any special Account as aforesaid shall not, for the purposes of section fourteen of the Reserve Bank of New Zealand Act, 1933, be deemed to be the making of unsecured loans or advances.

6. For the purposes of any special Account established in accordance with the foregoing provisions of this Act there may be opened at the Reserve Bank or at any other bank, in New Zealand or elsewhere, such imprest or other subsidiary accounts as may from time to time be authorized in accordance with the Public Revenues Act, 1926.

Subsidiary Accounts.

Moneys payable into or out of a special Account.

7. (1) There shall from time to time be paid into any special Account established under this Act all moneys derived from the operations of the Department in respect of goods of the class or classes in relation to which that Account has been established.

(2) There shall from time to time, without further appropriation than this section, be paid out of any special Account as aforesaid—

(a) All moneys payable by the Crown in respect of the price of goods of the class or classes in relation to which that Account has been established that have been acquired in the course of the operations of the Department under this Act (including the cost of remitting such moneys to the persons entitled to receive the same):

(b) All charges payable by the Crown in respect of freight, insurance, storage, or marketing of any such goods as aforesaid (including any expenses incidental to any of the matters herein specified):

(c) Any interest payable to the Reserve Bank on any overdraft of such special Account.

(3) There shall also from time to time be paid out of any such special Account, in accordance with the appropriation of Parliament, so much of the salaries and allowances of officers of the Department and of other expenditure incurred in the administration of the Department as is appropriate to the Account.

(4) Section twelve of the principal Act and sections eleven and fifteen of the Marketing Amendment Act, 1937, shall be read subject to the foregoing provisions of this section.

In fixing prices of goods acquired by Department, consideration to be had to existence of state of emergency or state of war.

8. (1) In fixing the prices to be paid for any goods acquired by the Department under the principal Act or this Act at any time during a state of emergency or of war, due regard shall be had to the existence of such state of emergency or of war and to the conditions created thereby.

(2) Section twenty of the principal Act shall be read subject to the provisions of the last preceding subsection.