

**Reprint
as at 3 June 2017**

Trade and Industry Act Repeal Act 1988

Public Act 1988 No 156
Date of assent 29 November 1988
Commencement see section 1(2)

Trade and Industry Act Repeal Act 1988: repealed, on 3 June 2017, by section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

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An Act to provide for the abolition of the Department of Trade and Industry and to repeal the Trade and Industry Act

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

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This act is administered by the Ministry of Commerce.

1 Short Title and commencement

- (1) This Act may be cited as the Trade and Industry Act Repeal Act 1988.
- (2) This Act shall come into force on 1 December 1988.

2 Interpretation

In this Act, unless the context otherwise requires,—

responsible department of State means any department of State that has assumed responsibility for a function or matter to which any provision in this Act applies

responsible Minister of the Crown means any Minister of the Crown who has assumed responsibility for a function or matter to which any provision in this Act applies.

3 Savings

- (1) Every reference in any document to the Minister of Trade and Industry shall hereafter, unless the context otherwise requires, be read as a reference to the responsible Minister of the Crown.
- (2) Every reference in any document to the Secretary of Trade and Industry shall, unless the context otherwise requires, be read as a reference to the chief executive of the responsible department of State.
- (3) Every reference in any document to the Department of Trade and Industry shall, unless the context otherwise requires, be read as a reference to the responsible department of State.
- (4) Where, before the commencement of this Act, the Minister of Trade and Industry or any officer of the Department of Trade and Industry in relation to the conduct of the affairs of that Ministry, has—
 - (a) become a party to any proceedings whatever; or
 - (b) initiated any action under the authority of any statutory provision formerly administered by the Department of Trade and Industry—then such action or proceedings may be continued, completed, and enforced by or against the responsible Minister.
- (5) Any consent, licence, permit, approval, remission, given or granted by the Minister of Trade and Industry or the Secretary of Trade and Industry shall, unless the context otherwise requires, continue in force until amended, transferred, modified or revoked by the responsible Minister of the Crown or the chief executive of the responsible department of State.

4 Consequential amendments and repeals

- (1) The enactments specified in Schedule 1 are hereby amended in the manner indicated in that Schedule.

- (2) The Radio Regulations 1987 and the Telecommunications (Licensing of Links) Regulations 1987 shall have effect as if every reference therein to the Minister of Trade and Industry or the Secretary of Trade and Industry were a reference to the Minister of Commerce or the Secretary of Commerce respectively.
- (3) The Weights and Measures Regulations 1987 shall have effect as if every reference therein to the Department of Labour were a reference to the Ministry of Commerce.
- (4) The enactments specified in Schedule 2 are hereby repealed.
- (5) The regulations specified in Schedule 3 are hereby revoked.

Schedule 1

Enactments amended

s 4(1)

Title of Act	Amendment
1924, No 16—The Engineers Registration Act 1924 (RS Vol 6, p 345)	By omitting from section 2 the definition of the term Minister (as substituted by the Engineers Registration Amendment Act 1988), and substituting the following definition: Minister means the Minister of Commerce
1944, No 29—The Engineers Registration Amendment Act 1944, (RS Vol 6, p 352)	By omitting from section 13(1) the words “the Minister of Works and Development” (as substituted by section 2(4)(a) of the Public Works Amendment Act 1973), and substituting the words “the Minister”. By omitting from section 4(1) and section 9(1) the words “the Minister of Works and Development” (as substituted by section 2(4)(a) of the Public Works Amendment Act 1973), and substituting in each case the words “the Minister of Commerce”. By omitting from the proviso to section 8(2) the words “the Minister of Works and Development” (as substituted by section 2(4)(a) of the Public Works Amendment Act 1973), and substituting the words “the Minister of Commerce”.
1953, No 64—The Patents Act 1953 (RS Vol 10, p 563)	By repealing the definition of the term Minister in section 2(1), and substituting the following definition: Minister means the Minister of Commerce
1956, No 63—Local Authorities Loans Act 1956 (Reprinted 1974, Vol 3, p 2301)	By repealing paragraph (b) of section 4 (as substituted by the Local Authorities Loans Amendment Act 1988), and substituting the following paragraph: (b) The Chief Executive of Ministry of Commerce:
1961, No 70—The Engineering Associates Act 1961 (RS Vol 6, p 325)	By omitting from section 2 the definition of the term Minister (as substituted by the Engineering Associates Amendment Act 1988), and substituting the following definition: Minister means the Minister of Commerce
1963, No 12—The Architects Act 1963 (RS Vol 15, p 1)	By omitting from section 33(2)(e) the words “Minister of Trade and Industry” (as substituted by

