

FINANCE BILL (NO. 4)

EXPLANATORY NOTE

THIS Bill contains a number of miscellaneous provisions.

Clause 1 relates to the Bill's Short Title.

PART I

NEW ZEALAND EXPORT-IMPORT CORPORATION DISSOLUTION

This Part dissolves the New Zealand Export-Import Corporation and repeals the New Zealand Export-Import Corporation Act 1974.

PART II

AMENDMENTS TO OFFICIAL INFORMATION ACT 1982

Clauses 11 and 12 include related companies of State enterprises in the list of organisations named in the First Schedule to the Official Information Act 1982. Such companies will thus be subject to that Act together with the State enterprises themselves.

Clause 11 defines a related company of a State enterprise. A company is a related company of a State enterprise if the State enterprise directly or indirectly owns, or controls all the voting rights attaching to, the equity share capital (within the meaning of section 158 of the Companies Act 1955) of the company.

PART III

AMENDMENTS TO OMBUDSMEN ACT 1975

Clauses 15 and 16 include related companies of State enterprises in the list of organisations named in Part II of the First Schedule to the Ombudsmen Act 1975. Such companies will thus be subject to that Act together with the State enterprises themselves.

Clause 15 defines a related company of a State enterprise. A company is a related company of a State enterprise if the State enterprise directly or indirectly owns, or controls all the voting rights attaching to, the equity share capital (within the meaning of section 158 of the Companies Act 1955) of the company.

PART IV

AMENDMENT TO RESERVES ACT 1977

Clause 18 amends section 88 (1) of the Reserves Act 1977 and changes the financial year of Reserves Boards and other Boards appointed under that Act.

No. 86—1

The financial year presently ends on 31 March. The new financial year will end on 30 June.

PART V

AMENDMENTS TO STATE-OWNED ENTERPRISES ACT 1986

Clause 20 inserts a new *section 10A* into the principal Act. The new section empowers the Governor-General, by Order in Council, to add to the list of State enterprises named in the First and Second Schedules to the principal Act. Where the name of a company or body corporate is added to the First and Second Schedules, the Order in Council must add the name of the company or body corporate to Part II of the First Schedule to the Ombudsmen Act 1975, the First Schedule to the Official Information Act 1982, and the Fourteenth Schedule to the Income Tax Act 1976. The removal of a State enterprise from the First and Second Schedules to the principal Act, Part II of the First Schedule to the Ombudsmen Act 1975, the First Schedule to the Official Information Act 1982, and the Fourteenth Schedule to the Income Tax Act 1976 will continue to require to be by Act of Parliament.

Clause 21 repeals section 14 of the State-Owned Enterprises Act 1986, and substitutes a new section. The existing section 14 requires the board of a State enterprise to deliver to the shareholding Ministers a draft statement of corporate intent not later than 1 month after the commencement of each financial year. The statement must contain the information specified and must relate to the financial year in which it is delivered and the next 2 financial years. The board is required to consider any comments on the draft statement made by the shareholding Ministers within 2 months of the commencement of the financial year and must deliver a completed statement to those Ministers within 3 months of the commencement of the financial year.

The new *section 14* will require the board to deliver the draft statement to the shareholding Ministers not later than 1 month before the commencement of the financial year, consider any comments made by those Ministers not later than 14 days before the commencement of the financial year, and deliver the completed statement to those Ministers on or before the commencement of the financial year or such later date as those Ministers determine.

There are 2 other changes in the new *section 14*.

Paragraph (f) of subsection (2) (which requires the draft statement to contain an estimate of the amount or proportion of accumulated profits and capital reserves intended to be distributed to the Crown) is replaced with a requirement that it state the principles adopted in determining the annual dividend together with an estimate of the annual tax paid earnings intended to be distributed to the Crown.

Paragraph (j) of subsection (2) is repealed. Paragraph (j) requires the draft statement to contain a forecast of the commercial value of the Crown's investment in the group. The statement will, instead, be required to include an estimate of the current commercial value of the Crown's investment together with a statement of the manner in which that value has been assessed.

Clause 22 replaces subsection (8) of section 23 of the State-Owned Enterprises Act 1986 with new subsections which deal in greater detail with the continued application of existing enactments to land subject to any lease, licence, permit, or right that is transferred to a State enterprise.

