

Words struck out by the Committee of the Whole are shown with black rule at beginning and after last line of struck out matter; words inserted are shown with double rule before first line and after last line of new matter.

Hon. Mr Talboys

ROYAL SOCIETY OF NEW ZEALAND

ANALYSIS

Title	18. Endowment of Society
1. Short Title and commencement	19. Exemption from taxes
2. Interpretation	20. Accounts
3. Constitution of the Society	21. Money to be paid into bank
4. Honorary Patron	22. Investment of money
5. Membership of Society	23. Application of income and capital of the Society
6. Fellowship of Society	24. Travelling allowances and expenses of members of Council and committees
7. Member bodies of Society	25. Insurance of members of Council and committees against personal accident while engaged in duties
8. Objects of Society	26. Unauthorised expenditure
9. Obligation to initiate investigations	27. Annual report
10. No dividend or profit to Fellows or members	28. Reports to be laid before Parliament
11. Council of Society	29. Benefactions to be strictly applied
12. Transitional provisions	30. Repeals
13. Meetings	Schedules
14. Powers and obligations of Council	
15. Member Bodies Committee	
16. Honorary membership and awards	
17. Rules	

A BILL INTITULED

An Act to consolidate and amend the Royal Society of New Zealand Act 1933

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

1. Short Title and commencement—(1) This Act may be cited as the Royal Society of New Zealand Act 1965.

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

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

“Council means the Council of the Society as constituted under section 11 or section 12 of this Act:

“Member” means a person who is a member of the Society in accordance with subsection (2) of section 5 of this Act: 5

“Member body” means a body that is a member body of the Society in accordance with section 7 of this Act:

“Minister” means the Minister of Science: 10

“Rules” means the rules of the Society that are made or continue in effect under section 17 of this Act:

“Society” means the Royal Society of New Zealand constituted under this Act.

3. Constitution of the Society—(1) For the promotion of Science there shall continue to be a body which, in accordance with the gracious approval of His late Majesty King George the Fifth, shall be called the Royal Society of New Zealand. 15

(2) The Society shall be a body corporate with perpetual succession and a common seal, and may hold real and personal property, and sue and be sued, and do and suffer all that bodies corporate may do and suffer. 20

(3) The Society is hereby declared to be a local authority for the purposes of the National Provident Fund Act 1950. 25

(4) The Society established under this Act is hereby declared to be the same body as the body of that name existing immediately before the commencement of this Act under the Royal Society of New Zealand Act 1933, which body was originally established under the name of the New Zealand Institute by the New Zealand Institute Act 1867. 30

Cf. 1933, No. 17, s. 2

4. Honorary Patron—The Governor-General shall during his pleasure be the Honorary Patron of the Society.

Cf. 1933, No. 17, s. 7 (1) 35

5. Membership of Society—(1) The Society shall consist of the persons who and the bodies which, in accordance with its rules, are for the time being its Fellows, its honorary members, its member bodies, and the members of its member bodies. 40

(2) The members of the member bodies of the Society shall be the members of the Society.

Cf. 1933, No. 17, s. 3

5 **6. Fellowship of Society**—The Fellowship of the Society shall be a self-perpetuating body of selected persons distinguished for scientific research or for the promotion of science in New Zealand, and shall consist of—

10 (a) The persons who were Fellows of the Society immediately before the commencement of this Act while they remain Fellows of the Society in accordance with the rules; and

15 (b) The persons who, in accordance with the rules, become Fellows of the Society after the commencement of this Act while they remain Fellows of the Society in accordance with the rules.

7. Member bodies of Society—The member bodies of the Society shall be—

20 (a) The member bodies specified in the First Schedule to this Act while they remain member bodies of the Society in accordance with the rules.

(b) The bodies which, in accordance with the rules, become member bodies of the Society after the passing of this Act while they remain member bodies of the Society in accordance with the rules.

25 **8. Objects of Society**—The objects of the Society shall be—

(a) To promote science, to encourage and stimulate high standards of scientific endeavour and achievement, and to give recognition to notable achievements in the advancement of science in New Zealand:

30 (b) To inform the Minister of fields in which, in the opinion of the Council, the scientific effort of New Zealand should be increased; and to make suggestions as to how this may be done:

35 (c) To initiate and maintain contacts between New Zealand scientists and scientists in other parts of the world, especially by association with the Unions of the International Council of Scientific Unions and other scientific bodies overseas, and by ensuring that New Zealand is appropriately represented at meetings of those bodies:

40 (d) To administer funds for scientific research or scientific projects:

- (e) To initiate meetings or participate in meetings of scientists in New Zealand, whether by collaboration with its member bodies or otherwise, to hold symposia, and to arrange for visits of overseas scientists to New Zealand: 5
- (f) To initiate and maintain contacts between scientists in New Zealand, and to provide liaison between and correlate the efforts of its member bodies and other New Zealand scientific bodies:
- (g) To publish and disseminate scientific knowledge, and to make available sources of scientific information: 10
- (h) To do all other lawful things which the Society or the Council may consider conducive to the attainment of the objects of the Society.

