

Reprint  
as at 1 July 2014



**New Zealand Tourism Board Act  
1991**

Public Act 1991 No 110  
Date of assent 30 October 1991  
Commencement see section 1(2)

**Contents**

	Page
Title	2
1 Short Title and commencement	2
2 Act binds the Crown	2
<b>Part 1</b>	
<b>New Zealand Tourism Board</b>	
3 Interpretation	3
4 New Zealand Tourism Board established	3
5 Board has powers of natural person <i>[Repealed]</i>	4
6 Object of New Zealand Tourism Board	4
7 Functions of New Zealand Tourism Board	4
8 Annual statements of projected outputs, liabilities, and outcomes <i>[Repealed]</i>	5
9 Board to comply with Government policies <i>[Repealed]</i>	5
10 Annual report <i>[Repealed]</i>	5
11 Membership of New Zealand Tourism Board	5

---

**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**This Act is administered by the Ministry of Business, Innovation, and Employment.**

12	Co-opted members <i>[Repealed]</i>	6
13	Disclosure of interest <i>[Repealed]</i>	6
14	Other provisions applying to New Zealand Tourism Board	6
<b>Part 2</b>		
<b>Abolition of New Zealand Tourism Department</b>		
15	New Zealand Tourism Department abolished	6
16	Employees of Department	6
17	Savings	7
18	Consequential amendments	8
19	Repeals and saving	8
<b>Schedule 1</b>		9
<b>Other provisions applying to New Zealand Tourism Board</b>		
<b>Schedule 2</b>		13
<b>Consequential amendments</b>		
<b>Schedule 3</b>		14
<b>Repeals</b>		

**An Act to—**

- (a) establish the New Zealand Tourism Board, define its object, functions, and powers, and provide for related matters; and**
- (b) abolish the New Zealand Tourism Department, and provide for related matters**

**1 Short Title and commencement**

- (1) This Act may be cited as the New Zealand Tourism Board Act 1991.
- (2) This Act shall come into force on 1 November 1991.

**2 Act binds the Crown**

This Act binds the Crown.

## Part 1 New Zealand Tourism Board

### 3 Interpretation

In this Act, unless the context otherwise requires,—

**commencement day** means the day on which this Act came into force

**Department** means the New Zealand Tourism Department constituted (as the Tourist and Publicity Department) under the New Zealand Tourism Department Act 1963

**existing employee** means a person who, immediately before the commencement day, was an employee of the Department

**financial year** means a year ending with the close of 30 June

**member** has the same meaning as in section 10 of the Crown Entities Act 2004

**Minister** means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

**Ministry** means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

**New Zealand Tourism Board** means the New Zealand Tourism Board established by section 4(1)

**Secretary** means the chief executive of the Ministry.

Section 3 **Board**: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 3 **member**: substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 3 **New Zealand Tourism Board**: inserted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

### 4 New Zealand Tourism Board established

- (1) The New Zealand Tourism Board is hereby established.
- (2) The New Zealand Tourism Board is a Crown entity for the purposes of section 7 of the Crown Entities Act 2004.
- (3) The Crown Entities Act 2004 applies to the New Zealand Tourism Board except to the extent that this Act expressly provides otherwise.

- (4) **Members of the New Zealand Tourism Board are the board for the purposes of the Crown Entities Act 2004.**

Section 4(2): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 4(3): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 4(4): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **5 Board has powers of natural person**

*[Repealed]*

Section 5: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **6 Object of New Zealand Tourism Board**

The New Zealand Tourism Board's object is to ensure that New Zealand is so marketed as a visitor destination as to maximise long-term benefits to New Zealand.

Section 6 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 6: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **7 Functions of New Zealand Tourism Board**

- (1) *[Repealed]*

- (2) The New Zealand Tourism Board's functions are—

- (a) to develop, implement, and promote strategies for tourism; and
- (b) to advise the Government and the New Zealand tourism industry on matters relating to the development, implementation, and promotion of those strategies.

Section 7 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 7(1): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 7(2): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**8 Annual statements of projected outputs, liabilities, and outcomes**

*[Repealed]*

Section 8: repealed, on 1 July 2014, by section 72 of the Crown Entities Amendment Act 2013 (2013 No 51).

**9 Board to comply with Government policies**

*[Repealed]*

Section 9: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**10 Annual report**

*[Repealed]*

Section 10: repealed, on 1 July 2014, by section 72 of the Crown Entities Amendment Act 2013 (2013 No 51).

