



ANALYSIS

| | |
|---|--|
| Title | 6. Prohibition on registration of name |
| 1. Short Title and commencement | 7. Amendment to Public Bodies Contracts Act 1959 |
| 2. Interpretation | 8. Amendment to Official Information Act 1982 |
| 3. Dissolution of Council | 9. Repeals Schedule |
| 4. Vacation of office by members of Council | |
| 5. Final report of Council | |

1991, No. 97

**An Act to dissolve the New Zealand Planning Council,
and to provide for matters incidental thereto**

[8 August 1991]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the New Zealand Planning Council Dissolution Act 1991.

(2) This Act shall come into force on a day to be appointed by the Governor-General by Order in Council.

2. Interpretation—In this Act, unless the context otherwise requires, “Council” means the New Zealand Planning Council established by the New Zealand Planning Act 1982.

3. Dissolution of Council—As from the commencement of this Act,—

(a) The Council shall be dissolved; and

(b) All real and personal property of the Council and all rights and liabilities of the Council shall vest in the Crown; and

(c) All proceedings pending by or against the Council may be carried on, completed, or enforced by or against the Crown.

4. Vacation of office by members of Council—(1) Every person who, immediately before the commencement of this

Act, holds office as a member of the Council shall be deemed, as from the commencement of this Act, to have vacated that office.

(2) No person who, under subsection (1) of this section, is deemed to have vacated office as a member of the Council shall be entitled to compensation for loss of office as a member of the Council.

5. Final report of Council—(1) As soon as reasonably practicable after the commencement of this Act, the Secretary to the Treasury shall arrange for a final report of the Council to be sent to the Minister of Finance showing the Council's operations for the period beginning with the 1st day of July immediately preceding the commencement of this Act and ending with the commencement of this Act, and shall attach to the report a copy of the Council's accounts for that period certified by the Audit Office.

(2) A copy of the report and accounts shall be laid before the House of Representatives as soon as practicable after their receipt by the Minister of Finance.

6. Prohibition on registration of name—(1) No person or other body shall, for a period of 5 years after the commencement of this Act, be incorporated or registered under any Act or otherwise under the name "New Zealand Planning Council" or under any other name that, in the opinion of any registering authority within the meaning of section 2 of the Flags, Emblems, and Names Protection Act 1981, so closely resembles that name as to be likely to deceive.

(2) No person shall, either solely or with any other person, for a period of 5 years after the commencement of this Act, trade or carry on business under the name "New Zealand Planning Council" or under any other name that so closely resembles that name as to be likely to deceive.

(3) Every person who contravenes subsection (2) of this section commits an offence and is liable on summary conviction to a fine not exceeding \$5,000.

(4) Notwithstanding subsections (2) and (3) of this section, no company or other body incorporated or registered before the 1st day of December 1977, being the date of the commencement of the New Zealand Planning Act 1977, commits an offence by reason only of the fact that by itself it trades or carries on business after the commencement of this Act under its incorporated or registered name.

7. Amendment to Public Bodies Contracts Act 1959—The Public Bodies Contracts Act 1959 is amended as from the commencement of this Act by omitting from Part II of the First Schedule (as amended by section 10 (2) of the New Zealand Planning Amendment Act 1987) the item relating to the New Zealand Planning Council.

8. Amendment to Official Information Act 1982—The Official Information Act 1982 is amended as from the commencement of this Act by omitting from the First Schedule (as substituted by section 23 (1) of the Official Information Amendment Act 1987) the item “New Zealand Planning Council”.

9. Repeals—As from the commencement of this Act, the enactments specified in the Schedule to this Act are repealed.

SCHEDULE

Section 9

ENACTMENTS REPEALED

1982, No. 17—The New Zealand Planning Act 1982.

1987, No. 11—The New Zealand Planning Amendment Act 1987.

1989, No. 44—The Public Finance Act 1989: So much of the First Schedule as relates to the New Zealand Planning Act 1982.

1990, No. 126—The National Provident Fund Restructuring Act 1990: So much of the Sixth Schedule as relates to the New Zealand Planning Act 1982.

This Act is administered in the Treasury.