9. Obligation to initiate investigations—The Society shall, whenever called upon by the Minister of Science or any other Minister of the Crown, initiate investigations and procure reports upon any scientific subject. 15

10. No dividend or profit to Fellows or members—The income and property of the Society shall be applied solely towards the objects of the Society, and (except as otherwise provided in this Act) no portion thereof shall be paid directly or indirectly by way of dividend, bonus, or otherwise to persons who are Fellows or honorary members or members of the Society: 25

Provided that nothing in this section shall prevent payment of remuneration to employees of the Society, Fellows, honorary members, or members in return for services rendered or goods supplied, nor prevent the repayment of money borrowed or the payment of interest on money borrowed, or of expenses incurred in the performance of office, or of monetary prizes awarded for achievement in scientific research. 30

11. Council of Society—(1) There shall be a Council of the Society, which Council shall consist of the Officers and Councillors of the Society. 35

(2) The Officers of the Society shall be appointed by the Fellows of the Society from among their number, and (unless the rules otherwise provide) shall be—

- (a) The President: 40
- (b) The Home Secretary:
- (c) The International Secretary:
- (d) The Honorary Treasurer.

(3) The Councillors of the Society shall comprise:

(a) Eight Councillors who shall be Fellows of the Society appointed by the Fellows:

5 (b) Two Councillors who shall be members or Fellows of the Society appointed by the Member Bodies Committee.

(4) The terms of office of the Officers and Councillors and the procedure for their appointment at the annual general meeting of Fellows in the year nineteen hundred and sixty-six
10 and subsequently, and the procedure for the replacement of any Officer or Councillor who resigns or dies during his term of office, shall be determined by the rules.

Cf. 1933, No. 17, s. 4

15 **12. Transitional provisions**—Notwithstanding the reconstitution of the Council by section 11 of this Act,—

(a) Every member of the Council who was in office immediately before the commencement of this Act shall, unless he sooner resigns or dies, continue in office as a member of the Council until the appointment
20 of Officers and Councillors at the annual general meeting of Fellows in the year nineteen hundred and sixty-six, when every such member shall go out of office, but may be reappointed if eligible:

25 (b) If any such member of the Council so resigns or dies, the casual vacancy so arising shall be filled as if all the other provisions of this Act had not been passed.

13. Meetings—(1) An annual general meeting of Fellows shall be held in the month of May of each year for the election of Officers and Councillors of the Society for the coming year,
30 for the election of Fellows, and for such other purposes as may be prescribed by the rules or decided from time to time. At each annual general meeting the President shall present a report of the Council for the preceding year, and the Honorary Treasurer shall present a statement of accounts.

35 (2) Special general meetings of the Fellows of the Society may be convened by the Council at any time, and shall be convened by the Council on the requisition of such number of Fellows as the rules for the time being prescribe.

40 (3) Meetings of the Council shall be held from time to time as the Council or the President directs.

Cf. 1933, No. 17, s. 8

14. Powers and obligations of Council—(1) The Council shall have the control and management of the Society and of all property for the time being vested in the Society, and (subject to the provisions of this Act and to the terms of any trust or endowment) may dispose in such manner as it thinks fit of any grants, devises, bequests, or any gifts of books or specimens, made to the Society, and generally shall act for and on behalf of the Society. 5

(2) The Council may from time to time—

(a) Make such appointments to its staff, and pay such remuneration to members of its staff, as it thinks fit: 10

(b) Appoint such representatives and honorary officers, and pay them such honoraria, as it thinks fit.

(3) The Council may from time to time, in such manner as it thinks fit, expend for the promotion of science any funds of the Society not appropriated or held in trust for any special purpose. 15

(4) With the approval of the Minister, the Council may from time to time borrow, raise, or secure the payment or repayment of money in such manner as it thinks fit. 20

(5) The Council may from time to time make standing orders for the conduct of its meetings and for regulating the affairs of the Society, which standing orders shall not be contrary to this Act or the rules.