**11 Membership of New Zealand Tourism Board**

- (1) The New Zealand Tourism Board must have no fewer than 5, and no more than 9, members.
- (2) Before appointing any member, the Minister shall consult—
  - (a) the body that, on the commencement of this Act, was known as New Zealand Tourist Industry Federation Inc.; and
  - (b) other organisations and people that or who, in the Minister's opinion, have a substantial interest in the New Zealand Tourism Board's operations.

(3) *[Repealed]*

(4) *[Repealed]*

Section 11 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 11(1): substituted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 11(2)(b): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 11(3): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 11(4): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**12 Co-opted members***[Repealed]*

Section 12: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**13 Disclosure of interest***[Repealed]*

Section 13: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**14 Other provisions applying to New Zealand Tourism Board**  
Schedule 1 applies to the New Zealand Tourism Board.

Section 14 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 14: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## Part 2

### Abolition of New Zealand Tourism Department

**15 New Zealand Tourism Department abolished**

The Department is hereby abolished.

**16 Employees of Department**

- (1) On the commencement day, every existing employee shall become an employee of the New Zealand Tourism Board.
- (2) Terms and conditions of employment that immediately before the commencement day applied to an existing employee as an employee of the Department—
  - (a) subject to paragraph (b), shall on and after the commencement day apply to the employee as an employee of the New Zealand Tourism Board; and
  - (b) may be varied accordingly.
- (3) For the purposes of every enactment, law, award, determination, contract, and agreement at any time relating to the employment of an existing employee,—
  - (a) the employee's contract of employment with the Department shall be deemed to have been unbroken by

- the employee's having become an employee of the New Zealand Tourism Board; and
- (b) any period recognised by the Department as continuous service in the employment of the Department shall be deemed to have been a period of continuous service in the employment of the New Zealand Tourism Board.
- (4) No existing employee is entitled to any payment or other benefit by reason only of having ceased to be an employee of the Department.

Section 16(1): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 16(2)(a): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 16(3)(a): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 16(3)(b): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **17 Savings**

- (1) Where, before the commencement day, the Minister of Tourism, the Department, or any officer of the Department (in relation to the conduct of the Department's affairs), has become a party to any proceedings, the proceedings may be continued, completed, and enforced as if the Minister were that party.
- (2) Where, before the commencement day, the Minister of Tourism, the Department, or any officer of the Department (in relation to the conduct of the Department's affairs), has begun an action under the authority of any enactment formerly administered by the Department, the action may be continued, completed, and enforced as if the Minister had begun it.
- (3) Every consent, licence, permit, approval, and remission, before the commencement day given or granted by the Minister of Tourism or the General Manager of the Department shall, unless its terms or the circumstances otherwise require, continue in force until amended, transferred, modified, or revoked by the Minister or the Secretary.

**18 Consequential amendments**

- (1) In every Act, regulation, and other enactment, and every contract, agreement, deed, instrument, application, licence, notice, and other document, passed, made, enacted, entered into, granted, given, or executed, before the commencement day,—
  - (a) every reference to the Minister of Tourism shall be read as a reference to the Minister; and
  - (b) every reference to the Department shall be read as a reference to the Ministry; and
  - (c) every reference to the General Manager of the Department shall be read as a reference to the Secretary.
- (2) The enactments specified in Schedule 2 are hereby consequentially amended in the manner indicated in that schedule.

**19 Repeals and saving**

- (1) The enactments specified in Schedule 3 are hereby repealed.
  - (2) Notwithstanding the repeal by subsection (1) of this section of section 8 of the New Zealand Tourism Department Act 1963, the Minister may from time to time, on behalf of the Crown, take any action under or in respect of any lease, sublease, contract, or agreement, granted or entered into before the commencement of this Act under the authority of subsection (2) of that section.
  - (3) Nothing in subsection (2) limits or affects the generality of section 17.
-

## Schedule 1

s 14

### Other provisions applying to New Zealand Tourism Board

Schedule 1 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 1 Term of office

*[Repealed]*

Schedule 1 clause 1: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 2 Extraordinary vacancies

*[Repealed]*

Schedule 1 clause 2: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 3 Chairperson and Deputy Chairperson

*[Repealed]*

Schedule 1 clause 3: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 4 Meetings

*[Repealed]*

Schedule 1 clause 4: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 5 Chairperson to preside at meetings

*[Repealed]*

Schedule 1 clause 5: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 6 Voting at meetings

*[Repealed]*

Schedule 1 clause 6: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

#### 7 Procedure

*[Repealed]*

Schedule 1 clause 7: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**8 Delegations***[Repealed]*

Schedule 1 clause 8: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**9 Remuneration of members***[Repealed]*

Schedule 1 clause 9: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**10 New Zealand Tourism Board to appoint chief executive**

(1) Subject to subclause (2) of this clause, the New Zealand Tourism Board shall from time to time appoint a chief executive of the New Zealand Tourism Board, on terms and conditions agreed by the New Zealand Tourism Board and the person appointed.

