



THE HOWARD ESTATE REGULATIONS 1978

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 18th day of December 1978

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 29 of the Howard Estate Act 1978, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

1. Title and commencement

Smedley Cadet Training Farm

2. Number of persons enrolled may be restricted

3. Qualifications for enrolment

4. Applications for enrolment

5. Board to control enrolments

6. Courses of training and instruction

Howard Estate Advisory Board

7. Recommendations

8. Travelling allowances and expenses

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Howard Estate Regulations 1978.

(2) These regulations shall come into force on the 1st day of January 1979.

Smedley Cadet Training Farm

2. Number of persons enrolled may be restricted—The number of persons enrolled for training at the Training Farm in any financial year shall not exceed the number (if any) specified in that behalf by the Public Trustee after consultation with the Board.

3. Qualifications for enrolment—No person shall be enrolled for training at the Training Farm unless—

(a) He is or will be over 15 and under 20 on the date referred to in regulation 4 (b) of these regulations; and

(b) The Board is satisfied that he has attained a reasonable standard of education.

4. Applications for enrolment—The following provisions shall apply to applications for enrolment for training at the Training Farm:

- (a) Every application shall be in a form for the time being prescribed by the Board:
- (b) No application in respect of any year shall be accepted unless it is received at the office of the Board in Napier before noon on the day the Board has specified in that behalf.

5. Board to control enrolments—(1) Subject to regulation 3 of these regulations, the Board, after having regard to the general character and fitness for enrolment of persons whose applications for enrolment for training at the Training School in any year are in conformity with regulation 4 of these regulations, may accept such of them as it thinks fit.

(2) Notwithstanding subclause (1) of this regulation, where more persons of suitable general character and fitness for enrolment have applied for enrolment than can be enrolled at the Training Farm, the Board shall give preference to those of them whose homes are, in the opinion of the Board, situated in the Provincial District of Hawke's Bay.

6. Courses of training and instruction—Cadets shall undertake such courses of theoretical and practical tuition, training, and instruction as the Public Trustee, after consultation with the Board, from time to time directs.

Howard Estate Advisory Board

7. Recommendations—(1) Each of the recommendations required by section 19 (1) of the Act shall be forwarded to the Governor-General through the Minister, and shall be in the form of a written certificate that the bodies concerned recommend the appointment, signed by—

- (a) The Secretary of the Hawke's Bay Provincial Executive of Federated Farmers of New Zealand (Incorporated) in the case of the recommendation required by the paragraph (a) of the said section 19 (1):
 - (b) The Secretary of the Hawke's Bay Education Board in the case of the recommendation required by paragraph (b) of the said section 19 (1):
 - (c) The Public Trustee in the case of a recommendation required to be made under paragraph (c) or paragraph (d) or paragraph (e) of the said section 19 (1):
- (2) The Public Trustee shall not give any certificate under subclause (1) (c) of this regulation unless he has gone through the following procedure:

- (a) Not later than the 31st day of October in any financial year in which the terms of office of the members expire, the Public Trustee shall cause to be prepared in respect of each of paragraphs (c), (d), and (e) of section 19 (1) of the Act a roll of the bodies specified in that paragraph:
- (b) After a roll has been prepared, the Public Trustee shall in writing request the Chairman of each body on that roll to nominate a person for appointment as a member:
- (c) Where only one person is so nominated, the Public Trustee shall forthwith give the certificate, naming that person:
- (d) Where more than one person is so nominated, the Public Trustee shall cause to be prepared a list of the names of those persons, and shall in writing request the Chairman of each body on that roll to nominate a person whose name is on that list for appointment as a member:

- (e) Where only one person whose name is on such a list—
- (i) Is so nominated; or
 - (ii) Is so nominated by a greater number of bodies than is any other person—
- the Public Trustee shall forthwith give the certificate naming that person:
- (f) Where more than one person whose name is on such a list is so nominated, and 2 or more of them are nominated by—
- (i) The same number of bodies; and
 - (ii) A greater number of bodies than is any of the others,—
- the Public Trustee shall forthwith give to the Governor-General a certificate to the effect that each of those persons has been jointly nominated; and in that case any one of them may be appointed.

(3) Every nomination required by subclause (2) of this regulation shall be in writing, signed by the Chairman concerned, and delivered to the Public Trustee at such place, and on or before such date, as he specifies in his request for it.

(4) Whenever he gives a certificate under subclause (1) (c) of this regulation, the Public Trustee shall forward a copy to the Chairman of each of the bodies whose joint recommendation it relates to.

8. Travelling allowances and expenses—(1) Each member shall, when absent from his usual place of residence on business of the Board, be paid—

- (a) His actual and reasonable travelling and accommodation expenses; and
 - (b) A travelling allowance (which shall be not less than \$10 and not more than an amount approved by the Minister in that behalf) for every day or part of a day during which he is so absent.
- (2) For the purposes of subclause (1) of this regulation, “business of the Board” means—
- (a) Attendance at a meeting of the Board or of a Committee of the Board; or
 - (b) Business transacted pursuant to a resolution of the Board.

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, which come into force with the Howard Estate Act 1978 on 1 January 1979, provide for various matters under that Act. In particular they prescribe the manner of appointment of members of the Howard Estate Advisory Board and the travelling allowances payable to them, and provide for the enrolment of cadets at the Smedley Cadet Training Farm and their courses of training.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1978.

These regulations are administered in the Public Trust Office.