Clause 23 amends section 24 of the State-Owned Enterprises Act 1986 and provides for the transfer of land owned by the Crown, other than land subject to the Land Transfer Act 1952, by notice in the *Gazette*. This new procedure will be

in addition to the procedure for transfer by Order in Council currently provided for in section 24. This amendment is designed to provide a simplified procedure for transfers of land to State enterprises. In cases where it is necessary, in connection with a transfer of land, to exercise the powers conferred by section 28 of the Act, the transfer will be effected by Order in Council.

Clauses 24 and 25 make consequential amendments to sections 27A and 27B, respectively, of the State-Owned Enterprises Act 1986 as a result of the new procedure for transferring land to State enterprises by notice in the *Gazette* provided for by *clause 23*. The same procedures as apply to claims made under the Treaty of Waitangi Act 1975 that relate to land or interests in land transferred to or vested in a State enterprise will apply to land transferred in this way.

Clause 26 makes consequential amendments to section 29 of the State-Owned Enterprises Act 1986.

Clause 27 inserts a new *section 29A* into the State-Owned Enterprises Act 1986. The new section provides that nothing in the Act prevents the exercise in relation to a State enterprise named in the Second Schedule to the Act of a power conferred by section 23 or section 24 or section 28 of the Act even though—

- (a) At the time of exercising the power, the Crown intends or may intend to sell or dispose of shares in the State enterprise; or
- (b) A purpose of exercising the power is the obtaining of the benefits of sections 23 to 29 of the Act.

It also provides that nothing in the Act prevents the exercise of a power conferred by those sections at or about the same time as shares in the State enterprise are sold or disposed of by the Crown.

The new section extends the principle contained in section 3 of the State-Owned Enterprises Amendment Act (No. 3) 1990 (which applies only in relation to New Zealand Liquid Fuels Investment Limited) to all State enterprises.

Clause 28 makes consequential amendments to the Treaty of Waitangi Act 1975 as a result of the new procedure for transferring land to a State enterprise by notice in the *Gazette*.

PART VI

AMENDMENTS TO TRANSPORT SERVICES LICENSING ACT 1989

Clause 29 abolishes the Passenger Complaints Board and consequentially repeals sections 40, 41, and 67 of the Transport Services Licensing Act 1989.

PART VII

AMENDMENTS TO VETERINARY SURGEONS ACT 1956

Clause 32 removes the Council of the New Zealand Veterinary Association from involvement in the preliminary investigation of formal complaints against veterinary surgeons.

Hon. Maurice McTigue

FINANCE (NO. 4)

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A BILL INTITULED

An Act to make provision with respect to public finances and other matters

BE IT ENACTED by the Parliament of New Zealand as follows: 5

1. Short Title—This Act may be cited as the Finance Act (No. 4) 1991.

PART I

NEW ZEALAND EXPORT-IMPORT CORPORATION DISSOLUTION

2. Interpretation—In this Act, unless the context otherwise requires, “Corporation” means the New Zealand Export-Import Corporation established by the New Zealand Export-Import Corporation Act 1974. 10

3. Dissolution of Corporation—As from the commencement of this Act,— 15

(a) The Corporation shall be dissolved; and

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

(c) All proceedings pending by or against the Corporation may be carried on, completed, or enforced by or against the Crown. 20

4. Vacation of office by directors of Corporation—
(1) Every person who, immediately before the commencement of this Act held office as a director of the Corporation shall be deemed, as from the commencement of this Act, to have vacated that office. 25

(2) No person who, under subsection (1) of this section, is deemed to have vacated office as a director of the Corporation shall be entitled to compensation for loss of office as a director of the Corporation. 30

5. Final report of Corporation—(1) As soon as reasonably practicable after the commencement of this Act, the Secretary of External Relations and Trade shall arrange for a final report of the Corporation to be sent to the Minister of External Relations and Trade showing the Corporation’s operations for the period beginning with the 1st day of April immediately preceding the commencement of this Act and ending with the commencement of this Act, and shall attach to the report a 35

copy of the Corporation's accounts for that period certified by the Audit Office.

5 (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 External Relations and Trade.

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
10 Export-Import Corporation” 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 1991, so closely resembles that name as to be likely to deceive.

15 (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 Export-Import Corporation” or under any other name that so closely resembles that name as to be likely to deceive.

20 (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.

25 (4) Notwithstanding subsections (2) and (3) of this section, no company or other body incorporated or registered before the 22nd day of March 1974, being the date of the commencement of the New Zealand Export-Import Corporation Act 1974, 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 Official Information Act 1982—The
30 Official Information Act 1982 is hereby amended by omitting from the First Schedule (as substituted by section 23 (1) of the Official Information Amendment Act 1987) the item “New Zealand Export-Import Corporation”.

