

[AS REPORTED FROM THE JUSTICE AND LAW REFORM
COMMITTEE]

House of Representatives, 19 June 1991.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

Hon. Dr Lockwood Smith

**KUMEU DISTRICT AGRICULTURAL AND
HORTICULTURAL SOCIETY**

[PRIVATE]

ANALYSIS

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A BILL INTITULED

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An Act to reincorporate the Kumeu District Agricultural and Horticultural Society and to extend its powers

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New

An Act to extend the powers of the Kumeu District Agricultural and Horticultural Society

Price
incl. GST \$2.30

No. 59—2

WHEREAS the Kumeu District Agricultural and Horticultural Society is the owner of certain land in Kumeu: (*And whereas the society desires to continue to enjoy all the rights and privileges of a society incorporated under the Agricultural and Pastoral Societies Act 1908:*) And whereas the society desires to obtain additional powers in keeping with the present and future use of the said land: And whereas the objects of this Act cannot (*all*) be attained otherwise than by legislation: 5

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows: 10

1. Short Title—This Act may be cited as the Kumeu District Agricultural and Horticultural Society Act (**1990**) 1991.

2. Interpretation—In this Act, unless the context otherwise requires, “society” means the Kumeu District Agricultural and Horticultural Society (*constituted under section 3 of this Act*) incorporated under the Agricultural and Pastoral Societies Act 1908 by Order in Council published in *Gazette* 1921, Volume II, at page 1895. 15

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3. Reconstitution of Kumeu District Agricultural and Horticultural Society—(1) There is hereby constituted a society to be called the Kumeu District Agricultural and Horticultural Society, which shall be the same society as the society of the same name existing immediately before the commencement of this Act; and the continuity, status, and operation of the society shall in no way be affected, nor shall any property, powers, rights, authorities, duties, functions, liabilities, or obligations of the society, or any legal or other proceedings instituted or to be instituted by or against the society, be affected, by the enactment of this Act. 20 25 30

(2) The society shall be a body corporate with perpetual succession and a common seal, and shall be capable of holding real and personal property, of suing and being sued, and of doing and suffering all such other acts and things as bodies corporate may lawfully do and suffer. 35

(3) On the commencement of this Act the incorporation of the society under the Agricultural and Pastoral Societies Act 1908 shall be deemed to be cancelled.

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(4) The Order in Council entitled “Kumeu District Agricultural and Horticultural Society incorporated—Notice No. 2069”, dated the 4th day of July 1921, and published in Gazette 1921, Volume II, at page 1895, is hereby revoked.

4. Agricultural and Pastoral Societies Act 1908 to apply to society—The provisions of the Agricultural and Pastoral Societies Act 1908, so far as they are not inconsistent with the provisions of this Act, shall apply to and in respect of the society as if it were incorporated under that Act.

5. Powers of society in relation to its property—(1) The society shall hold its property and use, occupy, manage and control it for the purposes of the objects set out in section 6 of this Act.

(2) *(Subject)* Notwithstanding anything in the Agricultural and Pastoral Societies Act 1908 but subject to its rules, the society may lease all or any part of its land for such term of years, at such rent or rentals, and on such terms and conditions (including the right to sublet or license) as it thinks fit; and from time to time accept the surrender or vary the terms and conditions of any such lease upon such terms and conditions as it thinks fit.

6. Objects of society—(1) Without limiting the provisions of section 10 of the Agricultural and Pastoral Societies Act 1908, the objects of the society shall be to promote, organise, and conduct shows, exhibitions, meetings, and other events or activities for agricultural, pastoral, horticultural, scientific, industrial, and manufacturing purposes.

(2) Without limiting the generality of subsection (1) of this section, the society may—

(a) *(Use,)* Subject to the provisions of any relevant enactment, use, or permit the use of, its property for activities or facilities, whether indoor or outdoor, relating to the following matters:

- (i) Recreation and sport:
- (ii) Racing and racing training, and equestrian events:
- (iii) Dog trials and greyhound racing:
- (iv) Trade promotion:

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- (v) Cultural purposes or entertainment:
- (vi) Education and training:
- (vii) Community purposes:
- (viii) Tourism or visitor purposes:

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(ix) Such other matters as the society considers appropriate.

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(ix) Such other matters as are appropriate in relation to the objects set out in **subsection (1)** of this section.

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- (b) Collect, record, exchange, and disseminate information likely to be of benefit in improving cultivation and soil conservation practices, silviculture, modes and methods of fencing, plant reproduction and health, animal production and husbandry, or otherwise facilitating improvements in rural activities: 15
- (c) Maintain relations with agricultural and pastoral societies, horticultural societies and institutes, learned societies and institutions, Government departments and agencies engaged in or supporting agricultural, pastoral, horticultural, scientific or technological research or advisory and extension services, and similar bodies: 20
- (d) Conduct or commission experiments and demonstrations: 25
- (e) Encourage and support the application of scientific and technological endeavour to effecting improvements or making advances in the agricultural, pastoral, and horticultural sectors, including by or through—
 - (i) The discovery or development of plant and animal strains, varieties and breeds: 30
 - (ii) The application of knowledge and experience in chemistry, such as in relation to plant and animal growth and health, and the control and eradication of pests and weeds: 35
 - (iii) The invention, development, and adaptation of tools, implements, machinery, and processes:

- (f) Encourage and support improvements in the application of veterinary science to animals reared for, or used in connection with, agricultural and pastoral purposes:
- 5 (g) Conduct competitions, and award prizes for improvements or skill or excellence in relation to plants, animals, and mechanical devices or processes:
- (h) Make grants or loans, or pay subsidies, to persons engaged or proposed to be engaged in exhibitions, demonstrations, or experiments, or in scientific or
10 technological endeavours.

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7. Bylaws—(1) The society may from time to time make bylaws for all or any of the following purposes:

- 15 (a) For the controlling of admission of persons, animals, or vehicles, to any land, building or enclosure comprised in the society's property:
- (b) For preventing disorderly or unseemly conduct or behaviour of persons, whether participants, players or spectators, sideshow persons, exhibitors, or patrons, in or about the land and buildings comprised in the society's property:
- 20 (c) For preventing persons gaining or attempting to gain admission to any land, building, or enclosure comprised in the society's property without payment of the proper charge payable for admission to such land, building, or enclosure:
- 25 (d) For the regular and efficient government and management of all buildings and land comprised in the society's property and for providing for the comfort and convenience of players, participants, spectators, sideshow persons, exhibitors, or patrons attending or making use of that land and buildings:
- 30 (e) For the safety and preservation of and to prevent injury to the buildings, fences, turf and all other property vested in the society.
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(2) The provisions of the Agricultural and Pastoral Societies Act 1908 shall apply to and in respect of every bylaw made or proposed to be made under this section.

40 **8. Penalty for breach of bylaws**—Every person who contravenes or fails to comply with any bylaw made under this Act commits an offence and shall be liable on summary

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conviction to a fine not exceeding \$1,500, and shall also be civilly liable for all damage caused by the contravention or non-compliance.

9. Society not exempt from rates—Notwithstanding the provisions of **section 4** of this Act, the provisions of **section 179** of the Rating Powers Act 1988 shall not apply in respect of land owned or occupied by or in trust for or under the control of the society. 5

10. Private Act—This Act is hereby declared to be a private Act. 10