



ANALYSIS

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1972, No. 21

An Act to consolidate and amend the law relating to children's health camps established as a national memorial to His late Majesty King George the Fifth

[4 October 1972]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Children's Health Camps Act 1972.

(2) Subject to section 44 of this Act, this Act shall come into force on the 1st day of August 1973.

2. Interpretation—In this Act, unless the context otherwise requires,—

“Appointed member” means any member of the Board who is appointed under paragraphs (a) to (e) of subsection (1) of section 4 of this Act:

“Bank” means the Reserve Bank of New Zealand or any bank for the time being named in the First Schedule to the Reserve Bank of New Zealand Act 1964:

“Board” means the Children's Health Camps Board established by section 3 of this Act:

“Camp Committee” means a Camp Committee established under section 16 of this Act:

“Camp Committee area” or “area” means, in relation to a Camp Committee, the area defined by the Board under section 16 of this Act within which the Camp Committee is for the time being to carry out its functions:

“Children's health camp” or “camp” means any land (including any buildings on that land) maintained by the Board as a children's health camp under this Act, whether or not it is used or occupied continuously for the purposes of such a camp under this Act:

“District Committee” means a District Committee established under section 19 of this Act by a Camp Committee:

“Financial year” means a year beginning on the 1st day of August and ending with the 31st day of July:

“The former Act” means the King George the Fifth Memorial Children's Health Camps Act 1953:

“The former Board” means the King George the Fifth Memorial Children's Health Camps Board established by the former Act:

"Fund" means the Children's Health Camps Fund established by section 26 of this Act:

"Fund Account" means the Children's Health Camps Fund Account established under section 26 of this Act by the Board:

"Imprest account" means an imprest account established under section 27 of this Act by the Board:

"Subcommittee" means a subcommittee appointed under section 22 of this Act by a District Committee.

Cf. 1953, No. 51, s. 2

Children's Health Camps Board

3. Children's Health Camps Board—(1) There is hereby established a Board, to be called the Children's Health Camps Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal, and may hold real and personal property, and sue and be sued, and do and suffer all other acts and things that bodies corporate may lawfully do and suffer.

Cf. 1953, No. 51, ss. 3, 4 (1)

4. Membership of Board—(1) The following persons shall be members of the Board:

(a) A person appointed by each Camp Committee respectively to represent that Camp Committee:

(b) Two persons, each being a member of a Camp Committee, appointed by the Board:

(c) One person appointed by the executive committee of the Municipal Association of New Zealand Incorporated:

(d) One person appointed by the executive committee of the New Zealand Counties Association Incorporated:

(e) One person appointed by the executive committee of the Hospital Boards Association of New Zealand Incorporated:

(f) The Director-General of Health:

(g) The Director-General of Education:

(h) The Director-General of the Post Office.

(2) No person who is a paid officer or employee of the Board shall be appointed to be a member of the Board without its prior written approval.

(3) No vacancy in the membership of the Board shall affect its powers.

Cf. 1953, No. 51, ss. 4 (2), (3), 6 (7)

5. Term of office of members—(1) Every appointed member shall hold office, subject to section 6 of this Act, for a term of 3 years from the date of his appointment, but may from time to time be reappointed.

(2) Notwithstanding subsection (1) of this section, every appointed member, unless he sooner vacates his office under section 6 of this Act, shall continue in office until his successor comes into office.

Cf. 1953, No. 51, ss. 4 (5), 7 (4)

6. Extraordinary vacancies—(1) An appointed member may at any time resign by delivering a notice in writing to that effect to the Secretary to the Board.

(2) The Governor-General may at any time, for such cause as he thinks sufficient, remove any appointed member from office.

(3) A member of the Board who is appointed to represent a Camp Committee shall in any event cease to hold office if that Camp Committee ceases to exist.

(4) If an appointed member dies or resigns or is removed from office, the vacancy thereby occurring shall be deemed to be an extraordinary vacancy.

(5) An extraordinary vacancy shall be filled by the appointment of a person in the same manner as the appointment of the person vacating office.

(6) Every person who is appointed to fill an extraordinary vacancy shall be appointed for the remainder of the term for which his predecessor was appointed.

Cf. 1953, No. 51, s. 7 (1)-(3)

7. Chairman and Deputy Chairman of Board—(1) The Board, at its first meeting, and thereafter at its first meeting held after the 1st day of August in each year, shall appoint one of its members to be the Chairman of the Board, and another member to be the Deputy Chairman of the Board.

(2) A member appointed to be Chairman or Deputy Chairman may from time to time be reappointed in accordance with subsection (1) of this section.

(3) A member appointed to be Chairman or Deputy Chairman shall hold office until—

- (a) He ceases to be a member of the Board; or
 - (b) He resigns as Chairman or Deputy Chairman; or
 - (c) Another member is appointed under subsection (1) of this section to succeed him as Chairman or Deputy Chairman; or
 - (d) In the case of a Deputy Chairman, he is appointed to be Chairman—
- whichever event happens first.

(4) If for any reason the office of Chairman or Deputy Chairman becomes vacant, the Board shall appoint another of its members to fill the vacancy until the next occasion on which an appointment to that office is made under subsection (1) of this section.

(5) During the absence of the Chairman from New Zealand or the incapacity of the Chairman or any vacancy in the office of Chairman, the Deputy Chairman may exercise all the powers and shall perform all the duties of the office of Chairman.

Cf. 1953, No. 51, s. 5

8. Deputies—(1) Subject to subsection (4) of this section, any person who is a member of the Board by virtue of being an officer of a Department of State may authorise another officer of that department to act in his place at any meeting of the Board from which the member is absent.

(2) Subject to subsection (4) of this section, any body by whom a member of the Board has been appointed may authorise another person to act in the member's place at any meeting of the Board from which the member is absent.