8. Amendment to Public Finance Act 1989—The Public
35 Finance Act 1989 is hereby amended by repealing so much of the First Schedule as relates to the New Zealand Export-Import Corporation Act 1974.

**9. Amendment to National Provident Fund
40 Restructuring Act 1990**—The National Provident Fund Restructuring Act 1990 is hereby amended by repealing so

much of the Sixth Schedule as relates to the New Zealand Export-Import Corporation Act 1974.

10. Repeals—The enactments specified in the Schedule to this Act are hereby repealed.

PART II

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AMENDMENTS TO OFFICIAL INFORMATION ACT 1982

11. Part to be read with Official Information Act 1982—This Part of this Act shall be read together with and deemed part of the Official Information Act 1982* (in this Part of this Act referred to as the principal Act).

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*R.S. Vol. 21, p. 579
Amendment: 1989, No. 122

12. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by inserting, in its appropriate alphabetical order, the following definition:

“‘State enterprise’ means—

“(a) An organisation that is a State enterprise within the meaning of section 2 of the State-Owned Enterprises Act 1986 and that is named in the First Schedule to this Act: 15

“(b) An organisation that was a State enterprise within the meaning of section 2 of the State-Owned Enterprises Act 1986 but which continues to be named in the First Schedule to this Act.”: 20

(2) Section 2 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) For the purposes of the First Schedule to this Act, a company is a related company of a State enterprise if the State enterprise directly or indirectly owns, or controls the exercise of all the voting rights attaching to, the equity share capital (as defined in section 158 of the Companies Act 1955) of the company.”: 25
30

13. Addition to First Schedule—The principal Act is hereby amended by inserting in the First Schedule (as substituted by section 23 (1) of the Official Information Amendment Act 1987), in its appropriate alphabetical order, the following item: 35

“Related companies of State enterprises (within the meaning of section 2 (1A) of this Act)”.

PART III

AMENDMENTS TO OMBUDSMEN ACT 1975

5 **14. Part to be read with Ombudsmen Act 1975**—This Part of this Act shall be read together with and deemed part of the Ombudsmen Act 1975* (in this Part of this Act referred to as the principal Act).

*R.S. Vol. 21, p 657
Amendments: 1988, No. 77; 1988, No. 205

15. Interpretation—The principal Act is hereby amended by repealing section 2, and substituting the following section:

10 “2. (1) In this Act, unless the context otherwise requires,—
“Ombudsman”, in relation to any function, power, or duty under this Act, means the Ombudsman for the time being investigating the complaint in respect of which the function, power, or duty is being exercised:

15 “‘State enterprise’ means—
“(a) An organisation that is a State enterprise within the meaning of section 2 of the State-Owned Enterprises Act 1986 and that is named in Part II of the First Schedule to this Act:

20 “(b) An organisation that was a State enterprise within the meaning of section 2 of the State-Owned Enterprises Act 1986 but which continues to be named in Part II of the First Schedule to this Act.”

25 “(2) For the purposes of Part II of the First Schedule to this Act, a company is a related company of a State enterprise if the State enterprise directly or indirectly owns, or controls the exercise of all the voting rights attaching to, the equity share capital (as defined in section 158 of the Companies Act 1955) of the company”.

30 **16. Addition to First Schedule**—Part II of the First Schedule to the principal Act is hereby amended by inserting, in its appropriate alphabetical order, the following item:

“Related companies of State enterprises (within the meaning of section 2 (2) of this Act)”.

PART IV

AMENDMENT TO RESERVES ACT 1977

35 **17. Part to be read with Reserves Act 1977**—This Part of this Act shall be read together with and deemed part of the

Reserves Act 1977* (in this Part of this Act referred to as the principal Act).

*1977, No. 66

Amendments: 1978, No. 121; 1979, No. 63; 1980, No. 35; 1980, No. 139; 1981, No. 30; 1983, No. 43; 1985, No. 188; 1988, No. 137; 1990, No. 31, ss. 90-104

18. Annual statement and audit of accounts—Section 88 (1) of the principal Act is hereby amended by omitting the expression “31st day of March”, and substituting the expression “30th day of June”. 5

PART V

AMENDMENTS TO STATE-OWNED ENTERPRISES ACT 1986

19. Part to be read with State-Owned Enterprises Act 1986—This Part of this Act shall be read together with and deemed part of the State-Owned Enterprises Act 1986* (in this Part of this Act referred to as the principal Act). 10

*1986, No. 124

Amendments: 1987, No. 117; 1988, No. 1; 1988, No. 23; 1988, No. 82; 1988, No. 162; 1988, No. 169; 1989, No. 45; 1989, No. 57; 1989, No. 141; 1990, No. 23; 1990, No. 49; 1990, No. 83

20. Power to add to First and Second Schedules by Order in Council—The principal Act is hereby amended by inserting, after section 10, the following section: 15

“10A. (1) The Governor-General may, from time to time, by Order in Council, add the name of a company or other body corporate or the name of a company to be formed to the First and Second Schedules to this Act.