Title of Act	Amendment
1966, No 21—The Consumer Council Act 1966 (RS Vol 17, p 149)	<p>the Architects Amendment Act 1988), and substituting the words “Minister of Commerce”.</p> <p>By repealing paragraph (b) of section 5 (as substituted by the Trade and Industry Amendment Act 1972), and substituting the following paragraph:</p>
1975, No 9—The Ombudsmen Act 1975 (RS Vol 21, p 657)	<p>(b) The Secretary of Commerce</p> <p>By omitting from section 7(f) the words “the Secretary of Trade and Industry”, (as substituted by the Trade and Industry Amendment Act 1972), and substituting the words “the Secretary of Commerce”.</p>
1976, No 132—The Broadcasting Act 1976 (RS Vol 13, p 1)	<p>By omitting from Schedule 1 the words “Department of Trade and Industry”, and substituting, after the words “The Ministry of Civil Defence”, the words “The Ministry of Commerce”.</p>
	<p>By omitting from section 76(3) the words “Secretary of Trade and Industry”, (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987), and substituting the words “Secretary of Commerce”.</p>
	<p>By omitting from section 76A(2) and section 76A(5) the words “Secretary of Trade and Industry” (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987), and substituting in each case the words “Secretary of Commerce”.</p>
	<p>By omitting from section 77(2) the words “Secretary of Trade and Industry” (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987) in both places where they occur, and substituting in each case the words “Secretary of Commerce”.</p>
	<p>By omitting from section 78(1) the words “Secretary of Trade and Industry” (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987), and substituting the words “Secretary of Commerce”.</p>
	<p>By omitting from section 78(3) (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987) the words “Secretary of Trade and Industry”, and substituting the words “Secretary of Commerce”.</p>

Title of Act	Amendment
1986, No 5—The Commerce Act 1986	By omitting from section 81(4) the words “Secretary of Trade and Industry” (as substituted by section 11(1) of the State-Owned Enterprises Amendment Act 1987), and substituting the words “Secretary of Commerce”. By omitting from section 2(1) the definition of the term Minister , and substituting the following definition: Minister means the Minister of Commerce
1986, No 25—The Wheat Board Amendment Act 1986	By omitting from section 18(1) the words “Department of Trade and Industry”, and substituting the words “Ministry of Commerce”. By omitting from section 12(4) the word “Minister” wherever it occurs, and substituting in each case the words “Minister of Commerce”.
1986, No 129—The Development Finance Corporation of New Zealand Act 1986	By omitting from section 1(3) (as substituted by the Development Finance Corporation of New Zealand Amendment Act 1988) the words “Minister of Trade and Industry” in both places where they occur, and substituting in each case the words “Minister of Commerce”. By omitting from section 1A (as inserted by the Development Finance Corporation of New Zealand Amendment Act 1988) the words “Minister of Trade and Industry”, and substituting the words “Minister of Commerce”.
1987, No 8—The Official Information Amendment Act 1987	By omitting from section 4(1)(b) and (2) the words “Minister of Trade and Industry”, and substituting in each case the words “Minister of Commerce”. By omitting so much of Schedule 3 as relates to section 13(5) of the Trade and Industry Act 1956.
1987, No 88—The Temporary Safeguard Authorities Act 1987	By omitting from section 3(5) the words “Department of Trade and Industry”, and substituting the words “Ministry of Commerce”.
1987, No 116—The Telecommunications Act 1987	By omitting from section 21 the definition of the term Secretary , and substituting the following definition: Secretary means the Secretary of Commerce

Title of Act	Amendment
1988, No 5—The Standards Act 1988	By omitting from section 2(1) the definition of the term Minister , and substituting the following definition: Minister means the Minister of Commerce
1988, No 13—The Milk Act 1988	By omitting from section 2 the definition of the term Minister , and substituting the following definition: Minister means the Minister of Commerce
1988, No 20—The State Sector Act 1988	By omitting from Schedule 1 the item “Department of Trade and Industry”.

