



THE WAR FUNDS EMERGENCY REGULATIONS 1941.

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 5th day of March, 1941.

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the War Funds Emergency Regulations 1941.

2. In these regulations—

“Minister” means the Minister of Internal Affairs :

“Society” includes any society, trustees, or branch society incorporated pursuant to section 12 of the War Funds Act, 1915.

3. It shall be lawful for the name by which any society is incorporated to be changed subject to the conditions herein set out.

4. The approval of the Minister to the proposed new name shall first be obtained on application in writing made to him under the seal of the society.

5. The application shall be accompanied by a certificate from a responsible officer of the society to the effect that the application has been authorized by the society by the like resolution or other procedure as that by which rules of the society may be altered.

6. The society shall also make such alterations in its rules as may be consequentially necessary or desirable upon the change of name, but such alterations shall be made so as to take effect when the change of name takes effect, and not sooner or otherwise.

7. The Minister shall not approve a proposed new name if to his knowledge it is identical with the name of any other corporate body or the name of any unincorporated society or body of persons having in his opinion a better moral claim to use the name, or if in his opinion it so nearly resembles any such name as to be calculated or likely to deceive.

8. If the Minister approves the proposed new name, the Governor-General may, by Warrant published in the *Gazette*, declare that the name of the society shall, on and from the date of such publication or such later date as may be stated in the Warrant, be the new name proposed and approved as aforesaid.

9. If to the knowledge of the Minister the name of a society is identical with the name of any other corporate body or the name of any unincorporated society or body of persons having in his opinion a better moral claim to use the name, or if in his opinion it so nearly resembles any such name as to be calculated or likely to deceive, the Minister may by notice in writing call upon the society to apply to change its name in manner aforesaid to another name approved by the Minister.

10. If within one month after such notice is given the society fails to apply to change its name, or within one further month does not propose a name approved by the Minister, the Attorney-General may in a summary way require the society to show cause before the Supreme Court or a Judge thereof why an order should not be made by the Court changing the name of the society to a name determined by the Court, and the Court may make such order changing the name of the society as it thinks just, and the Minister may cause such order to be published in the *Gazette*, and such order when so published shall have the same effect as a Warrant made and published under Regulation 8 hereof.

11. Where the name of a society has been changed under these regulations neither the society nor any officer or member thereof or person acting on its behalf shall designate the society otherwise than by the lawful name of the society for the time being.

12. If the rules of any society fail to make provision or make insufficient provision for alterations to be made in the rules thereof, then, subject to the rules of the society, the rules thereof may be altered either by declaration in writing signed by at least three-fourths in number of the members or corporators of the society for the time being or by resolution passed by at least three-fourths in number of the members or corporators present and entitled to vote or represented by proxy, if voting by proxy be permitted by the rules of the society, at a general meeting of which at least fourteen days' notice or such other notice of general meetings as the rules require has been given to every member of the society in such particular manner, if any, as the rules require, and otherwise by writing sent by post to every member at his registered or notified or last known or usual place of business or abode.

13. No alteration of rules shall take effect until and unless it has been approved in writing by the Minister.

14. The place where copies of rules of a society are open for inspection shall from time to time be notified by the society to the Minister, and any notice to be given or document to be served by any person upon the society may be given or served by sending the same by registered post addressed to the society at the place so notified or by delivering the same during ordinary hours of business to any person at such place appearing to have charge thereof.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 13th day of March, 1941.

These regulations are administered in the Department of Internal Affairs.

(I.A. 153/32.)