



Kiwifruit Export Amendment Regulations 2014

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 24th day of February 2014

Present:

His Excellency the Governor-General in Council

Pursuant to section 26 of the Kiwifruit Industry Restructuring Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Primary Industries, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 New regulation 2A inserted (Provisions affecting application of amendments to these regulations)	2
2A Provisions affecting application of amendments to these regulations	2
5 Regulation 2 amended (Interpretation)	2
6 Regulation 12 amended (Financial statement disclosure)	3

r 1	Kiwifruit Export Amendment Regulations 2014	2014/46
7	Regulation 18 amended (Information required to be certified by auditor)	3
8	Regulation 41 amended (Further provisions applying to Board)	3
9	New regulation 49 inserted (Application, savings, and transitional provisions relating to amendments made to these regulations after 1 January 2014)	3
	49 Application, savings, and transitional provisions relating to amendments made to these regulations after 1 January 2014	3
10	New Schedule 1 inserted	4
	Schedule	5
	New Schedule 1 inserted	

Regulations

- 1 Title**
These regulations are the Kiwifruit Export Amendment Regulations 2014.
- 2 Commencement**
These regulations come into force on 1 April 2014.
- 3 Principal regulations**
These regulations amend the Kiwifruit Export Regulations 1999 (the **principal regulations**).
- 4 New regulation 2A inserted (Provisions affecting application of amendments to these regulations)**
After regulation 2, insert:
“2A Provisions affecting application of amendments to these regulations
Schedule 1 contains application, transitional, and savings provisions (relating to amendments to these regulations) that affect other provisions of these regulations (*see* regulation 49).”
- 5 Regulation 2 amended (Interpretation)**
(1) In regulation 2, revoke the definition of **financial statements**.

- (2) In regulation 2, revoke the definition of **independent auditor**.
- (3) In regulation 2, insert in their appropriate alphabetical order:
“**generally accepted accounting practice** has the same meaning as in section 8 of the Financial Reporting Act 2013
“**qualified auditor** has the same meaning as in section 35 of the Financial Reporting Act 2013”.
- 6 Regulation 12 amended (Financial statement disclosure)**
In regulation 12(2)(a), after “be prepared in accordance with”, insert “generally accepted accounting practice and”.
- 7 Regulation 18 amended (Information required to be certified by auditor)**
- (1) In regulation 18(1), replace “An independent auditor” with “A qualified auditor”.
- (2) Replace regulation 18(2) with:
“(2) If, in the auditor’s opinion, the financial statements fail to comply with these regulations or generally accepted accounting practice, the auditor must—
“(a) give a qualified audit report; and
“(b) explain in the qualified audit report the respects in which the statements fail to comply.”
- (3) In regulation 18(3), replace “An independent auditor” with “A qualified auditor”.
- 8 Regulation 41 amended (Further provisions applying to Board)**
In regulation 41, replace “the Schedule” with “Schedule 2”.
- 9 New regulation 49 inserted (Application, savings, and transitional provisions relating to amendments made to these regulations after 1 January 2014)**
After regulation 48, insert:
“**49 Application, savings, and transitional provisions relating to amendments made to these regulations after 1 January 2014**
The application, savings, and transitional provisions set out in Schedule 1, which relate to amendments made to these regu-

lations after 1 January 2014, have effect for the purposes of these regulations.”

10 New Schedule 1 inserted

Before the Schedule, insert as Schedule 1 the Schedule set out in the Schedule of these regulations.

Schedule

r 9

New Schedule 1 inserted**Schedule 1**

rr 2A, 49

Application, savings, and transitional provisions relating to amendments made to these regulations after 1 January 2014Provisions relating to Kiwifruit Export
Amendment Regulations 2014**1 Interpretation**

In clause 2, **amendment regulations** means the Kiwifruit Export Amendment Regulations 2014.

2 Transitional provision

- (1) These regulations, as amended by regulations 5 to 8 of the amendment regulations, apply in relation to financial years that commence on or after 1 April 2014.
- (2) These regulations, as in force before 1 April 2014, continue to apply in relation to financial years that commence before that date as if the amendment regulations had not been made.

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 April 2014, make amendments to the Kiwifruit Export Regulations 1999 so that the financial reporting requirements in those regulations are consistent with core financial reporting principles and definitions in the Financial Reporting Act 2013, which also comes into force on that date. In particular, the amendments change the meaning given to the term generally accepted accounting practice and replace the term independent auditor with the term qualified auditor so that these terms

have the same meanings in these regulations as in the Financial Reporting Act 2013. The amendments apply in relation to financial years that commence on or after 1 April 2014.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 27 February 2014.
These regulations are administered by the Ministry for Primary Industries.
