



WHANGAREI AGRICULTURAL AND PASTORAL SOCIETY

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Ministry of Business, Innovation & Employment
WELLINGTON

Via email: societies@mbie.govt.nz

Exposure Draft - Incorporated Societies Bill

This submission specifically relates to the questions of whether Agricultural & Pastoral Societies should continue to operate under sector-specific legislation and is lodged on behalf of the Whangarei A&P Society and its membership.

General Comments

In making this submission, Whangarei A&P Society acknowledges that while there are similarities between the proposed Incorporated Societies Bill and the existing Agricultural and Pastoral Societies Act 1908 (and subsequent amendments), Whangarei A&P Society does NOT believe that it would be appropriate for the 96 Agricultural and Pastoral Societies to be included under the proposed Bill for following reasons:

1. The Agricultural and Pastoral Societies Act 1908, while also providing 'rules of operation', is specifically tailored for nearly 100 like entities – Agricultural and Pastoral Societies and Associations throughout New Zealand – all of these organizations **share the same**, or have similar or identical objectives. This commonality is at the core of the A&P movement and has been for more than 100 years. It is part of the identity of these organisations which are proud of their uniqueness and the supporting sector-specific legislation that governs the total A&P movement.
2. Unlike other incorporated groups, there is no 'international' body that provides this cohesive 'reason for being'. The Agricultural and Pastoral Act provides this.
3. The A&P organizations incorporated under the Agricultural and Pastoral Act host an annual A&P Show which is an iconic kiwi activity. Each organization has a longstanding position within its own community and every Show is an integral part of its respective District and reflects the area's rich agricultural, pastoral and rural diversity and history. Due to the wide appeal of the Show, across multi facets of the community, the event has attracted multitudes of local people and visitors/tourists over the years. Its strong traditional base makes it an important part of the community's historical and cultural identity as well as providing a vehicle for showcasing current and future products, services and trends. The Show plays an important, unique and vital role in the community as it brings together two key aspects of the surrounding community – the rural and urban sectors.

4. There seems to be quite a lot of emphasis being put on the requirement to include a disputes resolution process in the new Bill and that seems to be one of the key drivers for the move to repeal the Agricultural and Pastoral Societies Act. We would like to point out that more than 100 A&P Societies for more than 100 years (in some cases more than 150 years) have operated successfully under their own Act without the need for a documented disputes resolution process. (It begs the question that if it isn't broken, it doesn't need fixing.)

Specific Comments:

Exposure Draft, Page 26, number 173 and 174

The Society disagrees with this point in its entirety. This reads: "The only object listed in section 10 that appears to describe the contribution that A&P Societies make to contemporary New Zealand society is as follows:

- (i) *To encourage enterprise and industry by the holding of meetings for the exhibition of implements and produce, the granting of prizes thereat for the best exhibits, and by competitions for prizes for inventions or improvements, or for skill or excellence in agricultural or pastoral acts."*

While that may be a commonly held view that this is all that A&P Societies do, in fact there are a number of the A&P Societies throughout New Zealand who also offer scholarships for the continuance of education and improvement of agricultural endeavours; they correspond with other agricultural and other societies; they have exchanges with other like organisations (both in NZ and overseas) and host training and other related activities to improve skill levels (for example judges seminars, judging competitions etc.) which all work to the betterment and improvement of agricultural interests. This 'kindredness' is one of the cornerstones of the movement and one of the key sector-specific objects of the Act.

Exposure Draft, Page 27, number 175

The point is made here that there is no provision under the Act for MPI or any other agency to establish and operate a register of A&P societies. In accordance with 12 (r) (iv) each Society incorporated under the Act is/was required to forward annual accounts to the Minister of Agricultural and Fisheries* (whom must have maintained some form or registry). (** It has to be assumed that following the various changes to this Ministry the subsequent successive Ministries should/would have taken over this role.*)

Exposure Draft, Page 28, number 180

Two of the organisations listed in the table are not A&P Societies and are not incorporated under the A&P Societies Act. This leaves 20 societies who have elected to have dual incorporation – to what benefit each would need to be approached directly. However it is the view of this Society that the rationale as outlined in number 181 is correct. In the recent cases (we suggest certainly from the year 2000 onwards), the reason the dual incorporation occurred was most likely due to a lack of understanding around incorporation numbers as funding applications were being submitted.

Exposure Draft, Page 28, number 184

We support the Law Commission's recommendation that societies could voluntarily transfer incorporation from the A&P Act to the new Incorporated Societies Act if they see benefit in doing so and/or dual incorporation. But we do not believe that it should be mandatory to do so.

Forcing the A&P movement to become incorporated will, in our view, have marginal benefit to New Zealand Society but has the potential to be disruptive and could adversely affect the NZ A&P movement as a whole. It could also have a major impact upon the commonality, 'iconic-ness' and quality of A&P Shows.

In summary, while we acknowledge that the Agricultural and Pastoral Societies Act itself could be modernised, the Act was created to suit the needs of its incorporated entities for the reasons outlined above.

The Agricultural and Pastoral Societies Act is industry specific and has served those organizations well since its inception, with only a relatively small number of amendments over its long life. We believe that it will continue to serve the needs of the organizations it represents into the future also.

It provides a sense of community and support for the organisations incorporated under it that makes people with shared activities derive utility, value and brand.

We trust that this submission is of value.

If you have any questions about this submission, please feel free to contact me.

Yours sincerely

Withheld

Malcolm McKerrow
Executive Director