

Reprint
as at 7 August 2020



Maori Purposes Fund Regulations 1937 (SR 1937/241)

Galway, Governor-General

Order in Council

This 29th day of September 1937

Present:

His Excellency the Governor-General in Council

Pursuant to section 15 of the Maori Purposes Fund Act 1934–35, His Excellency the Governor-General makes the following regulations.

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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.

These regulations are administered by Te Puni Kōkiri.

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Regulations

1 Preliminary

- (1) These regulations may be cited as the Maori Purposes Fund Regulations 1937.
- (2) These regulations shall come into force on 1 October 1937.
- (3) The regulations mentioned in the Schedule are revoked.
- (4) All appointments, registers, notices, matters, and things which originated under the regulations mentioned in the Schedule and which are effective on the coming into force of these regulations shall enure for the purpose of these regulations as if they had originated under these regulations and shall, where necessary, be deemed so to have originated.
- (5) In these regulations the term **the Act** means the Maori Purposes Fund Act 1934–35.
- (6) In these regulations, if not inconsistent with the context,—
 - Board** means the Maori Purposes Fund Board established by the Act
 - member** means a member of the Board
 - Secretary** means the Secretary to the Board
 - Fund Account** means the Maori Purposes Fund Account established by the Act.

2 Officers of the Board

- (1) The Board may appoint some fit and proper person to be the Secretary to the Board, and may, for any reason, remove such Secretary and appoint some other person in his stead. In the case where the person whom the Board proposes to appoint as Secretary is an officer of the public service, the Board shall obtain the precedent approval of the Public Service Commissioner to such appointment.
- (2) The Secretary shall be deemed to be the servant of the Board and shall receive such remuneration (if any) as the Board may, from time to time, determine. The Secretary shall have such powers and shall perform such duties as the Board determines, and he shall at all times conform to the directions of the Board in that behalf.
- (3) The Board may appoint such other clerical or other officers and engage such workmen as it deems necessary for the proper discharge of the business of the Board. In the case where the officer or workman proposed to be appointed or

engaged is an officer of the public service, the Board shall obtain the precedent approval of the Public Service Commissioner to such appointment or engagement. The officers and workmen so appointed or engaged shall receive such remuneration (if any) as the Board may, from time to time, determine. The Board may at any time dispense with the services of any officer or workman so appointed or engaged.

Regulation 2(1): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

Regulation 2(3): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

3 Seal

- (1) The seal of the Board shall be such as the Board determines and shall be kept in the custody of the Secretary or other person appointed by the Board for the purpose.
- (2) The seal of the Board shall not be affixed to any instrument except by the authority of a resolution of the Board and in the presence of a member and the Secretary or 2 members, and the member and Secretary or 2 members as aforesaid shall sign every instrument to which the seal of the Board is so affixed in their presence.

4 Minute book

The Board shall cause to be kept a proper minute book in which shall be recorded minutes of all resolutions and proceedings at all meetings of the Board.

5 Meetings

- (1) Notice in writing of the date, time, and place appointed pursuant to section 9 of the Act for any meeting of the Board shall be given by the Secretary to every member so as to reach such member 3 clear days before the date appointed for the meeting.
- (2) The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any member shall not invalidate the proceedings at any meeting.
- (3) If, within an hour from the time appointed for a meeting, a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to a time or date appointed by the Minister of Maori Affairs, but otherwise shall be dissolved. When a meeting is adjourned for 10 days or more notice of the adjourned meeting shall be given to members as in the case of an original meeting.
- (4) The Chairman may, with the consent of any meeting at which a quorum is present, adjourn a meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

- (5) Questions arising at any meeting shall be decided by a majority of votes. Voting may be done on the voices, by show of hands, or by ballot, as to the Board seems expedient.

Regulation 5(3): amended, on 27 November 1947, pursuant to section 3(2) of the Maori Purposes Act 1947 (1947 No 59).

6 Accounts

- (1) All moneys received by the Board shall be paid forthwith into the Māori Trustee's Account to the credit of the Fund Account.
- (2) The requisition made pursuant to a resolution of the Board and upon which moneys are to be paid out of the Fund Account by the Māori Trustee shall be signed by the Secretary or other officer of the Board and countersigned by a member, and shall certify that such payment has been duly authorised by a resolution of the Board, or shall be a requisition under seal of the Board.
- (3) A certificate in a requisition as aforesaid to the effect that the Board has authorised the expenditure during certain periods of certain amounts in respect of salaries, wages, administration expenses, maintenance of assets or property, and other like recurring charges shall be sufficient authority to the Māori Trustee to make, from time to time, as and when due, payments in respect of the services and charges mentioned in the requisition.
- (4) In clauses (2) and (3) **Board** includes any committee to which under section 13 of the Act and regulation 8 the Board has delegated its powers under section 5 of the Act so far as may be necessary to authorise the resolution pursuant to which the requisition is made.
- (5) The Board shall cause to be kept property registers in respect of all the assets of the Board.
- (6) The Board shall cause to be kept production registers in which shall be recorded the quantity and value of all materials used in connection with, and the amount of wages expended on, any carving executed by any person employed or engaged by the Board in any school of Maori art or similar institution or otherwise. The registers shall disclose the manner in which any such carvings may have been disposed of.