(2) *[Repealed]*

Schedule 1 clause 10 heading: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 1 clause 10(1): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 1 clause 10(2): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**11 Other employees***[Repealed]*

Schedule 1 clause 11: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**12 Personal liability***[Repealed]*

Schedule 1 clause 12: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**13 Board to be good employer***[Repealed]*

Schedule 1 clause 13: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **14 Equal employment opportunities programme**

*[Repealed]*

Schedule 1 clause 14: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **15 Superannuation or retiring allowances**

(1) *[Repealed]*

(2) Notwithstanding anything in this Act, a person who, immediately before becoming an employee of the New Zealand Tourism Board, is a contributor to the Government Superannuation Fund under Part 2 or Part 2A of the Government Superannuation Fund Act 1956 shall, for the purposes of that Act, be deemed to be employed in the Government service so long as that person continues to be an employee of the New Zealand Tourism Board; and that Act shall apply to that person in all respects as if that person's service as an employee of the New Zealand Tourism Board is Government service.

(3) Nothing in subclause (2) entitles any person to become a contributor to the Government Superannuation Fund after that person has once ceased to be a contributor.

(4) For the purposes of applying the Government Superannuation Fund Act 1956, in accordance with subclause (2), to an employee of the New Zealand Tourism Board who is a contributor to the Government Superannuation Fund, the term **controlling authority**, in relation to that employee, means the New Zealand Tourism Board.

Schedule 1 clause 15(1): repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 1 clause 15(2): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Schedule 1 clause 15(4): amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

## **16 Application of certain Acts to members and employees excluded**

*[Repealed]*

Schedule 1 clause 16: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**17 Funds***[Repealed]*

Schedule 1 clause 17: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**18 Bank accounts***[Repealed]*

Schedule 1 clause 18: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**19 Investment of money***[Repealed]*

Schedule 1 clause 19: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**20 Seal***[Repealed]*

Schedule 1 clause 20: repealed, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

**21 Exemption from income tax**

The New Zealand Tourism Board's income is exempt from income tax under the Income Tax Act 2007.

Schedule 1 clause 21: amended, on 1 April 2008 (effective for 2008–09 income year and later income years, except when the context requires otherwise), by section ZA 2(1) of the Income Tax Act 2007 (2007 No 97).

Schedule 1 clause 21: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

---

**Schedule 2**

s 18(2)

**Consequential amendments**

**New Zealand Maori Arts and Crafts Institute Act 1963 (1963  
No 51) (RS Vol 8, p 885)**

*Amendment(s) incorporated in the Act(s).*

**Ombudsmen Act 1975 (1975 No 9) (RS Vol 21, p 657)**

*Amendment(s) incorporated in the Act(s).*

**Reserves Act 1977 (1977 No 66)**

*Amendment(s) incorporated in the Act(s).*

**State Sector Act 1988 (1988 No 20)**

*Amendment(s) incorporated in the Act(s).*

**Tourist and Health Resorts Control Act 1908 (1908 No 194)  
(RS Vol 11, p 545)**

*Amendment(s) incorporated in the Act(s).*

---

**Schedule 3**  
**Repeals**

s 19

**New Zealand Tourism Department Act 1963 (1963 No 30) (RS  
Vol 13, p 753)**

**New Zealand Tourism Department Amendment Act 1967 (1967  
No 24) (RS Vol 13, p 760)**

**New Zealand Tourism Department Amendment Act 1989 (1989  
No 129)**

**New Zealand Tourism Department Amendment Act 1990 (1990  
No 87)**

**Public Finance Act 1989 (1989 No 44)**  
*Amendment(s) incorporated in the Act(s).*

---

## **Reprints notes**

### **1     *General***

This is a reprint of the New Zealand Tourism Board Act 1991 that incorporates all the amendments to that Act as at the date of the last amendment to it.

### **2     *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3     *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4     *Amendments incorporated in this reprint***

Crown Entities Amendment Act 2013 (2013 No 51): section 72

Income Tax Act 2007 (2007 No 97): section ZA 2(1)

Crown Entities Act 2004 (2004 No 115): section 200

---