“(2) Every Order in Council made under subsection (1) of this section shall, and is hereby empowered to,— 20

“(a) Amend Part II of the First Schedule to the Ombudsmen Act 1975 by including the name of the company or body corporate in that Schedule:

“(b) Amend the First Schedule to the Official Information Act 1982 by including the name of the company or body corporate in that Schedule: 25

“(c) Amend the Fourteenth Schedule to the Income Tax Act 1976 by including the name of the company or body corporate in that Schedule. 30

“(3) Any Order in Council made under this section may be expressed to come into force on a date specified in the order and different dates may be specified for the coming into force of different provisions.

“(4) Nothing in section 32 of the Ombudsmen Act 1975 or section 49 of the Official Information Act 1982 limits or affects this section.” 35

21. Statement of corporate intent—The principal Act is hereby amended by repealing section 14, and substituting the following section:

5 “14. (1) The board of every State enterprise shall deliver to the shareholding Ministers a draft statement of corporate intent not later than 1 month before the commencement of each financial year of the State enterprise.

10 “(2) Each statement of corporate intent shall specify for the group comprising the State enterprise and its subsidiaries (if any), in respect of that financial year and each of the immediately following 2 financial years, the following information:

“(a) The objectives of the group:

“(b) The nature and scope of the activities to be undertaken:

15 “(c) The ratio of consolidated shareholders’ funds to total assets, and definitions of those terms:

“(d) The accounting policies:

20 “(e) The performance targets and other measures by which the performance of the group may be judged in relation to its objectives:

“(f) A statement of the principles adopted in determining the annual dividend together with an estimate of the amount or proportion of annual tax paid earnings (from both capital and revenue sources) that is intended to be distributed to the Crown:

25 “(g) The kind of information to be provided to the shareholding Ministers by the State enterprise during the course of those financial years, including the information to be included in each half-yearly report:

30 “(h) The procedures to be followed before any member of the group subscribes for, purchases, or otherwise acquires shares in any company or other organisation:

35 “(i) Any activities for which the board seeks compensation from the Crown (whether or not the Crown has agreed to provide such compensation):

“(j) Such other matters as are agreed by the shareholding Ministers and the board.

40 “(3) Each statement of corporate intent shall also include the board’s estimate of the current commercial value of the Crown’s investment in the group and a statement of the manner in which that value was assessed.

45 “(4) The board shall consider any comments on the draft statement of corporate intent that are made to it not later than

14 days before the commencement of the financial year by the shareholding Ministers, and shall deliver the completed statement of corporate intent to the shareholding Ministers on or before the commencement of the financial year or such later date as the shareholding Ministers may determine. 5

“(5) A statement of corporate intent for a State enterprise may be modified at any time by written notice from the board to the shareholding Ministers, so long as the board has first given written notice to the shareholding Ministers of the proposed modification and considered any comments made thereon by the shareholding Ministers within 1 month of the date on which that notice was given.” 10

22. Transfer of Crown assets and liabilities to State enterprises—Section 23 of the principal Act is hereby amended by repealing subsection (8), and substituting the following subsections: 15

“(8) Where any land that is subject to any lease, licence, permit, or right, created on terms and conditions wholly or partly set out in any Act has been or is to be transferred to a State enterprise pursuant to this Act, the Governor-General may, by Order in Council, declare that such of the provisions of that Act as are specified in the order shall continue to apply in relation to the land and such licence, lease, permit or right. 20

“(8A) Where an Order in Council is made under subsection (8) of this section, the provisions of the Act referred to in the order shall, with all necessary modifications, continue to apply in relation to the land and the terms or conditions of the lease, licence, permit or right subject to any agreement to— 25

“(a) Amend or revoke any such term or condition; or

“(b) Revoke any such term or condition and substitute another term or condition for it— 30

made between the owner for the time being of the land and the holder for the time being of the lease, licence, permit or right.”

