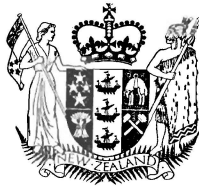


1958/5



**THE GOVERNMENT RAILWAYS WELFARE SOCIETY  
REGULATIONS 1958**

COBHAM, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 15th day of January 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Government Railways Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**REGULATIONS**

1. These regulations may be cited as the Government Railways Welfare Society Regulations 1958.

*Interpretation*

2. In these regulations, unless the context otherwise requires,—
- “The Act” means the Government Railways Act 1949:
- “The Board” means the Railway Welfare Board set up by these regulations:
- “The Department” means the New Zealand Government Railways Department:
- “The Welfare Society” means the Government Railways Welfare Society constituted by these regulations.

*Name of Society*

3. There is hereby constituted a welfare society for the purposes of providing relief or assistance or benefits to members of the society, which society shall be called the Government Railways Welfare Society and shall consist of the persons who (in accordance with the society's rules) are for the time being members of the Government Railways Welfare Society.

*Powers and Functions*

4. The Welfare Society shall be a body corporate having perpetual succession and a common seal and shall have power to make rules under its common seal which confer on it such functions and powers, and

which contain such other provisions not inconsistent with the Act or these regulations, as may be necessary or expedient for giving effect to the provisions of the Act (so far as it applies to the Welfare Society) and these regulations and for the due administration thereof.

5. No person contracting with or taking any assurance from the Welfare Society by virtue of any instrument under its common seal shall be concerned to see whether the Welfare Society is acting within its powers or be affected by any notice or information of non-compliance therewith.

6. The powers of the Welfare Society shall not be affected by the fact that at any time there may be any vacancy in the membership of the Board and no act or proceeding of the Welfare Society shall be invalidated in consequence of the subsequent discovery that any person acting as a member or a deputy of a member of the Board was incapable of being a member or a deputy of a member.

#### *Controlling Body*

7. The controlling body of the Welfare Society shall be the Railway Welfare Board which is charged with the administration and shall exercise all the powers, duties, and functions of the Welfare Society.

8. The Board shall consist of the persons for the time being occupying the positions of General Manager of Railways, of Chief Civil Engineer of Railways, of Chief Accountant of Railways, of Comptroller of Stores of Railways, of General Secretary of the Amalgamated Society of Railway Servants, of General Secretary of the Enginedrivers, Firemen, and Cleaners' Association, of General Secretary of the New Zealand Railway Officers' Institute (Incorporated), and of General Secretary of the New Zealand Railway Tradesmen's Association.

#### *Meetings of the Board*

9. The first meeting of the Board shall be held on a day to be appointed in that behalf by the chairman.

10. Subsequent meetings of the Board shall be held at such times and places as the members of the Board shall from time to time appoint.

11. The chairman or any three members of the Board may at any time call a special meeting of the Board.

12. At any meeting of the Board five members, whether present in person or by a deputy, shall form a quorum.

13. Subject to the provisions of these regulations and of any rules made hereunder the Board may regulate its procedure for the conduct of its business and for the exercise of its powers in such manner as it thinks fit.

14. The chairman of the Board shall be the person for the time being occupying the position of General Manager of Railways. In the absence of the chairman from any meeting of the Board the members present (whether in person or by a deputy) shall elect one of their number to be the chairman at that meeting.

15. At any meeting of the Board the chairman shall have a deliberative but not a casting vote.

16. If any member of the Board is unable to attend any meeting of the Board he may, by writing under his hand or by telegram or by notification by telephone to the secretary of the Board, appoint any person to act as a deputy in his place at that meeting, and that person shall, for the purposes of that meeting, have the same rights and privileges as his appointor would have been capable of exercising and enjoying had he been personally present thereat.

#### *Delegation of Powers*

17. The Board may from time to time, by writing under the seal of the Welfare Society, either generally or particularly, delegate to any Railway Welfare Management Council, district committee, local representative, or consultative committee, established by rules under its common seal all or any of its powers (including the power to execute deeds and other documents on behalf of the Welfare Society) but not including the powers of delegation conferred by these regulations.

18. Any delegation under these regulations shall be revocable at will; and no such delegation shall prevent the exercise of any power by the Welfare Society.

19. The fact that any Railway Welfare Management Council, district committee, local representative, or consultative committee, exercises any power of the Welfare Society shall, in the absence of proof to the contrary, be sufficient evidence of its authority to do so; and any power so exercised shall be as valid and binding as if exercised by the Welfare Society itself.

20. Unless and until any delegation made under these regulations is revoked it shall continue in force according to its tenor.

#### *Common Seal*

21. The common seal of the Welfare Society shall be kept in the custody of the secretary.

#### *Contracts*

22. Contracts on behalf of the Welfare Society may be made as follows:

- (a) A contract which if made between private persons would be by law required to be by deed may be made on behalf of the society in writing under the common seal of the Welfare Society attested by the chairman of the Board or any three members of the Board or of the Railway Welfare Management Council:
- (b) A contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the Welfare Society in writing signed by any person acting under the authority of the Welfare Society or the Board, express or implied:
- (c) A contract which if made between private persons would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the Welfare Society by any person acting under the authority of the Welfare Society or the Board, express or implied.

*Officers*

23. The General Manager of Railways may from time to time appoint an officer of the Department to be secretary of the Board. The secretary of the Board shall not be a member thereof nor be entitled to vote at any meeting thereof.

24. The secretary shall be responsible for keeping a proper record of business transacted by the Board and shall have such other duties as the Board shall determine; and he shall, at all times, conform to the directions of the Board.

T. J. SHERRARD,  
Clerk of the Executive Council.

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**EXPLANATORY NOTE**

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

These regulations provide for the establishment of a Government Railways Welfare Society for the purpose of providing relief or assistance or benefits to members of the Society.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 January 1958.

These regulations are administered in the Government Railways Department.