



Hawke's Bay Agricultural and Pastoral Society Empowering Bill

181—1

Report of the Governance and Administration Committee

February 2023

Contents

Recommendation.....	2
About this bill	2
Legislative scrutiny.....	3
Preamble to the bill	3
Process followed.....	3
Submissions.....	3
Appendix.....	4

Ian McKelvie
Chairperson

Hawke's Bay Agricultural and Pastoral Society Empowering Bill

Recommendation

The Governance and Administration Committee has examined the Hawke's Bay Agricultural and Pastoral Society Empowering Bill and recommends that it be passed without amendment.

About this bill

The Hawke's Bay Agricultural and Pastoral Society Empowering Bill is a private bill that would empower the Hawke's Bay Agricultural and Pastoral Society (the Society) to sell its interests in the Tomoana Showgrounds, or any other land it may acquire, and apply the money received from the land sale towards purposes that are consistent with the Society's objects.

In 2022, the Society entered into an agreement to sell most of its showgrounds to the Hastings District Council. The agreement would allow the Society to use the showgrounds for up to 10 days each year in perpetuity.

This bill would exempt the Society from a restriction set out in section 7 of the Agricultural and Pastoral Societies Act 1908 which requires the Society to invest the money received from the sale in the purchase of other land. The Society maintains that removing this requirement would enable it to diversify its investment portfolio and take advantage of more productive opportunities to further support the sector and region.

In addition, the bill would exempt the Society from provisions in section 3 of the Agricultural and Pastoral Societies Amendment Act 1912 (which relates to the power of the Minister of Agriculture to approve the use of the proceeds of land sales); and section 2 of the Agricultural and Pastoral Societies Amendment Act 1920 (which requires a society to obtain consent for the sale and exchange of Crown-granted land).

Possible uses of the funds from the sale include promoting the primary sector to a wider audience, facilitating events, acknowledging local history and heritage, developing educational programmes, and awarding scholarships. It would also allow flexibility for long-term planning.

We note that a similar private bill was passed in 2006 to exempt the Southland Agricultural and Pastoral Association from provisions in section 7 of the Agricultural and Pastoral Societies Act 1908.

We do not propose any amendments to the bill.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no matters to bring to the attention of the House.

Preamble to the bill

The preamble to the bill makes four statements:

1. The Hawke's Bay Agricultural and Pastoral Society (the Society) owns fee simple interests in the Tomoana Showgrounds:
2. The Society wishes to sell its interests in the Tomoana Showgrounds, and any other land it may acquire (the land), without being required to invest the money received from the sale to purchase other land suitable for the purposes of the Society as required by the Agricultural and Pastoral Societies Act 1908:
3. The object of this Act is to remove the restrictions relating to the disposal of the land and to require the Society to apply the money received from the sale of the land towards purposes that are consistent with the objects of the Society:
4. This object cannot be achieved without legislation.

These statements have been proven to our satisfaction.

Process followed

The introduction of a private bill involves a number of preliminary procedures. We are satisfied that the required procedures for introduction of a private bill, as set out in Appendix C of the Standing Orders, have been complied with.

This bill was referred to us on 7 December 2022. We received three written submissions in response to this bill, and heard one oral submission.

Submissions

The Hawke's Bay Agricultural and Pastoral Society submitted as the promoter of the bill. The Society told us that the bill would allow it to invest in more productive opportunities. It does not consider the purchase of further land to be beneficial to the objects of the Society. This submission included two letters of support: from the Secretary of Waipatu Marae, and jointly from the Mayor and Chief Executive of the Hastings District Council.

In addition, we received a submission from the Royal Agricultural Society of New Zealand. It emphasised the importance of individual agricultural and pastoral shows to be able to make informed decisions regarding the use of their land and assets.

We received one written submission from a private individual, which was not in favour of the bill.

Appendix

Committee procedure

The Hawke's Bay Agricultural and Pastoral Society Empowering Bill was referred to the committee on 7 December 2022. The closing date for submissions was 20 January 2023. We received three written submissions, and heard oral evidence from the Hawke's Bay Agricultural and Pastoral Society via an online public hearing.

We received advice on the bill from the Ministry for Primary Industries. The Office of the Clerk provided advice on the bill's legislative quality.

Committee members

Ian McKelvie (Chairperson)
Hon David Bennett (from 8 February 2023)
Rachel Boyack
Naisi Chen
Jamie Strange
Hon Michael Woodhouse (until 8 February 2023)

Advice and evidence received

The documents that we received as advice and evidence are available on the Parliament website, www.parliament.nz.