23. Provisions relating to transfer of land—(1) Section 24 (1) of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraph: 35

“(b) Vest in the State enterprise—

“(i) Pursuant to and on a date specified in an Order in Council made for the purposes of this section; or 40

“(ii) Pursuant to and on a date specified in a notice in the *Gazette* given for the purposes of this section

by the shareholding Ministers or by a person authorised in writing by those Ministers.”

(2) Section 24 of the principal Act is hereby amended by inserting, after subsection (1) (as amended by subsection (1) of this section), the following subsection:

“(1A) Every notice given under subsection (1) (b) (ii) of this section may be given on such terms and conditions as the shareholding Ministers or a person authorised in writing by those Ministers, as the case may be, thinks fit, and shall have effect according to its tenor.”

24. District Land Registrar to register necessary memorial—Section 27A (1) of the principal Act (as substituted by section 10 of the Treaty of Waitangi (State Enterprises) Act 1988) is hereby amended by inserting after the words “State enterprise”, in the second place where they appear, the words “by a notice in the *Gazette* under section 24 of this Act or”.

25. Resumption of land on recommendation of Waitangi Tribunal—(1) Section 27B (1) of the principal Act (as substituted by section 10 of the Treaty of Waitangi (State Enterprises) Act 1988) is hereby amended by inserting, after the words “State enterprise”, in the second place where they appear, the words “by a notice in the *Gazette* under section 24 of this Act or”.

(2) Section 27B (2) of the principal Act (as so substituted) is hereby amended by inserting, after the words “State enterprise”, in the second place where they appear, the words “by a notice in the *Gazette* under section 24 of this Act or”.

26. Interpretation relating to transfer of assets and liabilities—(1) Section 29 (1) of the principal Act is hereby amended by inserting, after the expression “sections 23 to 28”, the expression “and 29A”.

(2) Section 29 (1) of the principal Act is hereby further amended by inserting in paragraph (b) of the definition of the term “transfer”, after the word “Council”, the words “or notice in the *Gazette*”.

27. Further provision relating to transfer of Crown assets and liabilities—The principal Act is hereby amended by inserting, after section 29, the following section:

“29A. (1) Nothing in this Act prevents the exercise in relation to a State enterprise named in the Second Schedule to this Act

of a power conferred by section 23 or section 24 or section 28 of this Act even though—

“(a) At the time the power is exercised, the shareholding Ministers for the State enterprise intend or may intend to transfer or dispose of all or any of the shares in that State enterprise held by those Ministers; or 5

“(b) A purpose of exercising the power is the obtaining of the benefits of sections 23 to 29 of this Act in relation to the transfer of Crown assets or liabilities to that State enterprise. 10

“(2) Nothing in this Act prevents the exercise in relation to a State enterprise named in the Second Schedule to this Act of a power conferred by section 23 or section 24 or section 28 of this Act at or about the same time as the shareholding Ministers for the State enterprise transfer or dispose of shares in the State enterprise held by those Ministers.” 15

28. Amendments to Treaty of Waitangi Act 1975—

(1) Section 8A of the Treaty of Waitangi Act 1975 (as inserted by section 4 of the Treaty of Waitangi (State Enterprises) Act 1988) is hereby amended by repealing subsection (1) (as amended by section 50 (1) of the Education Amendment Act 1990), and substituting the following subsection: 20

“(1) This section applies in relation to—

“(a) Any land or interest in land transferred to a State enterprise under section 23 of the State-Owned Enterprises Act 1986 or vested in a State enterprise by a notice in the *Gazette* under section 24 of that Act or by an Order in Council made under section 28 of that Act, whether or not the land or interest in land is still vested in a State enterprise: 25 30

“(b) Any land or interest in land transferred to an institution within the meaning of section 159 of the Education Act 1990 under section 207 of that Act or vested in such an institution by an Order in Council made under section 215 of that Act, whether or not the land or interest in land is still vested in that institution.” 35

(2) Section 8A of the Treaty of Waitangi Act 1975 (as inserted by section 4 of the Treaty of Waitangi (State Enterprises) Act 1988) is hereby amended by repealing subsection (6) (as amended by section 50 (1) of the Education Amendment Act 1990), and substituting the following subsection: 40

“(6) Where any interest in land exists in respect of any land to which this section applies being—

5 “(a) An interest in land which was in existence immediately before the land was transferred to the State enterprise under section 23 of the State-Owned Enterprises Act 1986 or vested in the State enterprise by a notice in the *Gazette* under section 24 of that Act or by an Order in Council made under section 28 of that Act but which was not so transferred to or vested in the State enterprise; or

10 “(b) An interest in land which was in existence immediately before the land was transferred to an institution within the meaning of section 159 of the Education Act 1990 under section 207 of that Act or vested in such an institution by an Order in Council made under section 215 of that Act but which was not so transferred to or vested in the institution,—

15 as the case may be, no recommendation under this section shall relate to that interest in land.”

