



**THE COUNCIL OF SOUTH ISLAND ACCLIMATISATION
SOCIETIES REGULATIONS 1978**

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 16th day of October 1978

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 72 of the Wildlife Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Council of South Island Acclimatisation Societies Regulations 1978.

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“Act” means the Wildlife Act 1953:

“Appointed member” means a member appointed to the council in accordance with regulation 4 (1) (b) of these regulations:

“Council” means the Council of South Island Acclimatisation Societies continued under regulation 3 of these regulations:

“Director-General” means the Director-General of Agriculture and Fisheries:

“Financial year” means a period of 12 months ending with the 31st day of December.

3. The Council of South Island Acclimatisation Societies—(1) There is hereby continued the Council of South Island Acclimatisation Societies, which shall be a body corporate with perpetual succession and a common seal and which shall be capable of acquiring, holding, and disposing of real and personal property, of suing and being sued, and of doing and suffering all other acts and things as bodies corporate may do and suffer.

(2) The Council is hereby declared to be the same body corporate as the Council of South Island Acclimatisation Societies constituted under the Council of South Island Acclimatisation Societies Regulations 1959*.

4. Members of Council—(1) The Council shall consist of—

- (a) The President of the Council, elected in accordance with regulation 5 of these regulations:
 - (b) One member appointed by each society in the South Island, in accordance with regulation 6 of these regulations:
 - (c) An officer of the Department of Internal Affairs appointed by the Secretary for Internal Affairs to represent the Southern Lakes Acclimatisation District:
 - (d) The Secretary for Internal Affairs:
 - (e) The Director-General of Agriculture and Fisheries.
- (2) No person shall be qualified to be elected as President who is not a member of a society in the South Island.
- (3) No person shall be qualified for appointment under subclause (1) (b) of this regulation who is not a member of the society making the appointment.

5. Election of President—(1) The President of the Council shall, at the annual general meeting of the Council, be elected from those duly nominated under this regulation.

(2) Not less than 3 months before the annual general meeting, the Secretary of the Council shall write to all societies in the South Island calling for nominations for the office of President of the Council.

(3) Any nominations for the office of President shall be forwarded to the Secretary of the Council not less than 6 weeks before the annual general meeting, and the Secretary of the Council shall, not less than one month before that meeting, give notice of all such nominations received by him to—

- (a) All societies in the South Island; and
 - (b) All members of the Council.
- (4) At the annual general meeting, the current President shall also call for nominations from persons in attendance who are members of any society in the South Island.

(5) Where an appointed member is elected President, the appointing society shall be entitled to appoint another member to the Council in his stead.

(6) The provisions of subclauses (4) to (10) of regulation 10 of these regulations shall apply to the election of every President.

6. Terms of office of members of Council—(1) The Council of each society in the South Island shall be entitled to appoint one member of that society to be a member of the Council.

(2) Subject to these regulations, the President and every appointed member shall hold office for a term of one year, and shall be eligible for reappointment from time to time.

(3) The President and every appointed member shall, unless he sooner vacates his office under regulation 9 of these regulations, continue in office until his successor comes into office.

7. Vice-President of Council—(1) The Council shall, from time to time, appoint one of its members to be Vice-President.

(2) The Vice-President shall have, and may exercise, all the powers of the President of the Council—

(a) With the consent of the President, at any time during the temporary absence of the President:

(b) Without the consent of the President, at any time while the President is incapacitated or prevented by illness or other cause from performing the duties of his office:

(c) While there is any vacancy in the office of President.

8. Deputies of members—(1) In the absence from any meeting of the Council of the Secretary or Director-General or an officer of the Department appointed by the Secretary to represent the Southern Lakes Acclimatisation District, the Secretary or the Director-General, as the case may be, may authorise another officer of his Department to attend the meeting in his place.

(2) In the absence from any meeting of the Council of any appointed member, the Council of that society which appointed that member may authorise a qualified person to attend the meeting in his place.

