

RECORD OF IMPROVEMENTS UNDER SECTION 264 OF THE ACT.

43. Every application to a Board by a lessee under section 264 of the Act to have recorded the particulars of the nature of improvements and the condition of the land before the making of such improvements may be made in the Form No. 10 in the Second Schedule hereto.

44. Every such application shall be accompanied by a deposit of five pounds as payment or part payment of the expenses incurred by the Board in ascertaining the particulars to be recorded.

45. If the expenses so incurred do not amount to the sum so deposited by the lessee he shall be entitled to a refund of the difference, and if the expenses so incurred exceed the amount deposited the excess shall constitute a debt due by the lessee to the Board.

46. The record of the said improvements may be in the Form No. 11 in the Second Schedule hereto.

47. Every such record shall be made in duplicate under the seal of the Board. One copy thereof shall be permanently preserved among the records of the Board, and the other copy shall be delivered to the lessee.

48. The decision of the Board as to the particulars so to be recorded shall be final and conclusive so far as regards the right of the lessee to have any such record made.

ASSEMBLED OWNERS.

49. An application to summon a meeting of owners under section 341 of the Act may be in the Form No. 12 in the Second Schedule.

50. Every application shall be in writing, and shall state the nature of the resolution it is proposed the assembled owners should pass, and in the case of any such resolution as is referred to in paragraph (f) of section 346 of the Act shall contain a statement of all the material terms and conditions of the proposed alienation.

51. Immediately upon receiving such application the Board shall give such consideration thereto as it thinks necessary; and if in its opinion the meeting is one that should be called, and the alienation or other proposal can be lawfully carried into effect, the Board shall fix a time and place for the holding of a meeting of the owners to consider the same. The Board shall give the applicant, if he so desires, an opportunity of being heard in support of his application.

52. A meeting of owners shall be summoned by the President by a notice in the Form No. 13 in the Second Schedule. The notice shall be published in the *Gazette* and *Kahiti* at least fourteen days before the time appointed for the holding of the meeting, and such other notices of the meeting may be given as the President or the Board thinks expedient.

53. An owner may appoint a proxy (who must be beneficially interested in the land) by writing under his hand in the Form No. 14 in the Second Schedule, attested by some person authorized by the Act to attest the will of a Native. Such proxy shall not be available except by leave of the representative of the Board at the meeting, and shall be handed in to the Board or its representative previous to the commencement of the meeting. No person shall act as proxy at any meeting of assembled owners after the death of the person who has given the proxy. No proxy form shall be valid unless the same shall state whether the person giving the same is in favour of or against the proposed resolution, and no proxy shall vote otherwise than in accordance with such declaration.

54. If at the time and place appointed for the meeting, or within one hour thereafter, a quorum is not present, or for any reason the meeting cannot be held at that time, it shall stand adjourned to such time and place as the representative of the Board, if present, appoints, and if he is not present then it shall stand adjourned from day to day at the same time and place until the fourteenth day thereafter, when the meeting, if not held, shall lapse.

55. Any meeting may be adjourned by resolution to such time and place as the resolution appoints.

56. The owners or their representatives present at any meeting shall appoint a chairman, who shall preside at such meeting and conduct the business thereof. The representative of the Board or any person present at the meeting may be appointed chairman. If at any adjournment such chairman is not present another chairman may be appointed. The representative of the Board shall be allowed to speak and advise the meeting as to what in his opinion is the proper course to take under any particular circumstances.

57. The chairman shall call for a show of hands for and against any resolution proposed at the meeting. If no one votes against the resolution the resolution shall be deemed to be carried unanimously. Where some of the owners or their representatives vote against the resolution the chairman shall ascertain whether the voting is in favour of or against the resolution, according to the respective shares and interests in the land of those voting, and shall declare accordingly whether the resolution is carried or not.

58. If there are some owners or representatives who vote against the resolution, and the resolution is declared carried, the chairman shall cause a record of the names of the dissentients and their shares to be made, and, unless in the opinion of the representative of the Board it is unnecessary to do so from the fact that it is beyond all question that those in favour of the resolution own the larger aggregate share of the land affected, the chairman shall also cause the names and shares of those in favour of the resolution to be recorded.

59. Every such resolution, when carried, shall be reduced to writing and signed by the representative of the Board, and countersigned by the chairman or some owner or representative present at the meeting.

60. A memorial of dissent from such resolution may be in the Form No. 15 in the Second Schedule