

MEDICAL RESEARCH COUNCIL AMENDMENT BILL

THIS Bill amends the Medical Research Council Act 1950.

Clause 1 relates to the Short Title and commencement of the Bill. It is to come into force on 1 April 1966.

Clause 2 provides that the present Medical Research Council is in future to be known as the Medical Research Council of New Zealand.

Clause 3 provides for the reconstitution of the Council. The term of office of appointed members is reduced to three years instead of the present term of four years. Persons who have served two successive terms as appointed members of the Council are to become eligible for reappointment after an interval of one year instead of the present interval of four years.

Clauses 4 and 5 repeal section 5 of the principal Act, under which the Director-General of Health is Chairman of the Council by virtue of his office, and insert new provisions under which the Council may appoint its own Chairman and Deputy Chairman.

Clause 6 consequentially substitutes references to the Chairman of the Council for references to the Director-General of Health, and repeals the provision enabling certain members of the Council to appoint substitutes.

Clause 7: Section 8 of the principal Act authorises the appointment from the Public Service of a Secretary of the Council until the Council appoints its own Secretary. The clause terminates this authority if the Council appoints a Chief Executive Officer.

Clauses 8 and 9 extend the functions and powers of the Council.

Hon. Mr McKay

MEDICAL RESEARCH COUNCIL AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the Medical Research Council Act 1950

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

1. Short Title and commencement—(1) This Act may be cited as the Medical Research Council Amendment Act 1965, and shall be read together with and deemed part of the Medical Research Council Act 1950 (hereinafter referred to
10 as the principal Act).

(2) This Act shall come into force on the first day of April, nineteen hundred and sixty-six.

2. Change of name of Council—(1) The Medical Research Council constituted by the principal Act shall hereafter be
15 called the Medical Research Council of New Zealand.

(2) Section 2 of the principal Act is hereby consequentially amended by omitting from the definition of the term "Council" the words "Medical Research Council", and substituting the words "Medical Research Council of New
20 Zealand".

(3) Section 3 of the principal Act is hereby consequentially amended by inserting in subsection (1), after the word "Council", the words "of New Zealand".

(4) The Medical Research Council of New Zealand is hereby declared to be the same body corporate as that which was constituted under the principal Act and immediately before the commencement of this Act was known as the Medical Research Council. 5

(5) Unless the context otherwise requires, every reference in any enactment or document to the said Medical Research Council shall hereafter be read as a reference to the Medical Research Council of New Zealand. 10

3. Membership of Council—(1) Section 4 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsection: 15

"(1) The Council shall consist of—

"(a) The Director-General of Health under the Health Act 1956:

"(b) The Director-General of the Department of Scientific and Industrial Research: 20

"(c) The person holding office for the time being as Dean of the Faculty of Medicine of the University of Otago:

"(d) The person holding office for the time being as Dean of the Faculty of Medicine of the University of Auckland: 25

"(e) The person holding office for the time being as Dean of the Faculty of Dentistry of the University of Otago:

"(f) One member to be nominated by the New Zealand Committee of the Royal Australasian College of Physicians, and to be appointed on the recommendation of the Minister: 30

"(g) One member to be nominated by the New Zealand Committee of the Royal Australasian College of Surgeons, and to be appointed on the recommendation of the Minister: 35

"(h) Two persons of eminence and distinction in the community to be appointed on the recommendation of the Minister: 40

"(i) Two persons to be nominated by the Medical Research Council of New Zealand, having due regard to the representation of scientific and other disciplines related to the functions of the Council, and to be appointed on the recommendation of the Minister." 45

(2) Section 4 of the principal Act is hereby further amended by omitting from subsection (3) the word "four", and substituting the word "three".

5 (3) Section 4 of the principal Act is hereby further amended by repealing subsections (4) and (5), and substituting the following subsections:

"(4) With respect to the members of the Council appointed to hold office as such from the first day of April, nineteen hundred and sixty-six, the following provisions shall apply:

10 "(a) Two of those members shall retire on the thirty-first day of March in each of the years nineteen hundred and sixty-seven and nineteen hundred and sixty-eight:

15 "(b) The member or members so to retire in any year shall (unless they otherwise agree among themselves) be determined by lot, but in no event shall both the members appointed pursuant to paragraph (h), or both the members appointed pursuant to paragraph (i), of subsection (1) of this section
20 retire in the same year by virtue of this subsection.