(3) While any such authorised person is attending a meeting he shall be deemed for all purposes to be a member of the Council. The fact that any person attends and acts as such a member at any meeting shall, in the absence of proof to the contrary, be sufficient evidence of his authority to do so.

9. Extraordinary vacancies—(1) The President or any appointed member may at any time resign his office by writing addressed to the Secretary of the Council.

(2) The President may at any time be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Minister.

(3) The President shall go out of office upon ceasing to be a member of any society in the South Island.

(4) Any appointed member may at any time be removed from office by the appointing society for disability, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of that society.

(5) Any appointed member shall go out of office upon ceasing to be a member of the society which appointed him.

(6) If the President, or an appointed member dies or resigns or is removed from office, or goes out of office, his office shall become vacant and the vacancy shall be an extraordinary vacancy.

(7) In the case of an extraordinary vacancy in the office of President, the Council may appoint one of its members to be President. If that member has been appointed under regulation 4 (1) (b) of these regulations, the Council of the society which made the appointment shall be entitled to appoint another member to the Council.

(8) In the case of an extraordinary vacancy for an appointed member, the Council of the society which appointed that member shall be entitled to appoint another member to the Council.

(9) Every person appointed to fill an extraordinary vacancy shall be appointed for the residue of the term for which the vacating member was appointed.

10. Meetings of Council—(1) Meetings of the Council shall be held at such times and places as the Council or the President from time to time determines; but one meeting shall, in each financial year, be called as the annual general meeting of the Council.

(2) The President may at any time call a special meeting of the Council, and shall call a special meeting whenever requested in writing by any 4 or more members to do so.

(3) The President shall cause not less than 7 days' clear notice of every special meeting, and of the business to be transacted at that meeting, to be given to each member of the Council who is for the time being in New Zealand. No business shall be transacted at the special meeting unless it has been specified in that notice.

(4) At any meeting of the Council one half of the membership shall be a quorum.

(5) The President shall preside at every meeting of the Council at which he is present.

(6) In the absence of the President from any meeting of the Council the Vice-President shall preside, or, if both should be absent, the members attending shall appoint one of their number to preside at that meeting.

(7) No acts done by any person acting as President shall in any proceedings be questioned on the grounds that the occasion for his so acting had not arisen or had ceased.

(8) Every question before the council shall be decided by a majority of the votes cast by members present at the meeting.

(9) Subject to subclause (12) of this regulation, each member (except the President) shall be entitled to cast one vote to each question.

(10) Notwithstanding subclause (9) of this regulation, every decision of the council may be the subject of a special vote if 3 or more members immediately call for a special vote to be held.

(11) Where, pursuant to subclause (10) of this regulation, any such special vote is held—

(a) Those members representing the North Canterbury Acclimatisation Society, the Otago Acclimatisation Society, and the Southland Acclimatisation Society shall each have 3 votes:

(b) Those members representing the South Canterbury Acclimatisation Society and the Waitaki Acclimatisation Society shall each have 2 votes:

(c) All other members shall each have one vote.

(12) Where any vote is taken under this regulation, the President shall not have a deliberative vote but, in the case of an equality of votes, the President, or any other person acting as President, shall have a casting vote.

(13) A resolution signed or assented to by letter or telegram or telex by all of the members of the Council who are for the time being present in New Zealand shall have the same effect as a resolution duly passed at a meeting of the Council.

(14) Subject to this regulation and to any of the Council's rules, the Council may regulate its own procedure.

11. Committees of Council—(1) The Council may from time to time appoint—

(a) An executive committee, consisting of the President and 3 other members of the Council; and

(b) Special committees for particular purposes, which may consist of any persons, whether or not they are members of the Council.

(2) Subject to any rules of the Council or any directions or controls given or imposed by the Council, every committee may regulate its own procedure.

