



THE
NEW ZEALAND GAZETTE
 EXTRAORDINARY.

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WELLINGTON, THURSDAY, APRIL 5, 1917.

*Regulations under the War Regulations Act, 1914, and its Amendments,
 for the Management of Soldiers' Properties.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this second day of April,
 1917.

Present:

THE HONOURABLE W. H. HERRIES PRESIDING IN COUNCIL.

WHEREAS, having regard to the exigencies of the present war and the conditions created thereby, and for the purpose of better securing the effective conduct of the military operations of His Majesty and the maintenance of industries essential for the public welfare, it is deemed advisable to make provision in manner hereinafter appearing for the management and disposition of the business, property, and affairs of soldiers of the Expeditionary Forces of New Zealand:

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of that Dominion, do hereby, in pursuance of the War Regulations Act, 1914, and its amendments, make the following regulations under that Act.

REGULATIONS.

1. THESE regulations may be cited as the Soldiers' Property Regulations, 1917.

2. In these regulations—

“Soldier” means a member of any Expeditionary Force constituted under the Expeditionary Forces Act, 1915.

“National Efficiency Board” means the National Efficiency Board constituted by the Governor by Warrant dated the 27th day of February, 1917.

“Board of Trustees” or “Trustees” means a Soldiers' Property Board of Trustees constituted and appointed under these regulations.

3. (1.) The Minister of Defence may, on the recommendation of the National Efficiency Board, constitute and appoint such number of Boards of Trustees (herein referred to as Soldiers' Property Boards of Trustees) as he thinks necessary to carry into effect the purposes of these regulations.

(2.) Every such Board of Trustees shall be constituted and appointed with such official name as the said Minister thinks proper, thus "The [*Distinctive name*] Soldiers' Property Board of Trustees."

(3.) Every such Board of Trustees shall consist of not less than four members, who shall hold office during the pleasure of the said Minister, and of whom one shall be a member of the National Efficiency Board. The last-mentioned member may, by writing under his hand, appoint as his proxy, to act at any meeting of the Board of Trustees in his absence, any person who may be nominated in that behalf by the Minister of Defence. Such nomination and appointment respectively may be either general or for the purposes of any particular meeting. Any person so acting as a proxy at any meeting shall for the purposes of that meeting have all the powers of the member for whom he acts.

(4.) Each such Board of Trustees shall from time to time appoint one of its members to be the Chairman of the Board of Trustees.

(5.) In the absence of the Chairman from any meeting of a Soldiers' Property Board of Trustees the members present shall elect one of their number to be the chairman for that meeting.

(6.) Meetings of any Board of Trustees shall be held at such times and places as the Chairman may appoint. The Chairman shall at any time summon a meeting of the Board of Trustees on the requisition in writing of any two members of that Board.

(7.) At any meeting two members of a Board of Trustees shall form a quorum, and the decision of a Board of Trustees on any question before it shall be determined by a majority of the votes cast.

(8.) At all meetings of a Board of Trustees the Chairman shall have a deliberative vote, and in the event of an equality of voting shall have a casting-vote also.

4. All deeds and other instruments executed by a Board of Trustees shall be signed by the Chairman and one other member thereof acting with the approval in writing of the National Efficiency Board.

5. (1.) Any soldier, whether of full age or a minor, may by a power of attorney purporting to be executed in pursuance of these regulations appoint any Board of Trustees in its official name as his attorney, to exercise in respect of his property, business, or affairs, or any part thereof, in accordance with these regulations, such powers of management, sale, lease, or disposition as may be mutually agreed on between such soldier and the Trustees.

(2.) No such power of attorney shall be accepted by a Board of Trustees except with the consent in writing of the Chairman of the National Efficiency Board or of the member of the Board of Trustees who is for the time being a member of the National Efficiency Board.

6. Every such power of attorney shall have the same operation and effect as if it had been granted jointly and severally to all of the members of the Board of Trustees who are in office at the time of the execution of the power of attorney, and to their successors in office, to the intent that the powers conferred by such power of attorney shall be exercisable from time to time and jointly or severally by the members of that Board for the time being in office.

7. Every such power of attorney shall continue in force for all purposes notwithstanding any notice of the death or incapacity of the soldier, and notwithstanding any revocation thereof, and notwithstanding the discharge of the soldier from the Expeditionary Force, unless and until the Board of Trustees receives not less than three months' express notice in writing signed by the soldier of the revocation of the power of attorney, or, in the event of the death of the soldier, until probate of the will or administration of the estate of the soldier has been granted by the Supreme Court of New Zealand, or if probate of the will or letters of administration have been first granted by any other Court, then until such probate or letters of administration have been resealed in the Supreme Court of New Zealand: Provided that the Board of Trustees may, with the approval of the National Efficiency Board and on giving to the soldier not less than three months' notice in writing of its intention so to do, surrender the trust at any time after the discharge of the soldier from the Expeditionary Force.

8. Every power of attorney granted under these regulations shall be subject not only to these regulations, but to every amendment thereof which may at any time thereafter be made in these regulations by Order in Council, save that no such amendment shall so operate as to confer upon any Board of Trustees any power which is beyond the scope of such power of attorney.

9. No member of a Board of Trustees under these regulations shall incur any liability in respect of anything done or omitted by him in good faith in the execution or intended execution of the powers conferred by these regulations or by any power of attorney granted thereunder.

10. All moneys belonging to a soldier and coming to the hands of a Board of Trustees in pursuance of these regulations or of any power of attorney granted by that soldier shall, except so far as such moneys are, in the opinion of that Board, presently required for expenditure in pursuance of such regulations or power of attorney, be deposited in the Post Office Savings-bank or with the Public Trustee so as to form part of the common fund of the Public Trust Office: Provided that the Board of Trustees may, with the approval of the National Efficiency Board, from time to time withdraw any moneys so deposited if in the opinion of the Board of Trustees such moneys are required by it for expenditure as aforesaid.

11. (1.) Every Board of Trustees acting under a power of attorney executed pursuant to these regulations shall keep such accounts as the National Efficiency Board may from time to time prescribe.

(2.) All such accounts shall be audited half-yearly by an auditor approved for the purpose by the National Efficiency Board.

(3.) At the close of each year or of such other period as the National Efficiency Board may appoint, the Board of Trustees shall prepare and submit to the National Efficiency Board a balance-sheet signed by the auditor, together with a statement of receipts and expenditure for the same period, and such other statements as the National Efficiency Board may require.

12. Any power of attorney executed pursuant to these regulations for the management of any property as a farm, may authorize the Board of Trustees to manage such farm jointly with any other farm (whether a soldier's property or not), and in any such case the expenses of management shall be divided between the several properties in such proportions as the Trustees think proper.

13. The National Efficiency Board may from time to time make such rules for the guidance, direction, and assistance of Boards of Trustees as it may deem necessary for the efficient exercise and performance by such Boards of the powers and duties conferred or imposed on them by these regulations or by any power of attorney executed pursuant thereto, and every such Board of Trustees shall in the exercise of its functions be subject in all respects to the control and direction of the National Efficiency Board.

F. W. FURBY,
Acting Clerk of the Executive Council.