



Forestry (East Coast) Grants Regulations Revocation Order 2014

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 28th day of July 2014

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 72 of the Forests Act 1949, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

1 Title

This order is the Forestry (East Coast) Grants Regulations Revocation Order 2014.

2 Commencement

This order comes into force on the 28th day after the date of its notification in the *Gazette*.

3 Revocation and saving

- (1) The Forestry (East Coast) Grants Regulations 2000 (SR 2000/55) are revoked.
- (2) Despite subclause (1), the Forestry (East Coast) Grants Regulations 2000 continue to apply to landholders to whom approval certificates were issued before the commencement of this order as if those regulations had not been revoked.
- (3) If subclause (2) applies, the Forestry (East Coast) Grants Regulations 2000 cease to apply to a landowner on and from the expiration date of the landowner's—
 - (a) covenant registered under regulation 13(4)(a) of the Forestry (East Coast) Grants Regulations 2000; or
 - (b) non-use agreement entered into under regulation 13(4)(b) of the Forestry (East Coast) Grants Regulations 2000.

4 Expiration of covenants and non-use agreements

- (1) A landowner and the Secretary may, by agreement, revoke the landowner's approval certificate and any—
 - (a) covenant the landowner registered against the title of the land; or
 - (b) non-use agreement executed in relation to the land.
- (2) A landowner may, in a form approved by the Secretary, apply to the Registrar-General of Land to remove a covenant registered against the title of the land if the landowner and the Secretary have agreed to revoke the covenant under this clause.

5 Outstanding applications for approval certificates

If a person applies for an approval certificate under regulation 5 of the Forestry (East Coast) Grants Regulations 2000, and the approval certificate has not been issued by the date on which this order comes into force, the application for an approval certificate is deemed to have been withdrawn by the applicant.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the 28th day after the date of its notification in the *Gazette*, revokes the Forestry (East Coast) Grants Regulations 2000 (the **regulations**).

The order provides that the regulations continue to apply to landowners to whom approval certificates were issued before the commencement of the order. However, the regulations cease to apply when a landowner's covenant or non-use agreement expires. The order permits landowners to enter into agreements with the Secretary (the chief executive of the Ministry for Primary Industries) to revoke the landowner's approval certificate and any associated covenant or non-use agreement. A landowner may then apply to the Registrar-General of Land to remove a covenant from the land title.

The order further provides that a person's application for an approval certificate is deemed to have been withdrawn by the applicant if the approval certificate applied for has not been issued by the date on which the order comes into force.

Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 10 June 2014 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mpi.govt.nz/news-resources/publications>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 31 July 2014.

This order is administered by the Ministry for Primary Industries.