12. Functions and powers of Council—(1) The functions of the Council shall be—

(a) To deal with matters affecting acclimatisation societies arising under the Act, Part II of the Fisheries Act 1908, or any other Act, or any regulations made under any such Act:

(b) To act for any society or societies in the South Island in matters affecting those societies:

(c) To provide a liaison with the Departments of State charged with the administration of the enactments mentioned in paragraph (a) of this regulation:

(d) To consider scientific reports on wildlife and fish research with the object of drawing the attention of societies and the public generally to the matters contained in such reports, and to recommend appropriate action to the bodies or persons concerned:

(e) To appoint any person as a member to other bodies concerned with or affected by any of the aforesaid matters:

(f) To co-ordinate the management of game and freshwater fisheries:

(g) To promote, whether on its own behalf or on behalf of societies and other allied groups, matters relating to game, freshwater fisheries, and wildlife:

(h) To recommend to the Minister the amount of any charges, fees, and levies to be paid for any licence issued by societies under the Act:

(i) Generally, to promote the interests of societies in the South Island:

- (j) To do all such other things as may be conferred on it by the Act or any other enactment.
- (2) The Council shall have all the powers that are reasonably necessary or expedient to enable it to carry out its functions, and may—
 - (a) Subject to any enactment to the contrary, direct that any or all of its decisions shall be final and binding on all societies in the South Island:
Provided that the council shall not direct the day to day running or administration of any society nor limit, affect, restrict, or derogate from the powers, duties, functions, and discretions conferred upon a society by the Act, the Fisheries Act 1908, or any other enactment:
 - (b) From time to time make levies (either annually or otherwise) upon all societies in the South Island (whether or not they have appointed members to the Council) for the purpose of raising funds to be applied by it in carrying out its functions; and any such levy shall be payable at such time as the Council may specify and, if not so paid, may be recovered by the Council as a debt owing to it in any Court of competent jurisdiction:
 - (c) From time to time appoint such staff (including a Secretary, Treasurer, or Secretary-Treasurer) as it considers necessary for the efficient carrying out of its functions under these regulations, and may, subject to any contract of service, dismiss any staff and make other appointments.

13. Council may make rules—(1) The Council may from time to time make rules not inconsistent with these regulations for all or any of the following purposes:

- (a) Regulating the proceedings (including the conduct of meetings) of the Council and its committees:
- (b) Providing for the attendance of non-members at meetings of the Council:
- (c) Providing for the custody of the property of the Council, and the custody and use of the common seal of the Council:
- (d) Providing for such other matters as may be necessary or expedient for the carrying out of the functions of the Council.

(2) No new rule or amendment or revocation of any existing rule shall be made except at a special meeting of the Council summoned for that purpose and constituted in accordance with regulation 10 of these regulations.

(3) Notwithstanding subclauses (8) to (12) of regulation 10 of these regulations, every decision of the Council to make, amend, or revoke any rules shall be decided by a majority of two-thirds of the votes cast by the members present at the meeting.

(4) The Council shall forward a copy of any rules made, amended, or revoked under this regulation to the Secretary and to the Director-General.

14. Bank accounts—(1) The Council shall open and maintain such accounts at such banks as it thinks fit.

(2) All money received by the Council shall, as soon as practicable, be paid into one or more of its bank accounts.

(3) A bank account of the Council may only be operated on by cheque or other instrument (not being a promissory note or bill) signed by any member of the Council or by any member of the staff of the Council who is authorised to operate that account, and countersigned by any other member of the Council or member of the staff of the Council who is authorised by it to countersign such instruments.

(4) Every payment of money by the Council shall be made in accordance with any general or specific directions of the Council, and shall be authorised by the Council either generally or specifically or at the next meeting of the Council after the payment has been made.

15. General revenues—For the purpose of regulation 16 of these regulations, the general revenues of the Council shall consist of the following:

- (a) All money payable to the Council pursuant to these regulations:
- (b) All money in respect of game and fishing licences payable to the Council pursuant to the Act or the Fisheries Act 1908:
- (c) All money received by the Council from the sale, lease, or disposal of any property of the Council:
- (d) All money that may be lawfully received by the Council, including donations:
- (e) All accumulations of money belonging to the Council.