20 (3) Section 8C (3) of the Treaty of Waitangi Act 1975 (as inserted by section 4 of the Treaty of Waitangi (State Enterprises) Act 1988) is hereby amended by repealing paragraph (c) (as amended by section 50 (1) of the Education Amendment Act 1990), and substituting the following paragraph:

25 “(c) Indicate that—

30 “(i) The land or interest in land has been or was transferred to a State enterprise under section 23 of the State-Owned Enterprises Act 1986 or vested in a State enterprise by a notice in the *Gazette* under section 24 of that Act or by an Order in Council made under section 28 of that Act; or

35 “(ii) The land or interest in land has been or was transferred to an institution within the meaning of section 159 of the Education Act 1990 under section 207 of that Act or vested in such an institution by an Order in Council made under section 215 of that Act—
as the case may be.”

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PART VI

AMENDMENTS TO TRANSPORT SERVICES LICENSING ACT 1989

29. Part to be read with Transport Services Licensing Act 1989—This Part of this Act shall be read together with and

deemed part of the Transport Services Licensing Act 1989* (in this Part of this Act referred to as the principal Act).

*1989, No. 74

Amendment: 1990, No. 123

30. Abolition of Passenger Complaints Board—(1) The Passenger Complaints Board established by section 40 (1) of the principal Act is hereby abolished. 5

(2) Sections 40, 41, and 67 of the principal Act, and the heading immediately above section 40 of that Act, are hereby consequentially repealed.

(3) Part II of the First Schedule to the Ombudsmen Act 1975 (as amended by section 67 of the principal Act) is hereby consequentially amended by omitting the item relating to the Passenger Complaints Board. 10

PART VII

AMENDMENTS TO VETERINARY SURGEONS ACT 1956

31. Part to be read with Veterinary Surgeons Act 1956—This Part of this Act shall be read together with and deemed part of the Veterinary Surgeons Act 1956* (hereafter in this Part of this Act referred to as the principal Act). 15

*R.S. Vol. 11, p. 781

32. Complaints of professional misconduct and infamous conduct—(1) Section 24 of the principal Act (as substituted by section 12 of the Veterinary Surgeons Amendment Act 1964) is hereby amended— 20

- (a) By omitting from subsections (1), (3) (in both places where it occurs), (4), and (5) (where it fourthly occurs) the word “Council”, and substituting in each case the word “Board”; and 25
- (b) By omitting from subsection (3) the words “it is to be referred to the Board”, and substituting the words “an inquiry is to be held into it”; and
- (c) By omitting from subsection (5) the words “Council makes any final determination”, and substituting the words “Board determines that an inquiry should be held”; and 30
- (d) By omitting from subsection (5) the words “secretary of the Council”, “Chairman of the Council”, and “said Chairman”, and substituting in each case the word “Board”; and 35
- (e) By repealing subsections (6) and (7).

(2) Section 24A of the principal Act (as substituted by section 13 of the Veterinary Surgeons Amendment Act 1964) is hereby consequentially amended—

5 (a) By omitting from subsection (1) the words “Council refers any matter to the Board under subsection (6) of”, and substituting the words “determines that an inquiry should be held into any matter it has investigated under”; and

10 (b) By omitting from subsection (4) the words “order that costs be awarded to the person whose conduct is the subject of the inquiry, and that such costs be paid by the New Zealand Veterinary Association Incorporated”, and substituting the words “pay the person whose conduct is the subject of the inquiry any costs the Board thinks fit”.

15 (3) Section 32A (6) of the principal Act (as substituted by section 9 (1) of the Veterinary Surgeons Amendment Act 1991) is hereby consequentially amended by repealing paragraph (b).

20 (4) Section 30 (2) of the principal Act is hereby consequentially repealed.

SCHEDULE

Section 10

ENACTMENTS REPEALED

1974, No. 2—The New Zealand Export-Import Corporation Act 1974 (R.S. Vol. 24, p. 591).

1985, No. 163—The New Zealand Export-Import Corporation Act 1985 (R.S. Vol. 24, p. 604).

1987, No. 152—The New Zealand Export-Import Corporation Amendment Act 1987 (R.S. Vol. 24, p. 604).