

who had come solely for this purpose, and representatives of a number of ECO member organisations who have been involved in developing the *Principles* to date.

Discussion centred on both the *Principles* themselves and the process through which they had been developed. Both Wink and I were able to freely put our perspectives on the *Principles* to the workshop. I believe that our presence assisted the debate and we were afterwards thanked for our contribution.

There were a number of other issues that were discussed during the conference and AGM which I was able to comment on both formally and informally. These included discussions with a group oppos-

ing the proposed Wenita MDF plant in Otago, discussions on the MRGC land clearance issue in Marlborough, and various comments about the activities of the Ministry of Forestry.

ECO and other environmental NGOs are preparing a Vote for the Environment Document 1996 which they will be sending to all major political parties, along with a questionnaire to gauge their responses. I was able to provide input to relevant sections of this document, often a lone voice, and have been invited to provide further input in direct association with other groups writing the document.

In summary, I feel that the Institute was able to make a useful contribution to

the ECO Conference and AGM at a number of levels. It was also particularly useful to have an industry representative (Wink) at the workshop meeting on the *Principles*. I believe that the Institute should ensure that when it is aware that forestry issues of some substance will be discussed, it should have a representative at ECO conferences. It may in fact be useful to have the Institute represented at all meetings regardless of the topics on the agenda, because of the informal discussions that take place and the contacts that can be made.

Tim Thorpe
Convenor, Environmental
Working Group



NEW INFORMATION



High-profile conference to be part of NZ timber trade fair

A high-profile conference with speakers a virtual "who's who" of the New Zealand timber industry is the latest addition to the timber trade fair to be held at Trentham Racecourse, Upper Hutt, next March.

Entitled "Forest growth - from ground to future", the conference is aimed at delegates from a wide range of interests, including investors, forest growers, logging contractors, processors and marketers of the timber industry.

It will be opened by the Minister of Forestry, the Hon. John Falloon, and addressed by such noted experts as Dr Wink Sutton from Fletcher Challenge, John Dey from Forme Consulting, Ken Shirley of the Forest Owners' Association and Mike Roche from UDC Finance.

The conference will be held at Trentham Racecourse on March 7 and 8.

Meanwhile, space is filling fast at the timber trade fair itself with already more

than 65 firms from the north of the North Island to the bottom of the South Island on board.

The expansive layout of the venue, one of New Zealand's most prestigious racecourses, allows it to cater for everything from the smallest local woodworker to working portable mills and aerial fire-fighting displays.

Everything from forest planning, investment, land purchase, establishment management, log harvesting (including a full range of harvesting and related equipment) to sawmilling wood, processing, turning and furniture making will be covered.

One of the most spectacular demonstrations planned during the three-day

(Continued on page 48)

Upper Hutt Festival of the Pines TIMBER TRADE FAIR and CONFERENCE 7 - 10 March 1996 Trentham Race Course, Upper Hutt

Conference 7-8 March Theme - FOREST GROWTH - FROM GROUND TO FUTURE

The two day conference will be of interest to the forest grower, investor, and contractor interested in the tree in the ground, and to the contractor, processor, investor and marketer of the timber products after the tree is harvested. Plenary addresses from internationally known speakers.

Send now for a registration brochure and further conference information.

Timber Trade Fair 8 - 10 March

More than 60 exhibitors have been confirmed with exhibits including working milling equipment, saws, heavy engineering, cranes, paints, major forestry companies, government departments, consultants, remanufacturing industries, financiers and other timber interested groups.

More spaces available from the organisers - Upper Hutt Festival of the Pines Inc.

For conference registration or information contact
Neil Maitland
Conference Brokers Limited
PO Box 13 510 Johnsonville, Wellington
Phone / Fax 04 4780622

For information about the Timber Trade Fair contact
Warren Smallbone
Festival of the Pines Inc, PO Box 47024
Upper Hutt
Phone / Fax 04 5279470

Legislative changes affecting forestry

Four pieces of legislation of interest to forestry professionals have recently been either introduced into, or passed by Parliament.

Supply Contracts: Cooperative Companies Bill

In June 1995, the Minister of Justice introduced a Cooperative Companies Bill. Amongst other things, this Bill proposes to repeal the Cooperative Forestry Com-

panies Act 1978 (as recommended by the 1991 working party on forestry joint ventures). However, the provisions of that Act relating to supply contracts will be preserved, broadened and transferred to the Forests Act. Any person (and not just a cooperative forestry company) will be able to enter into a supply contract with any other person and that contract may be registered against the title of the owner or occupier of the land subject to the contract. This means that forestry logging and marketing contracts may be registered and bind subsequent owners or occupiers of the land. This may be seen, in some respects, as an alternative mechanism to the forestry right and, in the case of registered marketing contracts, a completely new development in the law.