Regulation 6(1): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Regulation 6(2): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Regulation 6(3): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

7 Travelling allowances and expenses

[Revoked]

Regulation 7: revoked, on 1 April 1952, by section 10(2) of the Fees and Travelling Allowances Act 1951 (1951 No 79).

8 Committees

- (1) If and whenever the Board, pursuant to section 13 of the Act, decides to delegate any of its powers and duties to a committee, the Board shall, in its resolution, specify the powers or duties so delegated.
- (2) The Board shall not delegate to any such committee the power to make any grant or loan in excess of \$100 or to enter into any contract involving, or otherwise to incur or to authorise, expenditure in excess of that amount in respect of any one transaction or matter.
- (3) The Board may appoint a member of any committee consisting of more than 1 person to be the Chairman thereof and such power may be exercised by the committee where the Board, on the appointment of the committee, does not appoint a Chairman. Any such committee may, from time to time, appoint a Deputy Chairman to act in the absence of the Chairman.
- (4) The members of any such committee may meet for the despatch of business and adjourn their meetings as they think fit. The procedure of the committee at its meetings shall conform as nearly as practicable to the procedure of the Board. Minutes of the resolutions and proceedings of the committee shall be kept by the Secretary or other officer of the Board or by any person appointed by the committee for the purpose, and such minutes shall be incorporated in, and form part of, the Board's minute book.
- (5) Every committee to which any powers or duties are delegated may, without confirmation by the Board, exercise and perform the same in like manner and with the same effect as the Board could itself have exercised or performed the same.
- (6) Every such committee shall be subject in all things to the control of the Board and shall carry out all directions of the Board given in relation to such committee or its affairs.
- (7) The remuneration and allowances (if any) to be paid to a member of any such committee who is not a member of the Board shall be such as the Board determines.

9 Loans

- (1) In a case where the Board decides to grant a loan it shall, as a part of its decision, decide the following matters:
 - (a) the amount of the advance:
 - (b) the rate or rates of interest to be paid by the borrower:
 - (c) the times of repayment of the advance and payment of interest:
 - (d) the subject matter over which security is to be given by the borrower:
 - (e) The terms and provisions to be contained in any instrument of security.
- (2) Notwithstanding the provisions of the last preceding clause, the Board may, in any case in which for special reasons it deems it expedient so to do, dispense

with the requirement of security for a loan and may grant a loan without requiring the payment of interest on the principal sum advanced.

- (3) The principal sum advanced shall be repayable in such one of the following ways as the Board in each case directs:
- (a) at the expiration of a stated period:
 - (b) on demand:
 - (c) by periodical equal or unequal payments:
 - (d) by equal periodical payments consisting partly of principal and partly of interest:
 - (e) in such other manner as the Board in any particular case thinks expedient.

10 Work by Board

The Board may, upon such terms and conditions as it thinks fit, undertake for any person, society, or body corporate any carving or other work involving the practice of Maori arts and crafts.

11 Administration fee

For the services rendered by him to the Board there shall be paid annually to the Māori Trustee, out of the Board's funds, such sum as the Board determines.

Regulation 11: amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

12 Service of proceedings

Any summons or notice or any writ or other proceedings requiring to be served on the Board may be served by leaving the same with the Secretary or by sending it through the post addressed to the Secretary at his office, and any summons, notice, writ, or other proceedings so sent through the post shall be deemed to be received on the day next following that on which it would be delivered in due course of post.

Schedule Regulations revoked

Date of Order in Council	Subject matter	Published in <i>Gazette</i>	
		Year	Page
10 May 1928	Regulations with respect to the Board of Maori Ethnological Research	1928	1658
10 May 1928	Regulations with respect to the Maori Purposes Fund Control Board	1928	1659
26 January 1932	Regulations with respect to the Maori Arts and Crafts Board	1932	190

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Maori Purposes Fund Regulations 1937

Schedule

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 7 October 1937.

Reprints notes

1 *General*

This is a reprint of the Maori Purposes Fund Regulations 1937 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

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*

Public Service Act 2020 (2020 No 40): section 135

Fees and Travelling Allowances Act 1951 (1951 No 79): section 10(2)

Maori Purposes Act 1947 (1947 No 59): sections 3(2), 9(2)(a)