

Reprint
as at 1 March 2002



Howard Estate Regulations 1978 (SR 1978/336)

Keith Holyoake, Governor-General

Order in Council

At the Government House at Wellington this 18th day of December 1978

Present:

His Excellency the Governor-General in Council

Pursuant to section 29 of the Howard Estate Act 1978, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Public Trust.

Howard Estate Advisory Board

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Regulations**1 Title and commencement**

- (1) These regulations may be cited as the Howard Estate Regulations 1978.
- (2) These regulations shall come into force on 1 January 1979.

*Smedley Cadet Training Farm***2 Number of persons enrolled may be restricted**

The number of persons enrolled for training at the Training Farm in any financial year shall not exceed the number (if any) specified in that behalf by Public Trust after consultation with the Board.

Regulation 2: amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

3 Qualifications for enrolment

No person shall be enrolled for training at the Training Farm unless—

- (a) he is or will be over 15 and under 20 on the date referred to in regulation 4(b); and
- (b) the Board is satisfied that he has attained a reasonable standard of education.

4 Applications for enrolment

The following provisions shall apply to applications for enrolment for training at the Training Farm:

- (a) every application shall be in a form for the time being prescribed by the Board;
- (b) no application in respect of any year shall be accepted unless it is received at the office of the Board in Napier before noon on the day the Board has specified in that behalf.

5 Board to control enrolments

- (1) Subject to regulation 3, the Board, after having regard to the general character and fitness for enrolment of persons whose applications for enrolment for training at the Training School in any year are in conformity with regulation 4, may accept such of them as it thinks fit.

- (2) Notwithstanding subclause (1), where more persons of suitable general character and fitness for enrolment have applied for enrolment than can be enrolled at the Training Farm, the Board shall give preference to those of them whose homes are, in the opinion of the Board, situated in the Provincial District of Hawke's Bay.

6 Courses of training and instruction

Cadets shall undertake such courses of theoretical and practical tuition, training, and instruction as Public Trust, after consultation with the Board, from time to time directs.

Regulation 6: amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Howard Estate Advisory Board

7 Recommendations

- (1) Each of the recommendations required by section 19(1) of the Act shall be forwarded to the Governor-General through the Minister, and shall be in the form of a written certificate that the bodies concerned recommend the appointment, signed by—
- (a) the Secretary of the Hawke's Bay Provincial Executive of Federated Farmers of New Zealand (Incorporated) in the case of the recommendation required by the paragraph (a) of the said section 19(1):
 - (b) the Secretary of the Hawke's Bay Education Board in the case of the recommendation required by paragraph (b) of the said section 19(1):
 - (c) Public Trust in the case of a recommendation required to be made under paragraph (c) or paragraph (d) or paragraph (e) of the said section 19(1):
 - (d) the Secretary of the Smedley Ex-Cadets Association Incorporated in the case of the recommendation required by paragraph (f) of the said section 19(1).
- (2) Public Trust shall not give any certificate under subclause (1)(c) unless it has gone through the following procedure:
- (a) not later than 31 October in any financial year in which the terms of office of the members expire, Public Trust shall cause to be prepared in respect of each of paragraphs (c), (d), and (e) of section 19(1) of the Act a roll of the bodies specified in that paragraph:
 - (b) after a roll has been prepared, Public Trust shall in writing request the Chairman of each body on that roll to nominate a person for appointment as a member:
 - (c) where only 1 person is so nominated, Public Trust shall forthwith give the certificate, naming that person:

- (d) where more than 1 person is so nominated, Public Trust shall cause to be prepared a list of the names of those persons, and shall in writing request the chairman of each body on that roll to nominate a person whose name is on that list for appointment as a member:
- (e) where only 1 person whose name is on such a list—
 - (i) is so nominated; or
 - (ii) is so nominated by a greater number of bodies than is any other person—

Public Trust shall forthwith give the certificate naming that person:

- (f) where more than 1 person whose name is on such a list is so nominated, and 2 or more of them are nominated by—
 - (i) the same number of bodies; and
 - (ii) a greater number of bodies than is any of the others,—

Public Trust shall forthwith give to the Governor-General a certificate to the effect that each of those persons has been jointly nominated; and in that case any one of them may be appointed.

- (3) Every nomination required by subclause (2) shall be in writing, signed by the chairman concerned, and delivered to Public Trust at such place, and on or before such date, as Public Trust specifies in its request for it.
- (4) Whenever it gives a certificate under subclause (1)(c), Public Trust shall forward a copy to the chairman of each of the bodies whose joint recommendation it relates to.

Regulation 7(1)(c): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(1)(d): added, on 1 May 1986, by regulation 2 of the Howard Estate Regulations 1978, Amendment No 1 (SR 1986/70).

Regulation 7(2): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(a): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(b): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(c): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(d): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(e): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(2)(f): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(3): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Regulation 7(4): amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

8 Travelling allowances and expenses

- (1) Each member shall, when absent from his usual place of residence on business of the Board, be paid—
 - (a) his actual and reasonable travelling and accommodation expenses; and
 - (b) a travelling allowance (which shall be not less than \$10 and not more than an amount approved by the Minister in that behalf) for every day or part of a day during which he is so absent.
- (2) For the purposes of subclause (1), **business of the Board** means—
 - (a) attendance at a meeting of the Board or of a Committee of the Board; or
 - (b) business transacted pursuant to a resolution of the Board.

P G Millen,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 21 December 1978.

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Notes**1 General**

This is a reprint of the Howard Estate Regulations 1978. The reprint incorporates all the amendments to the regulations as at 1 March 2002, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted

enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)

- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Public Trust Act 2001 (2001 No 100): section 152(1)

Howard Estate Regulations 1978, Amendment No 1 (SR 1986/70)