

# DRAFT FOR CONSULTATION

## **Royal New Zealand Foundation of the Blind Act Repeal Bill**

Private Bill

### **Explanatory note**

#### **General policy statement**

The Royal New Zealand Foundation of the Blind (the **Foundation**) was originally constituted under the Royal New Zealand Foundation for the Blind Act 1963, under the name “Royal New Zealand Foundation for the Blind”. In 2002, the Foundation wished to change its name to the “Royal New Zealand Foundation of the Blind”, to clarify its status as a body controlled primarily by, and for the benefit of, people who are blind and vision impaired. The Foundation also wished to modernise its structure, giving it the characteristics of an incorporated society, and to provide for the possible future registration of the Foundation as a society incorporated under the Incorporated Societies Act 1908.

To that end, the Royal New Zealand Foundation of the Blind Act 2002 (the **Act**) was enacted. The Act was structured in such a way as to become spent if the Foundation chose to exercise the option to register as an incorporated society. The Foundation registered as an incorporated society on 10 January 2012. Accordingly, the Act is now spent.

The Foundation considers it desirable that the Act be repealed, for 2 reasons—

- keeping the Act on the statute books causes confusion, as it suggests that the Foundation is still a statutory body when it is not; and
- the repeal of the Act will emphasise the Foundation’s status as completely independent from Parliament.

The Foundation’s members and associated parties regard the repeal of the Act as the final step towards full member governance and self-determination.

**Clause by clause analysis**

*Clause 1* is the Title clause.

*Clause 2* provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

*Clause 3* provides for the repeal of the Royal New Zealand Foundation of the Blind Act 2002.

*Clause 4* makes a consequential amendment to the Copyright (General Matters) Regulations 1995.

*Hon Nicky Wagner*

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## **Preamble**

- (1) The Royal New Zealand Foundation of the Blind (the **Foundation**) was constituted by the Royal New Zealand Foundation of the Blind Act 2002 (the **Act**) as a body corporate:
- (2) The Act provided an option for the Foundation to register as a society incorporated under the Incorporated Societies Act 1908, and was structured in such a way as to become spent if the Foundation chose to exercise the option:
- (3) The Foundation was incorporated under the Incorporated Societies Act 1908 on 10 January 2012:
- (4) Accordingly, the Act is spent, and it is desirable that it be repealed:
- (5) The objects of this Act cannot be achieved without the authority of Parliament:

**The Parliament of New Zealand therefore enacts as follows:**

**Royal New Zealand Foundation of the Blind Act Repeal  
Bill**

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**1 Title**

This Act is the Royal New Zealand Foundation of the Blind Act Repeal Act **2015**.

**2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

**3 Repeal of Royal New Zealand Foundation of the Blind Act 2002**

The Royal New Zealand Foundation of the Blind Act 2002 (2002 No 3) is repealed.

**4 Consequential amendment to Copyright (General Matters) Regulations 1995**

In the Copyright (General Matters) Regulations 1995, in regulation 5, replace paragraph (c) with:

(c) the Royal New Zealand Foundation of the Blind Incorporated, a society incorporated under the Incorporated Societies Act 1908: