

KING GEORGE THE FIFTH MEMORIAL CHILDREN'S HEALTH CAMPS BILL

EXPLANATORY NOTE

THE King George the Fifth Memorial Fund Act 1938 makes provision for the establishment of children's health camps as a national memorial to His late Majesty King George the Fifth, out of moneys subscribed to a National Fund established for that purpose. The administration of the Fund and the control of children's health camps established under the Act are vested in the King George the Fifth Memorial Fund Board.

Similar functions in relation to other children's health camps are exercised by the New Zealand Federation of Health Camps Incorporated, a Trust Board incorporated under the Religious, Charitable, and Educational Trusts Act 1908, and for some time the two organizations have collaborated in administering the health camp movement in New Zealand.

The purpose of this Bill is to amalgamate the two organizations into a body to be known as the King George the Fifth Memorial Children's Health Camps Federation.

The Bill provides for the general supervision of the work of the Federation to be exercised by a central Board, with four Central Councils in Auckland, Wellington, Christchurch, and Dunedin. The work in particular districts will be under the control of district and local committees, and each camp will be administered by a camp management committee.

Clause 3 of the Bill provides for the incorporation of the Federation, and *clause 4* establishes the governing Board and defines its membership.

Clauses 5, 6, and 7 contain procedural provisions relating to the appointment of the Chairman and Deputy Chairman of the Board, meetings, and vacancies.

The functions and powers of the Board are defined in *clauses 8 to 11*. Under *clause 9* the Board may delegate its powers to committees or to any Central Council.

Clause 12 provides for the vesting of the property of the two existing bodies in the new Federation. Any funds which at the commencement of the Bill are held by a Central Council of the present Federation may be expended only within the district of that Council.

Clause 13 provides for the establishment of the King George the Fifth Memorial Children's Health Camps Fund, *clause 14* authorizes the establishment of imprest accounts, and *clause 15* prescribes the manner in which the Fund is to be invested.

Clause 16 provides that, where any Central Council or any district or local or camp management committee raises funds (except funds raised as part of a national campaign, such as the health stamps campaign) or receives any funds from any source other than from the Board, the organization that raises or receives the funds is to retain control of their expenditure.

Clause 17 provides for the appointment of a Secretary and other officers and servants of the Board.

Clause 18 establishes the four Central Councils of the Federation, and defines the membership of those Councils.

The functions and powers of the Central Councils are defined in *clause 19*. Under *subclause (2) (a) and (b)* each Central Council may establish district committees for specified areas within the jurisdiction of the Council and may establish a camp management committee for each camp.

The membership, functions, and powers of district committees are defined in *clauses 20 and 21*.

Clauses 22, 23, and 24 contain provisions as to meetings, tenure of office, and financial matters of the Central Councils, district committees, local committees, and camp management committees.

Clause 25 authorizes the provision at public expense of medical and surgical supplies and equipment for children in health camps.

Clause 26 provides for payment of hospital benefits under the Social Security Act 1938 to camp management committees in respect of children in the camps.

Clause 27 authorizes local authorities and others to make contributions to the Fund.

Clause 28 exempts the Federation from payment of rates and land tax on land which is the site of a health camp. The Federation will also be exempt from income tax as a charity under section 78 of the Land and Income Tax Act 1923.

Clause 29 provides for payment out of moneys appropriated by Parliament of travelling expenses to members of the Board.

Clause 30 provides that the administration expenses of the Board are to be paid out of moneys appropriated by Parliament, in order to preserve as much as possible of the Fund for the purposes for which it was subscribed.

Clause 31 requires the accounts of the Board and of each Council and committee to be audited by the Audit Office and annual reports to be furnished.

Clause 32 exempts members of the Board and of each Council and committee from personal liability for acts done in good faith in the course of the operations of any of those bodies.

Clause 33 provides for the protection of the emblem of the Federation. The Governor-General is authorized by Order in Council to define the emblem of the Federation, and thereafter no person may for the purposes of sale apply that emblem to any article unless he has first obtained the consent of the Board. This would apply particularly to first day covers sold in connection with each new issue of health stamps.

Clause 34 provides for repeals, and also provides that members of Central Councils and committees of the New Zealand Federation of Health Camps Incorporated are to continue in office as members of the corresponding Council or committee constituted under the Bill.

To enable a comparison to be made with existing legislation, references thereto appear in the margin.

Hon. Mr Marshall

KING GEORGE THE FIFTH MEMORIAL
CHILDREN'S HEALTH CAMPS

ANALYSIS

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A BILL INTITULED

AN Act to make provision for the establishment in New Zealand of children's health camps as a memorial to His late Majesty King George the Fifth, for the amalgamation of the King George the Fifth Memorial

Title.

5

Fund Board and the New Zealand Federation of Health Camps Incorporated, and for the control and administration of the assets of the said Board and the said Federation.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 5

Short Title and commencement.

1. This Act may be cited as the King George the Fifth Memorial Children's Health Camps Act 1953, and shall come into force on the *first* day of *April*, nineteen hundred and fifty-four. 10

Interpretation.
Cf. 1938,
No. 11, s. 2

2. In this Act, unless the context otherwise requires,—

“ Board ” means the King George the Fifth Memorial Children's Health Camps Board established under this Act: 15

“ Camp management committee ” means a committee established for the management of a children's health camp under section *nineteen* of this Act:

“ Central Council ” means a Central Council constituted under section *eighteen* of this Act: 20

“ Children's health camp ” means a permanent camp, being any land which, together with the buildings thereon (if any), is used principally for the purposes of a children's health camp, whether it is used or occupied continuously or otherwise: 25

“ Director-General ” means the Director-General of Health; and includes his deputy:

“ District committee ” means a district committee established by a Central Council under section *nineteen* of this Act: 30

“ Federation ” means the King George the Fifth Memorial Children's Health Camps Federation constituted under this Act: 35

“ Financial year ” means a year ending with the thirty-first day of July:

“ Fund ” means the King George the Fifth Memorial Children's Health Camps Fund established by this Act: 40

“ Fund Account ” means the King George the Fifth Memorial Children's Health Camps Fund Account established by this Act:

- 5 “Local authority” means a local authority within
the meaning of the Local Government Loans
Board Act 1926, whether by virtue of section
two of that Act, or of any Order in Council
thereunder, or by virtue of the provisions of
any other Act; and includes an Education
Board; and also includes such other public
bodies as are from time to time declared by
10 the Governor-General, by Order in Council,
to be local authorities for the purposes of
this Act:
- “Local committee” means a local committee
established by a district committee under
section *twenty-one* of this Act:

See Reprint
of Statutes,
Vol. V, p. 415

15 *The King George the Fifth Memorial Children's Health
Camps Federation*

3. (1) There is hereby constituted for the purposes
of this Act a body corporate under the name of the
King George the Fifth Memorial Children's Health
20 Camps Federation, having perpetual succession and a
common seal, and with power to purchase, take on
lease, or otherwise acquire, hold, deal with, and dispose
of real and personal property and of doing and suffering
all that bodies corporate may do and suffer.

King George
the Fifth
Memorial
Children's
Health Camps
Federation
established.
Cf. 1938,
No. 11, s. 4
(1), (3)

25 (2) The Federation shall consist of the Board, the
Central Councils, the district committees, the local com-
mittees, and the camp management committees.

4. (1) There shall be a governing body of the Feder-
ation, to be called the King George the Fifth Memorial
30 Children's Health Camps Board, through which the
corporation of the Federation shall act, and which,
subject to the provisions of this Act, shall have
the management and superintendence of the affairs,
concerns, and property of the Federation.

The King
George the Fifth
Memorial
Children's
Health Camps
Board.

35 (2) The Board shall consist of--
(a) Two members appointed by each Central Council
to represent that Council:
(b) One member appointed by the executive com-
40 mittee of the Municipal Association of New
Zealand Incorporated:

- (c) One member appointed by the executive committee of the New Zealand Counties Association Incorporated: 5
- (d) One member appointed by the executive committee of the Hospital Boards Association of New Zealand Incorporated: 5
- (e) The Director-General of Health: 10
- (f) The Director of Education: 10
- (g) The Director-General of the Post and Telegraph Department. 10
- (3) No person shall be appointed to be a member of the Board under paragraph (a) of subsection *two* of this section who is at the time of his appointment a paid officer or servant of any Central Council, district committee, or camp management committee. 15
- (4) The following provisions shall apply with respect to the members of the Board first appointed by a Central Council under paragraph (a) of subsection *two* of this section, namely: 15
- (a) One of those members shall retire on the thirty-first day of July, nineteen hundred and fifty-six: 20
- (b) The other of those members shall retire on the thirty-first day of July, nineteen hundred and fifty-seven: 25
- (c) The member so to retire on the thirty-first day of July, nineteen hundred and fifty-six, shall (unless they otherwise agree between themselves) be determined by lot. 25
- (5) Subject to the provisions of subsection *four* of this section, every appointed member of the Board shall be appointed for a period of three years commencing on the first day of August in the year of his appointment, but he shall be eligible for reappointment. 30
- (6) The appointment of members of the Board to replace members due to retire in any year shall be made not later than the thirty-first day of July in that year: 35
- Provided that nothing in this subsection shall be deemed to render invalid any appointment made after that date. 40

(7) The first appointed members of the Board may be appointed at any time after the passing of this Act and shall come into office at the commencement of this Act or on the date of appointment, whichever is the
5 later. For the purposes of this subsection appointments under paragraph (a) of subsection *two* of this section may be made before the commencement of this Act by Central Councils constituted under the rules of the New Zealand Federation of Health Camps Incorporated, to
10 take effect on the commencement of this Act.

5. (1) At the first meeting of the Board held after the commencement of this Act and at the first meeting of the Board held after the thirty-first day of July, nineteen hundred and fifty-four, and in each succeeding
15 financial year the Board shall appoint a Chairman and a Deputy Chairman.

Chairman
and Deputy
Chairman.

(2) Any person appointed as the Chairman or Deputy Chairman shall hold office, while he continues to be a member of the Board, until the appointment of
20 his successor, and may be reappointed.

6. (1) Meetings of the Board shall be held whenever the Board so decides and at such times and places as the Board decides:

Meetings of
Board.
Cf. 1938,
No. 11, s. 6

Provided that the Board shall meet at least once in
25 every three months.

(2) The Chairman shall preside at all meetings of the Board at which he is present. In the absence of the Chairman from any meeting the Deputy Chairman, if present, shall preside. In the absence from any meeting
30 of both the Chairman and the Deputy Chairman the members present shall select one of their number to be the Chairman for the purposes of that meeting.

(3) At any meeting of the Board seven members shall form a quorum, of whom not less than four shall be
35 members of Central Councils.

(4) At any meeting of the Board the Chairman of that meeting shall have a deliberative vote, and in the case of an equality of votes he shall also have a casting vote. All questions before the Board shall be determined
40 by a majority of the valid votes recorded thereon.

(5) In the absence from any meeting of the Board of any member being an officer of a Department of State, he may authorize any other officer of his Department to act in his stead. In the absence from any meeting

of any appointed member of the Board, the Council or Association by which he was appointed may authorize any other person to attend the meeting in his stead. While any person is attending any meeting under this subsection, he shall be deemed for all purposes to be a member of the Board. 5

(6) The fact that any person attends and acts as a member of the Board at any such meeting shall be conclusive proof of his authority to do so.

(7) The powers of the Board shall not be affected 10 by any vacancy in the membership thereof.

(8) Subject to the provisions of this Act and of any regulations made under this Act, the Board shall regulate its own procedure.

Extraordinary
vacancies.

7. (1) Any appointed member of the Board may at 15 any time resign his office by writing addressed to the Secretary of the Board.

(2) If any appointed member of the Board dies, or resigns his office, or becomes incapable in the opinion of the Board of acting as a member, the vacancy shall as 20 soon as practicable thereafter be filled by the appointment of a new member in the manner in which the vacating member was appointed.

(3) Any person appointed to fill a vacancy under this section shall hold office only for the remainder of 25 the term for which his predecessor was appointed.

(4) Notwithstanding anything to the contrary in this Act, every member of the Board, unless he sooner vacates his office under subsection *two* of this section, shall continue in office until his successor comes into 30 office.

Functions of
the Board.
Cf. 1938,
No. 11, s. 8

8. The functions of the Board shall be to administer on behalf of the Federation the King George the Fifth Memorial Children's Health Camps Fund and the other 35 assets of the Federation in accordance with the provisions of this Act to the end that the moneys of the Fund and those assets shall be expended, applied, or used to the best advantage for—

1938, No. 11

(a) The maintenance and improvement of children's health camps established at the commencement 40 of this Act under the King George the Fifth Memorial Fund Act 1938 or by the New Zealand Federation of Health Camps Incorporated:

- (b) The establishment, maintenance, and improvement of further children's health camps to be dedicated as national memorials to His late Majesty King George the Fifth:
- 5 (c) The provision of maintenance or treatment in children's health camps for children—
- (i) Who are ailing or undernourished; or
- (ii) Who, because of physical handicap or home environment, are likely to receive benefit
- 10 from a period in a children's health camp—being children who have attained the age of five years but have not attained the age of twelve years and who are nominated by district committees:
- 15 (d) The provision of maintenance or treatment in children's health camps separately from children who are eligible for admission thereto under paragraph (c) of this section of children who are backward and are likely to
- 20 receive benefit from a period in a children's health camp, being children who have attained the age of five years but have not attained the age of twelve years and who are nominated by district committees:
- 25 (e) The provision of maintenance or treatment in children's health camps of children who have attained the age of five years but have not attained the age of twelve years and who, though not eligible for admission thereto
- 30 under paragraph (c) or paragraph (d) of this section, are recommended by the Director-General for admission on special grounds:
- (f) The co-ordination of the work of organizations having similar objects and the granting on the
- 35 recommendation of the Director-General of financial assistance to those organizations:
- (g) The assistance to, or promotion of any extension of, the children's health camp
- 40 movement, with the object of providing holidays in pleasant surroundings for children lacking the normal opportunities for enjoying such holidays:

(h) Such other purposes in relation to children's health camps as may from time to time be prescribed by the Governor-General by Order in Council.

Powers of Board.
Cf. 1938,
No. 11, s. 9

9. (1) The Board shall have all such powers as may be reasonably necessary for the efficient performance of its functions and duties under this Act. Without limiting the general provision hereinbefore contained, it is hereby declared that, subject to the provisions of this Act, the Board may from time to time, on behalf of the Federation,—

- (a) Acquire, whether by purchase, gift, or otherwise, any land, interest in land, or chattels for the purposes of a children's health camp: 5
- (b) Improve any land used or intended to be used for the purposes of a children's health camp: 15
- (c) Erect, improve, alter, extend, equip, furnish, repair, and maintain any buildings used or intended to be used for the purposes of a children's health camp: 20
- (d) Identify any children's health camps as parts of the national memorial to His late Majesty King George the Fifth:
- (e) Make grants to any Central Council or district committee or camp management committee or to any other body engaged in the promotion or administration of children's health camps: 25
- (f) Borrow money on the security of any of the assets of the Federation:
- (g) Sell, lease, or otherwise dispose of any property of the Federation that is not required for the purposes of this Act: 30
- (h) Appoint committees of such persons (whether members of the Board or not) as it thinks fit, and authorize any such committee to co-opt as members thereof persons who are not members of the Board: 35
- (i) Supervise the expenditure of Central Councils, district committees, and camp management committees: 40
- (j) Approve the appointment of paid officers and servants of Central Councils, district committees, and camp management committees,

(2) In making any grant under paragraph (e) of subsection one of this section the Board may in its discretion impose such conditions as it thinks fit for the purpose of ensuring that the grant is expended only for the purposes for which it is made and to the best advantage; but the Board shall not be obliged to see to the application of any grants or of any other moneys expended under this Act otherwise than by the Board itself.

10 10. (1) The Board may from time to time delegate to any committee appointed by it or to any Central Council such of the powers conferred on the Board by this Act as it thinks fit.

Board may delegate its powers.

15 (2) Subject to any general or special directions given by the Board, the committee or Central Council to which any powers have been so delegated may exercise those powers in the same manner and with the same effect as if they had been directly conferred on that committee or Council by this Act and not by delegation.

20 (3) Every committee or Central Council purporting to act under any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting within the terms of the delegation.

25 (4) Any such delegation may be at any time revoked by the Board, in whole or in part, but that revocation shall not affect in any way anything done under the delegated authority.

30 (5) No such delegation shall prevent the exercise by the Board itself of any of the powers conferred on it by this Act.

11. (1) Any contract which, if made between private persons, must be by deed shall, if made by the Federation, be in writing under the seal of the Federation.

Contracts of Federation.
Cf. 1938,
No. 11, s. 5

35 (2) Any contract which, if made between private persons, must be in writing signed by the parties to be charged therewith shall, if made by the Federation, be either under the seal of the Federation or signed by any member of the Board on behalf of the Federation and by direction of the Board.

40 (3) Any contract which, if made between private persons, may be made orally without writing may be similarly made by or on behalf of the Federation by

any member of the Board acting on behalf of the Federation and by direction of the Board, but no oral contract shall be made involving the payment by the Federation of a sum exceeding twenty pounds.

(4) Notwithstanding anything in the foregoing provisions of this section, no contract made by or on behalf of the Federation shall be invalid by reason only that it is not made in the manner prescribed by this section if it is made pursuant to a resolution of the Board or to give effect to a resolution of the Board.

Vesting of
property in
Federation.

1938, No. 11

12. (1) All real and personal property which immediately before the commencement of this Act is vested in the King George the Fifth Memorial Fund Board established under the King George the Fifth Memorial Fund Act 1938 shall by force of this Act, and without conveyance, transfer, or assignment, be deemed to be vested in the Federation for the estate and interest of the King George the Fifth Memorial Fund Board therein, subject to all liabilities, obligations, and trusts affecting the same.

See Reprint
of Statutes,
Vol. I, p. 774

(2) All real and personal property which immediately before the commencement of this Act is vested in the New Zealand Federation of Health Camps Incorporated, a Trust Board incorporated under the Religious, Charitable, and Educational Trusts Act 1908, shall by force of this Act, and without conveyance, transfer, or assignment, be deemed to be vested in the Federation constituted under this Act for the estate and interest of the said New Zealand Federation of Health Camps Incorporated, subject to all liabilities, charges, obligations, and trusts affecting the same:

Provided that all real and personal property which immediately before the commencement of this Act was held by any Central Council of the said Federation shall be applied or expended under this Act solely within the district of that Council.

(3) On the commencement of this Act all the contracts, debts, and liabilities of the King George the Fifth Memorial Fund Board or of the New Zealand Federation of Health Camps Incorporated shall become the debts, contracts, and liabilities of the Federation constituted under this Act.

(4) The King George the Fifth Memorial Fund Board and the New Zealand Federation of Health Camps Incorporated are hereby dissolved.

(5) The District Land Registrar shall, on written application under the seal of the Federation, register the Federation as proprietor of any estates or interests in land registered under the Land Transfer Act 1952 and 5 vested in the Federation by virtue of this section. 1952, No. 52

13. (1) There is hereby established a Fund to be called the King George the Fifth Memorial Children's Health Camps Fund, which shall consist of—

King George the Fifth Memorial Children's Health Camps Fund established.
Cf. 1938, No. 11, s. 3
1938, No. 11

10 (a) All moneys which immediately before the commencement of this Act formed part of the King George the Fifth Memorial Fund established under the King George the Fifth Memorial Fund Act 1938:

15 (b) All moneys which immediately before the commencement of this Act formed part of the funds of the New Zealand Federation of Health Camps Incorporated:

20 (c) All moneys received by the Federation from the sale or other disposal of any property of the Federation:

(d) All moneys that may be contributed to the Fund, or that may otherwise be lawfully payable into the Fund:

25 (e) All accumulations of moneys belonging to the Fund.

(2) All moneys belonging to the Fund shall be paid into an account at the Reserve Bank of New Zealand to be called the King George the Fifth Memorial Children's Health Camps Fund Account.

30 (3) No moneys shall be paid out of the Fund Account except pursuant to a resolution of the Board:

35 Provided that no bank or payee or other person shall be concerned to inquire whether any cheque drawn on the Fund Account has been authorized by a resolution of the Board.

(4) The Fund Account may be operated on only by cheque signed by one of such of the members of the Board as the Board appoints for the purpose and countersigned by the Secretary to the Board.

40 (5) Negotiable or transferable instruments may, for collection by the Bank, be endorsed on behalf of the Board by any one of the persons authorized to sign cheques on behalf of the Board or by the Secretary to the Board.

Imprest
accounts.

See Reprint
of Statutes,
Vol. I, p. 447

Investment of
moneys of
Fund.
Cf. 1938,
No. 11, s. 17

Central Council
or district or
local or camp
management
committee
to control
expenditure
of funds
raised by it.

14. (1) The Board may, pursuant to a resolution in that behalf, establish imprest accounts, which shall be kept at the Reserve Bank of New Zealand or at any bank within the meaning of the Banking Act 1908.

(2) Every imprest account may be held in the name or names of and be operated on by such person or persons as may be appointed in that behalf by the Council. 5

(3) The Board shall from time to time by resolution fix the maximum amount that may be held at any time in any specified imprest account, not exceeding in any case two thousand pounds or such larger amount as may from time to time be fixed by the Governor-General by Order in Council. 10

(4) Moneys in any imprest account shall be available only for the payment of such expenses as the Board from time to time determines. The payment of moneys out of any imprest account for any purpose not authorized by the Board shall be deemed to be the misappropriation of the funds of the Board. 15 20

(5) The provisions of section *thirteen* of this Act shall be read subject to the provisions of this section.

15. Any moneys belonging to the Fund and not immediately required for expenditure by the Federation may from time to time be invested in such securities, in such manner, and for such periods as the Minister of Finance may approve, either generally with respect to all investments or with respect to any particular investment. 25

16. Notwithstanding anything in this Act, where any Central Council or district committee or local committee or camp management committee raises any funds for the purposes of this Act (not being funds raised by the sale of health stamps or as part of any other national campaign for funds) or receives any other funds from any source other than from the Board, those moneys may, subject to the terms of any trust, be expended for the purposes of this Act solely by that Council or committee and in such manner as it thinks fit: 30 35

Provided that no such committee shall expend any such funds (other than funds held upon trust for any specified purpose) except after consultation with its Council. 40

17. There may from time to time be appointed under the provisions of the Public Service Act 1912 a Secretary of the Board and such other officers and servants as may be necessary for the efficient carrying out of the functions of the Board under this Act:

Officers of the Board.
Cf. 1938, No. 11, s. 7
See Reprint of Statutes, Vol. VII, p. 522

Provided that the Board if it thinks fit may from time to time appoint a Secretary and any such officers and servants, and in such a case the salaries of the Secretary and of any officers and servants so appointed shall be paid by the Board and shall be deemed for the purposes of section *thirty* of this Act not to be part of the administrative expenses of the Board.

Central Councils, District Committees, and Camp Management Committees

18. (1) There are hereby established for the purposes of this Act the following Central Councils of the Federation:

Central Councils established.

- (a) The Auckland Central Council, having jurisdiction in the Provincial District of Auckland (except the Gisborne Land District):
 - (b) The Wellington Central Council, having jurisdiction in the Provincial Districts of Hawke's Bay, Taranaki, and Wellington, and in the Gisborne Land District:
 - (c) The Christchurch Central Council, having jurisdiction in the Provincial Districts of Nelson, Marlborough, Westland, and Canterbury:
 - (d) The Dunedin Central Council, having jurisdiction in the Provincial District of Otago.
- (2) Each Central Council shall consist of—
- (a) The persons for the time being holding office as members of the Board appointed by that Central Council:
 - (b) One member appointed by each district committee established by the Council:
 - (c) One member appointed by the authority controlling any children's health camp within the area in which the Council has jurisdiction and approved by the Council for the purposes of this paragraph:

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Health Camps*

- (d) One member appointed by all the Education Boards whose districts lie wholly or partly within the area in which the Council has jurisdiction: 5
Provided that where those Boards are unable to agree as to the member to be appointed under this paragraph each such Board may nominate a person for appointment and the King George the Fifth Memorial Children's Health Camps Board shall appoint one of the persons so nominated to be the member of the Council under this paragraph: 10
- (e) One member, being an officer of the Department of Health, appointed by the Director-General:
- (f) One member, being an officer of the Post and Telegraph Department, appointed by the Director-General of that Department: 15
- (g) One member, being an officer of the Education Department, to be appointed by the Director of Education: 20
- (h) Such additional members appointed by any such district committee, the importance of which in the opinion of the Council justifies additional representation, as the Council may decide: 25
Provided that the Council may at any time decide that any additional member appointed under this paragraph shall cease to be a member of the Council:
- (i) Such other persons as the Council may from time to time co-opt as members thereof: 30
Provided that the number of co-opted members shall at no time exceed one-third of the total number for the time being of members of the Council.
- 19.** (1) The general functions of a Central Council shall be to organize and superintend the children's health camp movement in the area under its jurisdiction. 35
- (2) In the exercise of its functions under this Act each Central Council shall have the following powers:
- (a) To establish district committees within the area under its jurisdiction and to define districts within which those committees shall carry out their functions and to co-ordinate the work of those committees: 40

Functions and powers of Central Councils.

- 5 (b) To appoint camp management committees of persons, whether members of the Council or not, responsible to the Council for the administration of children's health camps and for the provision of treatment and other facilities therein under the general supervision of the Department of Health:
- 10 (c) To approve the location of permanent children's health camps and of summer camps and to make recommendations to the Board with respect to those camps:
- 15 (d) To allocate to camps under its jurisdiction children who are selected by medical practitioners appointed for the purpose by the Director-General and are nominated by district committees:
- 20 (e) To procure the temporary maintenance and treatment of children in camps which are not subject to the control of the Board but in which a similar standard of maintenance and treatment is provided:
- 25 (f) To assume responsibility under the Board of children's health camps within the area under the jurisdiction of the Council:
- 30 (g) Subject to the provisions of section *sixteen* of this Act, to apply funds raised by it for the purposes of this Act, and to undertake on behalf of the Board the disbursement of funds made available by the Board for the purposes of this Act in the area under the jurisdiction of the Council:
- 35 (h) To appoint executive committees of its members, and to authorize those committees to co-opt as members persons who are not members of the Council:
- 40 (i) Subject to the terms of any delegation to the Council by the Board, to delegate to any district committee or to any camp management committee or to any executive committee appointed by the Council any of the powers of the Council under this Act, including any powers delegated to it by the Board:

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- (j) Any powers conferred by this Act on a district committee:
- (k) Subject to the prior approval of the Board, to appoint officers and servants at such salary or honoraria as the Council thinks fit: 5
- (l) Such other powers as may be conferred on the Council by the Board.
- 20.** Every district committee established by a Central Council under this Act shall comprise--
- (a) The persons for the time being holding office as 10 members of the Board appointed by that Central Council:
- (b) One member appointed by each local committee established by the district committee:
- (c) Such other persons as the committee may co-opt 15 as members thereof.
- 21.** (1) Subject to the general control of its Central Council, the general functions of a district committee shall be to organize the children's health camp movement in its district and to promote public interest therein. 20
- (2) In the exercise of its functions under this Act each district committee shall have the following powers:
- (a) To obtain contributions to the Fund:
- (b) On the recommendation of a medical practitioner 25 appointed for the purpose by the Director-General, to nominate eligible children for attendance at children's health camps, subject in each case to the written consent of the child's parents or guardian: 30
- (c) To establish local committees in its district comprising such members as the district committee appoints thereto, and having such functions, powers, and duties as the district committee prescribes: 35
- (d) To define localities within which local committees under its jurisdiction shall carry out their functions, and to co-ordinate the work of those committees:
- (e) Subject to the provisions of this Act and of any 40 rules made for the purpose by the Board, to prescribe rules for the procedure of local committees under its jurisdiction:

District committees.

Functions and powers of district committees.

(f) Such other powers as may be conferred on the district committee by its Central Council.

22. (1) Each Central Council, district committee, or **Meetings**
camp management committee shall from time to time
5 elect one of its members to be Chairman thereof. Every
such Chairman shall, unless he sooner vacates office, hold
office for one year from the date of his election, but shall
be eligible for re-election.

(2) The Chairman of a Central Committee, district
10 committee, or camp management committee shall pre-
side at all meetings of the Council or committee, as the
case may be, at which he is present. In the absence of
the Chairman from any such meeting, the members
present shall appoint one of their number to be Chairman
15 of that meeting.

(3) At any meeting of a Central Council, district
committee, or camp management committee not less than
one-third of the members for the time being, of whom
not more than half may be co-opted members, shall
20 constitute a quorum:

Provided that any such Council or committee may
from time to time fix a greater proportion of its members
to be a quorum for subsequent meetings.

(4) All questions before a Central Council, district
25 committee, or camp management committee shall be
decided by a majority of the valid votes thereon. At
every meeting the Chairman shall have a deliberative
vote, and, in the case of an equality of votes, shall also
have a casting vote.

30 (5) Each Central Council, district committee, or
camp management committee may act notwithstanding
any vacancy in the membership thereof, and no act of a
Central Council, district committee, or camp manage-
ment committee shall be invalid for the reason that any
35 person acting as a member thereof is not entitled so
to act.

(6) Subject to the provisions of this Act and to any
rules made for the purpose by the Board, each Central
Council, district committee, or camp management com-
40 mittee shall determine its own procedure.

Tenure of
office and
vacancies.

23. (1) Subject, in the case of a Central Council, to the provisions of paragraph (*h*) of section *eighteen* of this Act, every appointed member of a Central Council, district committee, camp management committee, or local committee shall hold office during the pleasure of the person or body by whom or by which he was appointed. 5

(2) Any member of a Central Council, district committee, camp management committee, or local committee may at any time resign his office by notice in writing addressed to the Chairman thereof, or, in the case of the Chairman, by notice in writing addressed to the Secretary of the Council. 10

(3) Every vacancy in a Central Council, district committee, camp management committee, or local committee may be filled by the appointment of a new member in the manner in which the vacating member was appointed. 15

(4) The decision of a Central Council as to whether or not any person has been duly appointed or has ceased to be a member of that Council or of any district committee or camp management committee under its jurisdiction shall be final and conclusive. 20

Financial
provisions.

24. (1) All moneys received by any person on behalf of a Central Council or district committee or camp management committee shall forthwith be lodged to the credit of the Council or committee, as the case may be, in such bank within the meaning of the Banking Act 1908 as the Council or the committee from time to time determines. 25

See Reprint
of Statutes,
Vol. I, p. 447

(2) No moneys shall be payable out of any such account except pursuant to a resolution of the Council or of the committee, as the case may be: 30

Provided that no bank or payee or other person shall be concerned to inquire whether any cheque drawn on any such account has been authorized by such a resolution. 35

(3) Each such account shall be operated on, and negotiable or transferable instruments may be endorsed, on behalf of the Council or committee, as the case may be, by any two of the members thereof who are from time to time appointed by it for the purpose, or by one of 40

such members and an officer of the Council or committee, as the case may be, so appointed, and negotiable or transferable instruments may, for collection by the bank, be endorsed on behalf of the Council or committee, as the
5 case may be, by any one of those persons.

(4) Subject to the provisions of section *sixteen* of this Act, all moneys received by a local committee by way of contribution to the Fund shall forthwith be remitted to its district committee.

10 (5) No Central Council, district committee, or camp management committee shall, without the prior approval of the Board, apply for management and administrative expenses a greater proportion than two and a half per cent of the moneys received by it from time to time from
15 any source.

Miscellaneous

20 **25.** Medical and surgical supplies and equipment for the treatment of children for the time being in children's health camps may from time to time be provided by the Health Department out of moneys appropriated by Parliament for the purpose.

Provision of free medical and surgical supplies and equipment for health camps.

25 **26.** Notwithstanding anything in the Social Security Act 1938, where any child who would otherwise be ineligible to be admitted to a children's health camp is admitted thereto on a special recommendation of the Director-General under paragraph (e) of section *eight* of this Act, hospital benefits under the Social Security Act 1938 shall be payable to the camp management committee of the camp in respect of the child as if the camp
30 were a hospital within the meaning of section ninety-three of that Act, as if the camp management committee were a Hospital Board maintaining the same, and as if the maintenance and treatment of the child in the camp were hospital treatment within the meaning of the said
35 section ninety-three.

Payment of hospital benefits in respect of certain children in health camps.

1938, No. 7; reprinted 1948, Vol. II, p. 1251

40 **27.** Any local authority or other public body, any corporation sole, any company or other incorporated body, any unincorporated body of persons, any trustee or trustees (including any statutory trustee or trustees or board of trustees), or any other person may, unless

Authorizing local authorities and others to contribute to Fund.

Cf. 1938, No. 11, s. 13

expressly prohibited by any Act or by any instrument of trust, make to the Federation, and the Federation may accept, donations or gifts of land or any interest in land, money, or chattels for the purposes of the Fund.

Exemption from rates and land tax.
Cf. *ibid.*, s. 15
See Reprint of Statutes, Vol. VII, p. 977

28. All land for the time being vested in the Federation and held by it as the site of any children's health camp, or in conjunction with any such site,— 5

(a) Shall be deemed not to be rateable property for the purposes of the Rating Act 1925; and in respect thereof the Federation shall be exempt from liability for payment of rates: 10

(b) Shall be exempt from land tax under paragraph (i) of subsection one of section sixty-nine of the Land and Income Tax Act 1923, notwithstanding that the land may exceed fifteen acres in extent. 15

Ibid., p. 297

Payment of travelling expenses.
Cf. 1938, No. 11, s. 16
1951, No. 79

29. (1) There shall be paid out of moneys appropriated by Parliament for the purpose to the members of the Board travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly. 20

1951, No. 59

(2) The Board is hereby declared to be a statutory Board for the purposes of the Fees and Travelling Allowances Act 1951. 25

Expenses of administration of Act.
Cf. 1938, No. 11, s. 18

30. In order that as much as possible of the Fund shall be available for the purposes for which it was established, it is hereby declared that the reasonable administrative expenses of the Board shall be paid out of moneys to be from time to time appropriated by Parliament for the purpose. 30

Accounts and annual reports.
Cf. 1938, No. 11, s. 19
See Reprint of Statutes, Vol. VII, p. 10

31. (1) The Board, each Central Council, each district committee, and each camp management committee shall keep full and correct accounts of all moneys received and expended by it, and the accounts shall be audited by the Audit Office, which for that purpose shall have all powers that it has under the *Public Revenues Act 1926* in respect of public moneys and stores and the audit of local authorities' accounts. 35

(2) The Board, each Central Council, each district committee, and each camp management committee shall, as soon as possible after the end of any financial year, cause its accounts for that year to be balanced, and full
5 and true statements and accounts of all the moneys received and expended by it in that year, and of its assets and liabilities at the end of that year, to be prepared and submitted to the Audit Office.

(3) Each district committee and each camp management
10 committee shall as soon as conveniently may be after the end of any financial year furnish to its Central Council a report of its proceedings and operations for that financial year, together with a copy of its accounts for that year certified by the Audit Office.

(4) Each Central Council shall as soon as conveniently
15 may be after the end of any financial year furnish to the Board a report of its proceedings and operations for that financial year, together with a copy of its accounts for that year certified by the Audit Office and a
20 copy of the reports and accounts of the district committees and camp management committees under its control.

(5) The Board shall, not later than the thirty-first
25 day of October in each year, furnish to the Minister of Health a report of its proceedings and operations for the preceding financial year, together with a copy of its accounts for that year certified by the Audit Office.

(6) A copy of the report of the Board and of its
30 accounts so certified shall be laid before Parliament within twenty-eight days after the date of the receipt thereof by the Minister if Parliament is then in session, and, if not, shall be laid before Parliament within
35 twenty-eight days after the date of the commencement of the next ensuing session.

32. No member of the Board, or of any Central
40 Council, district committee, camp management committee, or local committee, shall be personally liable for any act or default done or made by the Board, or by any Central Council, district committee, camp management committee, or local committee, or by any member of any of those bodies in good faith in the course of the operations of any of those bodies.

**Members not
personally
liable.**

*Cf. 1938,
No. 11, s. 20*

Protection of
emblem of
Federation.

33. (1) The Governor-General may, by Order in Council, define an emblem to be used as a distinctive emblem of the Federation.

(2) No person shall—

(a) For the purposes of sale apply or cause to be applied to any article the emblem of the Federation or any colourable imitation thereof without the prior consent in writing of the Board; or

(b) Knowing that the emblem of the Federation or any colourable imitation thereof has been applied to any article without the prior consent in writing of the Board, sell that article or cause it to be sold, or offer or expose that article for sale, or cause it to be offered or exposed for sale.

(3) Every person who commits a breach of subsection *two* of this section commits an offence, and shall be liable on summary conviction to a fine not exceeding ten pounds.

Repeals and
savings.

34. (1) The following enactments are hereby repealed, namely:

1938, No. 11

(a) **The King George the Fifth Memorial Fund Act 1938:**

1944, No. 25

(b) **Section thirty-nine of the Statutes Amendment Act 1944:**

1951, No. 79

(c) So much of the First Schedule to the Fees and Travelling Allowances Act 1951 as relates to the King George the Fifth Memorial Fund Board and so much of the Second Schedule to that Act as relates to the King George the Fifth Memorial Fund Act 1938.

(2) Every Central Council, district committee, local committee, or camp management committee constituted at the commencement of this Act under the rules of the New Zealand Health Camps Federation Incorporated shall be deemed to be the same Central Council or committee, as the case may be, constituted under this Act, and its members at the commencement of this Act shall continue in office as if they had been appointed under this Act.

(3) Any appointment which by this Act could be made by a Central Council or district committee constituted under this Act may at any time before the commencement of this Act be made by a Central
5 Council or district committee, as the case may be, constituted under the rules of the New Zealand Federation of Health Camps Incorporated, and shall take effect at the commencement of this Act.