(6) The Council may from time to time appoint standing or special committees comprising such persons as the Council thinks fit, whether or not they are Fellows or members of the Society; and may relegate to such committees any matters for consideration or inquiry or management or regulation; and may delegate to any such committee any powers or duties of the Council except this power of delegation. 25 30

Cf. 1933, No. 17, s. 9

15. Member Bodies Committee—(1) At the first meeting of the Council that is held after the annual general meeting of Fellows in the year nineteen hundred and sixty-six, or as soon as practicable thereafter, the Council shall establish a Member Bodies Committee under the Chairmanship of the President. 35

(2) The Member Bodies Committee shall include representatives of the member bodies of the Society, whether or not the representatives are Fellows of the Society; and, subject to the provisions of this section, the Member Bodies Committee shall be constituted as provided in the rules. 40

(3) The Member Bodies Committee shall meet at least once a year, and shall have a right to appoint two members or Fellows of the Society to be Councillors.

5 (4) The Member Bodies Committee shall be charged with providing liaison between the member bodies and other scientific bodies and generally with promoting the advancement of science in New Zealand.

(5) The Member Bodies Committee shall exercise any powers delegated to it by the Council from time to time, including the arrangement of science congresses and the public dissemination of scientific information, by lectures, press, radio, or television.

10 (6) The Member Bodies Committee may initiate discussions and investigations and make recommendations to the Council on all aspects of the advancement of science in New Zealand, and in particular shall advise the Council on all matters concerning the duties, obligations, and privileges of the member bodies.

20 (7) The rules shall provide, subject to the provisions of this section, for the constitution, functions, and conduct of the Member Bodies Committee.

16. Honorary membership and awards—(1) The Council may from time to time appoint as an honorary member of the Society any person who has rendered eminent service to science, if the person is not a Fellow of the Society and is not normally resident in New Zealand.

25 (2) The Council may make awards of medals or other prizes to persons whom it considers worthy thereof by reason of any research, investigation, or scientific work done by them.
30 Cf. 1933, No. 17, s. 10

17. Rules—(1) The Fellows of the Society at a general meeting may, by resolution duly passed in accordance with this section, make rules consistent with this section for—

- 35 (a) The regulation, government, and advantage of the Society and its member bodies and members and its property, and for the furtherance of its objects:
- (b) Governing the procedure for the nomination, election, admission, and expulsion of Fellows of the Society, and prescribing the obligations and responsibilities of Fellows:
- 40 (c) Governing the procedure for the nomination and appointment of Officers and Councillors:
- (d) Such other purposes as may be necessary or expedient for duly carrying out the work of the Council or of any committee thereof.
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(2) No rule providing for the manner in which money belonging to or vested in the Society may be invested shall come into force until it has been approved by the Governor-General by Order in Council.

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(3) Any such rules may from time to time be amended or revoked in like manner.

(4) Notice of every resolution proposed to be submitted to any such general meeting for the making, amending, or revocation of any such rules shall be forwarded to every Fellow and to every member body at least thirty clear days before the meeting.

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(5) Every resolution making, amending, or revoking any such rules shall be published in the *Gazette*, and shall have effect as from the date of its publication in the *Gazette* or some later date to be specified in the resolution.

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Provided that no rule providing for the manner in which money belonging to or vested in the Society may be invested shall have effect until it has been approved by the Governor-General in Council.

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(6) For all legal proceedings, the production of a copy of the *Gazette* purporting to contain any such rule, or the production of a copy of any such rule purporting to be printed by the Government Printer, shall, in the absence of proof to the contrary, be sufficient evidence that the rule has been duly made and remains in force.

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(7) All rules of the Society made by the Council under any of the enactments repealed by this Act, so far as they were subsisting or in force at the time of the repeal and could have been made under this Act, shall continue and have effect as if they had been made under this Act and as if this Act had been in force when they were made.

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Cf. 1933, No. 17, s. 11

18. Endowment of Society—For the purpose of providing funds for the exercise of the functions of the Society in the promotion of science, the Minister shall, in the financial year commencing on the first day of April, nineteen hundred and sixty-six, and in every financial year thereafter, pay to the Society such sum or sums as may be appropriated by Parliament for the purpose.

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Cf. 1933, No. 17, s. 12

19. Exemption from taxes—The Society is hereby declared to be exempt from the payment of land tax and income tax.

Cf. 1950, No. 20, s. 20

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20. Accounts—(1) The Council of the Society shall keep full and correct accounts of all money received and expended by it, and the accounts shall be audited by the Audit Office which for that purpose shall have all the powers that it has
5 under the Public Revenues Act 1953 in respect of public money and the audit of the accounts of local authorities.

(2) The financial year of the Society shall begin on the first day of April and end with the thirty-first day of March.