16. Expenditure—(1) After making provision for the payment into the Consolidated Fund of the annual sum as directed by the Secretary for Internal Affairs under regulation 15 of the Wildlife Regulations 1955*, the general revenues of the Council may be expended as follows:

- (a) In administering the affairs of the Council, including the provision of equipment, and the payment of actual and reasonable travel and associated expenses:
- (b) In the payment to or in respect of any staff of salaries, wages, allowances, and expenses:
- (c) In carrying out the functions of the Council and in exercising its powers, including the making of grants or otherwise to societies for any purpose:
- (d) In promoting the interests of societies and other allied groups:
- (e) With the approval of the Minister, for the purchase, taking on lease, or otherwise acquiring of land, and for the erection, improvement, alteration, or extension of buildings thereon:
- (f) On refunding the whole or any part of such actual or reasonable travel and associated expenses as the Council thinks fit to any person (not being a member of the Council) who, with the

*S.R. 1955/28 (Reprinted with Amendment No. 1: S.R. 1962/199)

Amendment No. 2: (*Revoked by S.R. 1978/73*)

Amendment No. 3: S.R. 1965/54

Amendment No. 4: S.R. 1965/70

Amendment No. 5: S.R. 1971/270

Amendment No. 6: S.R. 1972/30

Amendment No. 7: S.R. 1973/3

Amendment No. 8: (*Revoked by S.R. 1978/73*)

Amendment No. 9: S.R. 1978/73

prior approval of the Council, attends any conference or meeting, or course of study or training, that the Council considers appropriate in carrying out its functions:

(g) With the approval of the Secretary, the payment of contributions to any fund providing for retiring or superannuation allowances for any of the staff of the Council:

(h) In doing such other things as the Council considers necessary in carrying out its functions.

(2) The Council may invest any money forming part of its general revenues which are available for investment in such manner as it from time to time determines.

(3) The Council may, with the approval of the Minister, sell any estate or interest in any land.

(4) The Council may annually expend out of its general revenues, for purposes not authorised by these regulations, any sum or sums not exceeding in the aggregate one percent of its total general revenues in that year.

17. Annual accounts, etc.—(1) The Council shall at all times ensure that full and correct records of all its financial transactions, assets, liabilities, and funds are kept.

(2) At the end of each financial year, the Council shall prepare an income and expenditure account showing its financial transactions for that year, together with a balance sheet as at the last day of that year. Every such balance sheet shall give a true and fair view of the state of affairs of the Council as at the end of its financial year, and every such income and expenditure account shall give a true and fair view of the income and expenditure for that year.

(3) The Council shall cause the accounts prepared under subclause (2) of this regulation to be audited by a chartered accountant in public practice, but no person who is an officer, employee, or member of the Council shall be capable of being appointed auditor for this purpose.

(4) The Council shall, as soon as practicable after the expiration of each financial year, provide the Secretary and the Director-General with a report on its proceedings and activities during that financial year. There shall be annexed to the report copies of the income and expenditure account and balance sheet of the Council together with a copy of the report of the auditor on them.

(5) The report of proceedings and activities and the statement of accounts and the balance sheet shall be printed at the expense of the Council, and a copy thereof shall be posted to every acclimatisation society in the South Island.

18. Annual reports of societies to be given to Council—Every society in the South Island shall forward to the Council a copy of its annual report for the preceding year and a copy of its duly audited balance sheet and accounts, not later than 14 days after their adoption at the annual general meeting of that society.

19. Revocation and savings—(1) The Council of South Island Acclimatisation Societies Regulations 1959* are hereby consequentially revoked.

(2) Any rules made by the Council of South Island Acclimatisation Societies as constituted under the regulations revoked by subclause (1) of this regulation shall, to the extent that they are not inconsistent with these regulations, be deemed to have been made by the Council as constituted under these regulations.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations restructure the Council of South Island Acclimatisation Societies, broaden the scope of the Council's functions, and make provision for financial matters.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 October 1978.

These regulations are administered in the Department of Internal Affairs.