

*Regulations under the Hunter Gift for the Settlement of Discharged Soldiers Act, 1921.*

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 16th day of July, 1928.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and in exercise of the powers conferred on him by the Hunter Gift for the Settlement of Discharged Soldiers Act, 1921 (hereinafter referred to as "the said Act"), His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations; and doth hereby declare that the regulations shall come into force on the date of the publication thereof in the *New Zealand Gazette*.

REGULATIONS.

1. In these regulations, if not inconsistent with the context,—  
 "Board" means the Hunter Soldiers' Assistance Trust Board as established by the said Act;  
 "Chairman" means the Chairman of the said Board;  
 "Minister" means the Minister of Lands.

PART I.

*Members.*

2. The office of a member of the Board appointed pursuant to paragraph (b) of subsection (2) of section 7 of the said Act shall become vacant if he
- Dies; or
  - Resigns his office by writing addressed to the Chairman; or
  - Becomes of unsound mind; or
  - Becomes bankrupt, or makes any composition with his creditors for less than twenty shillings in the pound, or makes an assignment of his estate for the benefit of his creditors; or
  - Is convicted of an offence punishable by imprisonment; or
  - Is guilty of any negligent, improper, or fraudulent conduct which, in the opinion of the Minister of Lands, renders him unfit for the office; or
  - Is absent without sufficient cause from three successive ordinary meetings of the Board without the leave of the Board.
3. The Chairman shall forthwith cause the Minister to be notified of every vacancy in the membership of the Board as it occurs.
4. (1) There shall be paid to each member of the Board, other than the Chairman, for each day or part of a day on which he is travelling or occupied in connection with the business of the Board a fee of one pound ten shillings.  
 (2) There shall also be paid to each member of the Board for each day or part of a day on which he is travelling in connection with the business of the Board any money expended by him in payment for coach, motor, railway, steamboat, or other conveyance, or in lieu thereof an allowance to be fixed by the Board not exceeding sixpence a mile, computed for one way only of the distance over which he may have to travel.

*Meetings of Board.*

5. (1) The Board shall meet at the office of the Commissioner of Crown Lands, Napier, or at such other place or places as the Board may from time to time determine.  
 (2) The first meeting of the Board shall be held on a day to be appointed in that behalf by the Chairman.  
 (3) Special meetings of the Board may be called at any time by the Chairman.  
 (4) Subject to the provisions herein the Board may regulate its own procedure.

PART II.

*Administration.*

6. An officer of the Department of Lands and Survey may, with the Minister's approval, be appointed as Secretary to the Board, whose duty will be to take charge of minute-book and all records and papers of the Board, and to do such things as shall be necessary for the proper carrying-out of the duties of the Board.  
 7. All transfers, deeds, releases, or other documents, the execution of which is required for the carrying-out of the purposes of the said Act, shall be executed by the Commissioner of Crown Lands for the Hawke's Bay Land District for and on behalf of the Board.

PART III.

*Advances.*

8. For the purpose of making advances to discharged soldiers, or loans to orphans, pursuant to section 8 of the said Act, the provisions of paragraphs (b), (d) (except proviso), (e), (f), and (g) of clause 20; clauses 21, 21A, 29, 31, 32, 33

(except proviso), 34, 35, 36, 38, 40, 41, and 42 of Part II of the regulations made under the Discharged Soldiers Settlement Act, 1915, or of any regulations that may hereafter be made in substitution thereof, together with the forms and schedules referred to therein, shall, with the necessary modifications, apply, and such regulations shall have effect as if they were fully set out at length herein, subject, however, to the following provisions:—

- All references in the regulations to "Minister of Lands" and "Minister" shall be deemed to be references to the Board;
- The maximum advance that may be made to any discharged soldier for any of the purposes set out in section 8 of the said Act shall not exceed the sum of £250: Provided that in special cases when, in the opinion of the Board, such amount is insufficient the Board may advance up to, but not exceeding, £500.
- The rate of interest to be charged in respect of advances and loans shall be 5½ per centum per annum.

PART IV.

*Grants or Loans to Orphan Children of Deceased Soldiers.*

9. In this part of the regulations, if not inconsistent with the context,—

"Orphan child" means a child under the age of sixteen years, being a son, daughter, step-son, or step-daughter of a deceased discharged soldier as defined by the said Act, or a child legally adopted by such discharged soldier before leaving New Zealand on active service, but does not include any child in respect of whom a pension out of public moneys is payable under the Pensions Act, 1926, or the War Pensions Act, 1915, or other enactment;

"Grant" means a grant made under this part of these regulations;

"Loan" means a loan made under this part of these regulations;

10. The Board may in its discretion make such grants or loans for the benefit of orphan children of deceased soldiers as it thinks fit. Before making any grant the Board shall make such inquiries concerning the circumstances of the orphan as it thinks necessary.

11. A grant shall not exceed the sum of ten pounds.

12. A loan shall not exceed the sum of £100.

13. Any grant may be paid to the mother, guardian, legal representative, or nearest relative of the said orphan, to be used solely for the benefit of such orphan, or it may be expended by the Board for the benefit of the said orphan.

14. A loan shall be granted for a period not exceeding ten years, and shall be secured by mortgage bearing interest at 5½ per centum per annum. Any such mortgage may be renewed for any further term not exceeding ten years if, in the opinion of the Board, circumstances warrant such renewal.

15. A loan may be secured by way of mortgage on an estate of freehold in fee-simple, or any leasehold under the Land Act, 1924, the Land for Settlements Act, 1925, the Discharged Soldiers Settlement Act, 1915, or the Education Reserves Amendment Act, 1910, owned or held by the mother, guardian, legal representative, or nearest relative of the orphan to whom the loan is granted.

16. Any loan shall be granted solely for the use and benefit of the orphan, and a statement to that effect shall be inserted in every such mortgage.

17. No grant shall be made to any orphan when the total income of the mother of the orphan and her children exceeds an average rate of five pounds a week. The weekly income shall be computed by the Board in the manner prescribed by section 4 of the Family Allowance Act, 1926.

18. Any loan may be secured either by way of flat mortgage or instalment mortgage, as the Board thinks fit.

PART V.

*General.*

19. In the event of any mortgagor hereunder being unable at any time by reason of any natural disaster or other sufficient cause to pay the interest due under his mortgage, the Board, on being satisfied that it would be reasonable and equitable to afford relief, may remit the interest payable in respect of any period or periods not exceeding five years in the aggregate, or may postpone until such date or dates as the Board may determine the payment of interest in respect of any period or periods, not exceeding five years in the aggregate.

20. An instrument by way of security (within the meaning of the Chattels Transfer Act, 1924) over the following classes of chattels may be accepted as collateral security in respect of any loan granted under the said Act, in addition to the mortgage required to be given: Sheep, cattle, horses, pigs, poultry and ostriches, any other chattels as defined by the Chattels Transfer Act, 1924, but no chattel which may be the subject of a Customary Hire-purchase Agreement, as set out in the Seventh Schedule to that Act.

F. D. THOMSON,  
 Clerk of the Executive Council.