(3) The Council shall, as soon as practicable after the end
10 of each financial year, cause full and true statements and accounts of all its income and expenditure in that year and of its assets and liabilities at the end of that year to be prepared and submitted to the Audit Office.

21. Money to be paid into bank—(1) All money received
15 by the Society amounting to ten pounds and upwards shall, as soon as practicable after it has come into the hands of the proper officer or employee of the Society, be paid into such bank account or accounts of the Society as the Council from time to time determines.

(2) No such money shall be withdrawn from the bank
20 except by authority of the Council and by cheque signed by an officer or employee of the Society approved by the Council, and counter-signed by a member of the Council, or by another officer or employee of the Society, approved by the Council.

22. Investment of money—Subject to the terms of any
25 trust or endowment, any money belonging to or vested in the Society and available for investment may be invested in any such manner as may from time to time be prescribed by the rules of the Society.

23. Application of income and capital of the Society—
30 Subject to the provisions of this Act and to the terms of any trust or endowment, the income and capital of the Society shall be applied in doing whatever the Council thinks expedient in order that the Society may accomplish the purposes
35 for which it is established.

24. Travelling allowances and expenses of members of Council and committees—(1) The Council may pay travel-
40 ling allowances and expenses to each of its members and to each member of any committee appointed by it and to each member of the Member Bodies Committee; and, in respect of travel in New Zealand, those allowances and expenses shall

not exceed those payable in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if any such member were a member of a statutory Board within the meaning of that Act.

(2) In respect of travel in New Zealand the Council is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951. 5

25. Insurance of members of Council and committees against personal accident while engaged in duties—The Council may from time to time enter into contracts of insurance of a type for the time being approved by the Minister insuring members of the Council, or of committees appointed by it, or of the Members Bodies Committee, against loss from personal accident arising out of and in the course of the exercise of their powers or duties as such members, and may pay the premiums payable in respect of those contracts. 10 15

26. Unauthorised expenditure—The Council may in every financial year, out of money not appropriated or held in trust for any special purpose, expend for purposes not authorised by any Act or law for the time being in force any sum or sums not amounting in the whole to more than one hundred pounds. 20

27. Annual report—The Council shall, not later than the thirtieth day of June in each year, furnish to the Minister a report of its proceedings and operations for the preceding financial year, together with a copy of its accounts for that year. 25

28. Reports to be laid before Parliament—(1) A copy of the annual report and accounts 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 twenty-eight days after the date of the commencement of the next ensuing session. 30

(2) The Council may resolve that any special report on scientific matters shall be transmitted to the Minister, who may lay the same before Parliament within twenty-eight days after the date on which he receives the same if Parliament is then in session, and, if not, may lay the same before Parliament within twenty-eight days after the date of the commencement of the next ensuing session. 35 40

29. **Benefactions to be strictly applied**—Subject to the provisions of the Charitable Trusts Act 1957, all benefactions at any time vested in or enjoyed by the Society with a declaration of trust or as an endowment for the promotion of any particular branch or aspect of science, shall be applied strictly by the Council accordingly.

30. **Repeals**—The enactments specified in the Second Schedule to this Act are hereby consequentially repealed.

SCHEDULES

FIRST SCHEDULE

Section 7 (a)

MEMBER BODIES

Name	Date of Affiliation
Auckland Institute	10 June 1868.
Wellington Branch of the Royal Society of New Zealand	10 June 1868.
Canterbury Branch of the Royal Society of New Zealand	22 October 1868.
Otago Branch of the Royal Society of New Zealand	18 October 1869.
Hawke's Bay Branch of the Royal Society of New Zealand	31 March 1875.
Nelson Branch of the Royal Society of New Zealand	20 December 1883.
Southland Branch of the Royal Society of New Zealand	31 October 1939.
Waikato Branch of the Royal Society of New Zealand	18 June 1954.
Rotorua Branch of the Royal Society of New Zealand	16 November 1954.
Geological Society of New Zealand	19 May 1961.
New Zealand Institute of Chemistry	25 June 1964.
New Zealand Ecological Society	26 November 1964.
New Zealand Society of Soil Science	19 May 1965.

SECOND SCHEDULE

Section 30

ENACTMENTS REPEALED

- 1933, No. 17—The Royal Society of New Zealand Act 1933. (1957 Reprint, Vol. 13, p. 573.)
- 1949, No. 51—The Statutes Amendment Act 1949: Section 50. (1957 Reprint, Vol. 13, p. 581.)
- 1955, No. 103—The Finance Act (No. 2) 1955: Section 7. (1957 Reprint, Vol. 13, p. 582.)
- 1964, No. 109—The Royal Society of New Zealand Amendment Act 1964.