"(5) No appointed member of the Council shall hold office for more than two successive terms at any one time; but any member who retires after holding office for two successive terms shall be eligible for reappointment after he has
25 ceased to hold office for not less than one year."

(4) The persons holding office immediately before the date of the commencement of this Act as appointed members of the Council shall cease to hold office as such on that date, but any such person who is qualified for appointment as a
30 member of the Council under subsection (1) of section 4 of the principal Act, as substituted by subsection (1) of this section, may be so appointed. No period during which a person served as a member of the Council before the commencement of this Act shall be taken into consideration for
35 the purposes of subsection (5) of section 4 of the principal Act, as substituted by subsection (3) of this section.

4. Chairman of Council—The principal Act is hereby amended by repealing section 5, and substituting the following section:

40 "5. (1) The Council, at its first meeting held after the first day of April in the year nineteen hundred and sixty-six, and in each year thereafter, shall appoint one of its members to be the Chairman of the Council. Any such member may from time to time be reappointed as Chairman of the Council.

“(2) The Chairman shall preside at all meetings of the Council at which he is present.

“(3) The Chairman appointed in each year shall hold office until his successor is appointed or for such lesser period as he remains a member of the Council. 5

“(4) If the Chairman ceases to be a member of the Council before the expiration of the period for which he has been appointed, the Council shall appoint some other member in his stead to be Chairman for the residue of the said period.

“(5) If at any meeting of the Council the Chairman for the time being is not present, or there is no Chairman of the Council, the Deputy Chairman shall preside at the meeting; and, if the Deputy Chairman also is not present at the meeting or there is no Deputy Chairman, the Council shall appoint some member present to act as Chairman in respect of that meeting, and the person so appointed shall have and may exercise all the powers and functions of the Chairman for the purposes of that meeting.” 10 15

5. Deputy Chairman—The principal Act is hereby further amended by inserting, after section 5 (as substituted by section 4 of this Act), the following section: 20

“5A. (1) The Council, at any meeting, may appoint one of its members to be the Deputy Chairman of the Council.

“(2) Unless the Deputy Chairman sooner resigns from that office, or is appointed to be the Chairman of the Council, or vacates his office as a member of the Council, he shall hold the office of Deputy Chairman of the Council for a term expiring with the thirty-first day of March in the year following that in which he was last appointed as Deputy Chairman of the Council, and shall be eligible for reappointment. 25 30

“(3) If the Deputy Chairman is appointed to be the Chairman of the Council, or ceases to be a member of the Council, he shall thereupon vacate the office of Deputy Chairman. 35

“(4) During any vacancy in the office of Chairman of the Council or in the absence of the Chairman from New Zealand or while the Chairman is incapacitated by sickness or otherwise, the Deputy Chairman shall have and may exercise all the powers and functions of the Chairman.” 40

6. Meetings of Council—(1) Section 6 of the principal Act is hereby amended—

(a) By omitting from subsection (3) the expression "Director-General of Health", and substituting the expression "Chairman of the Council":

5 (b) By omitting from subsection (3) the expression "Director-General" where it occurs for the second time, and substituting the word "Chairman".

(2) Section 6 of the principal Act is hereby further amended by repealing subsection (7).

10 **7. Chief Executive Officer**—Section 8 of the principal Act is hereby amended by inserting, after the word "Secretary" where it first occurs, the words "or Chief Executive Officer".

8. Functions of Council—The principal Act is hereby amended by repealing section 9, and substituting the following section:

15 "9. The functions of the Council shall be—

"(a) To initiate, foster, and support medical research:

"(b) To furnish information, advice, and assistance to persons and organisations concerned with medical research:

20 "(c) To collect and disseminate scientific information, including the publication of reports."

9. Powers of Council—(1) Section 10 of the principal Act is hereby amended by repealing paragraph (c) of subsection (1), and substituting the following paragraph:

25 "(c) To make grants to any institution or body of persons (whether incorporated or not) for the purposes of medical research."

(2) Section 10 of the principal Act is hereby further amended by repealing paragraph (g) of subsection (1), and substituting the following paragraph:

30 "(g) To contribute to the National Provident Fund under the National Provident Fund Act 1950, and to any other superannuation scheme approved by the Minister of Finance, for the purpose of providing superannuation and allowances for its officers, servants, and research workers."

35 (3) Section 10 of the principal Act is hereby further amended by omitting from subsection (2) (as added by section 2 of the Medical Research Council Amendment Act 1951) the words "the University of Otago", and substituting the words "any University in New Zealand".