Forestry rights: Overseas Investment Act

Readers will be aware that in 1994 forestry rights were exempted from the Land Settlement Promotion and Land Acquisition Act 1983 (LSP Act). Under the Overseas Investment Amendment Act 1995, the LSP Act will be automatically repealed on the making of an Order in Council (expected to be early in 1996 – note that the LSP Act remains in force until then). The Amendment Act provides that the Governor-General may make regulations for a range of purposes including:

“(a) Prohibiting, controlling, or regulating overseas investment including:

- (iv) the ownership or acquisition of, or control over land or any estate or interest in land in New Zealand by any overseas person”.

This means that controls on the acquisition of forestry rights by overseas persons could be imposed by regulations. The new Overseas Investment Regulations have not yet been made and, at the

time of writing, it is not known what measures (if any) “prohibiting, controlling or regulating overseas investment” in forestry rights will be included in those regulations.

Forestry Rights and the Maori Land Court: Maori Purposes Bill

Under the existing law the answer to the question of whether the grant of a forestry right is an “alienation” of Maori land requiring confirmation by the Maori Land Court is uncertain. A Maori Purposes Bill introduced earlier this year is designed to clear up the doubt. If clauses 10 to 12, 14 and 15 of the Bill are passed as introduced, the following will be the legal position with regard to forestry rights.

Any alienation that is the granting, renewal, variation or transfer of a forestry right over or in respect of Maori freehold land owned by a Maori Incorporation or a trust constituted under Part XII of Te Ture Whenua Maori Act will not require the confirmation of the Maori Land Court. However, in the case of a Maori Incorporation, a copy of the instrument of alienation would have to be forwarded to a Registrar of the Court for noting.

Any alienation as above in respect of a forestry right over Maori freehold land not subject to a Maori Incorporation or a Maori trust will not require confirmation by the Court but will require a certificate of confirmation issued by a registrar (a much simpler process than a full court confirmation which requires a decision by a judge).

As a protection for shareholders in the absence of a confirmation requirement, a Maori incorporation may grant or vary a forestry right with a term of more than 21 years only by a special resolution authorising the grant or variation. This would involve the calling of a general meeting of shareholders.

Stamp duty on forestry rights: Taxation (Miscellaneous Issues) Bill

In 1994 forestry rights were exempted from the form of stamp duty called lease duty. The Taxation (Miscellaneous Issues) Bill will extend that exemption to conveyance duty. The exemption is so widely drafted that it will apply not only to forestry rights and other profits à prendre but also (arguably) to forestry leases.

John McSoriley

For further information contact John McSoriley at 2/1 San Sebastian Rd, Wellington 1. Phon/fax (04) 472 8626.

Timber trade fair

(Continued)

event on March 8, 9 and 10 next year is by Upper Hutt-based firm FirePlans NZ Ltd, which specialises in controlled burning. Tonnes of combustible material will be ignited in simulated forest fire/burn off situations over the three days. Both helicopters and fixed-wing aircraft will then demonstrate their fire-fighting capabilities. The trade fair will culminate with a simulated major logging truck accident in the bush, demonstrating fire-fighting and rescue potential of aircraft.

Show ring events have also been organised with competitions in chainsaw carving, wood chopping, loggers' contests and the ancient art of caber tossing with the world champion from the Braemar Games – who happens to be a New Zealander. Members of the local Orongomai Marae will be demonstrating their carving skills and performing.

The event has received the blessing of the Minister of Forestry from its inception.

“Forestry provides numerous benefits, not the least being increased employment, to regional communities. It is important for communities to realise this, if they have not done so already, so that they may maximise the opportunities the industry provides,” Mr Falloon says.

CONSULTANT RECOGNITION

The following have applied for recognition as specialist forestry consultants in New Zealand and overseas.

Paul Douglas Carruthers
James Campbell Park

Te Kuiti
Rotorua

The following has applied for a review of recognition as a general forestry consultant.

Arnold Bruce Willis

Gisborne

The following has applied for a review of recognition as a specialist forestry consultant.

Alan Charles Bell

Wellington

Under the NZIF constitution any members of the Institute may send objections in writing within 40 days of Journal publication to the Registrar, NZIF Consultants Committee, PO Box 1340, Rotorua.