

1966/30



THE INDIGENOUS FOREST TIMBER ADVISORY COMMITTEE REGULATIONS 1966

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 21st day of March 1966

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Forests 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. (1) These regulations may be cited as the Indigenous Forest Timber Advisory Committee Regulations 1966.
- (2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.
2. In these regulations, unless the context otherwise requires,—
 - “Committee” means the Indigenous Forest Timber Advisory Committee constituted under these regulations;
 - “Federation” means the Dominion Sawmillers Federation Incorporated;
 - “Forest Service” means the New Zealand Forest Service;
 - “Minister” means the Minister of Forests.
3. (1) There shall be an advisory committee which shall be known as the Indigenous Forest Timber Advisory Committee.
 - (2) The Committee shall consist of—
 - (a) The Director-General of Forests;
 - (b) The Director of Forest Economics of the Forest Service;
 - (c) One Conservator of Forests, to be appointed from time to time by the Director-General of Forests;
 - (d) The President of the Federation;
 - (e) Two members of the Committee of the Federation, as from time to time appointed by that Committee.
 - (3) Where a person who is a member of the Committee by virtue of his office in terms of paragraph (a), paragraph (b), or paragraph (d) of subclause (2) of this regulation is for any reason unable to attend any meeting of the Committee, the person who, in the event of the

absence, illness, incapacity, death, or other disability of the holder of the office, would at the time of the meeting be ordinarily entitled or appointed to exercise the ordinary duties of the office shall be entitled to attend the meeting in his stead.

(4) Where a person entitled by virtue of appointment under paragraph (c) or paragraph (e) of subclause (2) of this regulation is for any reason unable to attend any meeting of the Committee, a substitute who is eligible to be appointed under the paragraph may be appointed by the relevant appointing authority generally or for that meeting, and shall be entitled to attend the meeting in his stead.

(5) While any person is attending any meeting of the Committee in accordance with authority conferred under subclause (3) or subclause (4) of this regulation, he shall be deemed for all purposes to be a member of the Committee.

(6) The fact, duly recorded in the minutes of any meeting of the Committee, that a person has attended that meeting in one of the capacities specified in the foregoing provisions of this regulation, shall be sufficient evidence of his authority to do so in the absence of proof to the contrary.

(7) The Committee or any subcommittee may by resolution authorise any person to attend its meetings or any of them as a non-voting observer.

4. (1) The Chairman of the Committee shall be the Director-General of Forests, or in his absence from any meeting for any reason the person attending the meeting in his stead pursuant to subclause (3) of regulation 3 of these regulations.

(2) The Chairman of any meeting of the Committee shall have a deliberative vote and also a casting vote.

5. (1) The Committee shall investigate from time to time—

(a) The present and potential resources of the indigenous forests of New Zealand, including—

(i) Estimating resources;

(ii) Forecasting consumption;

(iii) Recommending levels of production; and

(iv) Implications of policies:

(b) The method of sale and allocation of State indigenous bush and logs:

(c) The methods adopted by the Forest Service in determining valuations for indigenous bush and log sales;

(d) Such matters as arise from or are incidental to the above;

(e) Such other matters as are from time to time referred to the Committee by the Minister.

(2) The Committee shall have regard to indigenous timber conservation policies and the need to safeguard public interest.

6. (1) Meetings of the Committee shall ordinarily be held at such time and place as may be stated in each case by or on behalf of the Chairman in a notice convening the meeting.

(2) Previous to any meeting of the Committee (except in case of emergency, when it may be convened within less time) notice to attend the meeting, signed by or on behalf of the Chairman, shall be sent through the Post Office or delivered to the ordinary business address of each member not less than 21 days before the date appointed for the meeting.

(3) At any meeting of the Committee four members, of whom at least two shall be officers of the Forest Service and at least two shall be officers of the Federation, shall form a quorum.

(4) If at the time when any meeting of the Committee votes on any question, the number of the group of officers of the Forest Service who are in attendance as members differs from the number of the group of officers of the Federation who are in attendance as members, a member or members of the larger group equal in number to the difference between the numbers of the two groups shall be ineligible to cast a deliberative vote on the question. Where the larger group is composed of officers of the Forest Service, the Chairman shall indicate the officers who (in accordance with this subclause) are ineligible to cast a deliberative vote on the question. Where the larger group is composed of officers of the Federation, the President of the Federation, or a member of the Committee authorised by him, shall indicate the officers of the Federation who (in accordance with this subclause) are ineligible to cast a deliberative vote on the question.

(5) Every question before any meeting of the Committee shall be determined by a majority of the votes of the members present and voting thereon while eligible to do so.

(6) The use of proxies shall not be permitted.

(7) Except as expressly provided in these regulations, the Committee may regulate its procedure in such manner as it thinks fit.

7. (1) Proper minutes shall be kept of the proceedings of each meeting of the Committee in a book or file to be kept for that purpose.

(2) Any such minutes, if purporting to be signed by the Chairman of that meeting or of the next succeeding meeting after due confirmation shall in the absence of proof to the contrary, be sufficient evidence of the matters stated in those minutes.

(3) Where minutes of any proceedings of the Committee at any meeting have been made in accordance with this regulation, then, until the contrary is proved, the meeting shall be deemed to have been duly convened and held and all proceedings had thereat shall be deemed to have been duly conducted.

8. The Chairman may from time to time designate an officer of the Forest Service to act as secretary to the Committee for the purpose of issuing notices, keeping minutes, and performing general clerical duties for the Committee.

9. (1) The Committee may from time to time appoint any subcommittees for the purposes of gathering data, drafting reports, and other preparatory work in relation to the purposes of the Committee.

(2) The provisions of subclauses (3), (4), (5), and (6) of regulation 3 of these regulations shall apply to the members of any such subcommittee so far as they are applicable and with the necessary modifications.

10. The Committee shall from time to time submit to the Minister such reports and recommendations, including any minority opinions, as it arrives at.

T. J. SHERRARD,
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 provide for the setting up of an advisory committee to inform the Minister regarding New Zealand indigenous forest resources and working, having regard to conservation and public interest.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 March 1966.

These regulations are administered in the New Zealand Forest Service.