See the following enactments for the omission of so much as relates to the following:—

Clerks of Works Act 1944: As from 1 April 1993, by section 7(1)(h) Clerks of Works Act Repeal Act 1992 (1992 No 128).

Rehabilitation Act 1941: As from 1 August 1991, by section 2(1) Rehabilitation Act Repeal Act 1991 (1991 No 80).

Industrial Design Act 1966: As from 10 December 1988, by section 16 Testing Laboratory Registration Amendment Act 1988 (1988 No 167).

Quantity Surveyors Act 1968: As from 1 April 1993, by section 6(1)(g) Quantity Surveyors Act Repeal Act 1992 (1992 No 129).

Historic Places Act 1980: As from 1 July 1993, by section 118(1) Historic Places Act 1993 (1993 No 38).

Temporary Safeguard Authorities Act 1988: an item relating to section 2 of that Act was omitted, as from 1 January 1995, by section 6(2) Temporary Safeguard Authorities Amendment Act 1994 (1994 No 130). See regulation 2 Temporary Safeguard Authorities Amendment Act Commencement Order 1994 (SR 1994/304).

Weights and Measures Act 1987: As from 1 July 1991, by section 21 Weights and Measures Amendment Act 1991 (1991 No 9).

Schedule 2

Enactments repealed

s 4(4)

Schedule 2 Quantity Surveyors Amendment Act 1988: repealed, on 1 April 1993, by section 6(1)(h) of the Quantity Surveyors Act Repeal Act 1992 (1992 No 129).

Schedule 2 State-Owned Enterprises Amendment Act 1987: repealed, on 1 December 1988, by section 84(2) of the Broadcasting Act 1989 (1989 No 25).

- 1956, No 50—The Trade and Industry Act 1956. (RS Vol 21, p 811.)
- 1969, No 84—The Trade and Industry Amendment Act 1969. (RS Vol 21, p 824.)
- 1972, No 107—The Trade and Industry Amendment Act 1972. (RS Vol 21, p 825.)
- 1973, No 4—The Trade and Industry Amendment Act 1973. (RS Vol 21, p 826.)
- 1977, No 11—The Trade and Industry Amendment Act 1977. (RS Vol 21, p 827.)
- 1980, No 45—The Trade and Industry Amendment Act 1980. (RS Vol 21, p 828.)
- 1985, No 41—The Trade and Industry Amendment Act 1985. (RS Vol 21, p 829.)
- 1986, No 25—The Wheat Board Amendment Act 1986: Sections 2 to 11 and 14.
- 1987, No 72—The Trade and Industry Amendment Act 1987. (RS Vol 21, p 829.)
- 1988, No 70—The Local Authorities Loans Amendment Act 1988.
- 1988, No 51—The Architects Amendment Act 1988.
- 1988, No 55—The Clerks of Works Amendment Act 1988.
- 1988, No 60—The Engineering Associates Amendment Act 1988.
- 1988, No 61—The Engineers Registration Amendment Act 1988: Section 2.
- 1988, No 64—The Historic Places Amendment Act 1988.
- 1988, No 83—The Trade and Industry Amendment Act 1988.

Schedule 3
Regulations revoked

s 4(5)

Title	Statutory Regulations Serial Number
The Board of Trade (Potatoes) Regulations 1953	1953/40
The Board of Trade (Wool Packing) Regulations 1948	1948/178
The Board of Trade (Wool Packing) Regulations 1948 Amendment No 2	1971/70
The Board of Trade (Wool Packing) Regulations 1948, Amendment No 3	1971/94
The Board of Trade (Wool Packing) Regulations 1948, Amendment No 4	1972/196

Eprint notes**1 *General***

This is an eprint of the Trade and Industry Act Repeal Act 1988 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)