(3) While any person acts in the place of a member of the Board under this section, he shall himself be deemed for all purposes to be a member of the Board.

(4) No person who is a paid officer or employee of the Board shall act in the place of a member of the Board under this section without the prior written approval of the Chairman.

Cf. 1953, No. 51, s. 6 (5)

9. Meetings of Board—(1) The Board shall meet at least once in every 3 months.

(2) The first meeting of the Board shall be held at a time and place to be appointed by the Minister of Health. Subsequent meetings shall be held at such times and places as the Board or the Chairman from time to time appoints.

(3) At any meeting of the Board 7 members, of whom not less than 4 are members appointed under paragraph (a) or paragraph (b) of subsection (1) of section 4 of this Act, shall be a quorum.

(4) The Chairman shall preside at all meetings of the Board at which he is present.

(5) If the Chairman is absent from a meeting of the Board—

(a) The Deputy Chairman shall preside if he is present:

(b) The members present shall appoint one of their number to preside if the Deputy Chairman is not present.

(6) Every question before the Board shall be decided by a majority of the votes cast by the members present at the meeting.

(7) At any meeting of the Board the Chairman or other person presiding shall have a deliberative vote, and in the case of an equality of votes he shall also have a casting vote.

(8) Subject to the other provisions of this Act, the Board may regulate its procedure in such manner as it thinks fit.

(9) Subject to subsection (2) of section 4 and subsection (4) of section 8 of this Act, the fact that any person attends and acts as a member of the Board at any of its meetings shall, until the contrary is proved, be sufficient evidence of his authority to do so.

Cf. 1953, No. 51, s. 6 (1)–(4), (6), (8)

10. Board to succeed King George the Fifth Memorial Children's Health Camps Federation—(1) The Board shall be the successor of the King George the Fifth Memorial Children's Health Camps Federation constituted by the King George the Fifth Memorial Children's Health Camps Act 1953.

(2) All real and personal property that immediately before the commencement of this Act was vested in the Federation shall on the commencement of this Act, without conveyance, transfer, or assignment, vest in the Board for the estate and interest of the Federation in that property, subject to all liabilities, charges, obligations, and trusts affecting the property.

(3) All the contracts, debts, and liabilities of the Federation immediately before the commencement of this Act shall on the commencement of this Act become the contracts, debts, and liabilities of the Board.

(4) A District Land Registrar shall, on written application under the seal of the Board, register it as the proprietor of any estate or interest in any land that is registered in his land registration district under the Land Transfer Act 1952 and is vested in the Board by this section.

(5) The Federation (including the King George the Fifth Memorial Children's Health Camps Board, the Central Councils, the district committees, the local committees, and the camp management committees established and appointed by and under the former Act) is hereby abolished.

(6) Every reference in any enactment or document to the Federation or to the former Board shall hereafter, unless the context otherwise requires, be read as a reference to the Board.

Cf. 1953, No. 51, s. 12

11. Functions of Board—The functions of the Board shall be to administer the Fund and the other assets of the Board in accordance with this Act so that they are expended, applied, and used to the best advantage for—

- (a) The maintenance and improvement of the children's health camps that immediately before the commencement of this Act were maintained under the former Act;
- (b) The establishment of further children's health camps as parts of the national memorial to His late Majesty King George the Fifth, and the maintenance and improvement of those camps;
- (c) The provision of residential care in children's health camps for the health and well-being of children admitted to those camps under this Act;
- (d) The general promotion, by publicity and other means, of the purposes of this Act;
- (e) Such other purposes in relation to children's health camps as may from time to time be prescribed by the Governor-General by Order in Council.

Cf. 1953, No. 51, s. 8

12. Powers of Board—(1) The Board shall have all powers that are reasonably necessary for the effective and efficient carrying out of its functions under this Act.

(2) In particular, but without limiting the generality of subsection (1) of this section, the Board may—

- (a) Acquire any interest in land or chattels by purchase, gift, lease, or any other means, for the purposes of a children's health camp;

- (b) Improve any land used or intended to be used for the purposes of a children's health camp:
 - (c) Erect, improve, alter, extend, equip, furnish, maintain, and repair any buildings used or intended to be used for the purposes of a children's health camp:
 - (d) Identify any children's health camp as a part of the national memorial to His late Majesty King George the Fifth:
 - (e) Make grants to any body engaged in the promotion or administration of children's health camps:
 - (f) Supervise the expenditure of Camp Committees and District Committees:
 - (g) With the approval of the Minister of Finance, borrow money on the security of any of the assets of the Board:
 - (h) Sell, lease, or otherwise dispose of any property of the Board that is not required for the purposes of this Act:
 - (i) Close any children's health camp permanently or temporarily:
 - (j) Appoint committees of such persons as it thinks fit (whether members of the Board or not), and authorise any such committee to co-opt as members of the committee persons who are not members of the Board:
 - (k) Appoint persons (whether members of the Board or not) to existing committees, and discharge persons who are members of such committees.
- (3) In making any grant under paragraph (e) of subsection (2) of this section, the Board may impose such conditions as it thinks fit in order to ensure that the grant is expended, applied, and used only for and to the best advantage of the purpose for which it was made, but the Board shall not be obliged to see to the application of the grant.

Cf. 1953, No. 51, s. 9; 1960, No. 19, s. 2

13. Contracts of Board—(1) The Board is hereby declared to be a public body for the purposes of the Public Bodies Contracts Act 1959.

(2) The First Schedule to the Public Bodies Contracts Act 1959 is hereby amended by inserting in the appropriate

columns of Part II, after the item relating to the Auckland Transport Board, the following item:

"The Children's Health Camps Board	1972, No. 21—The Child- ren's Health Camps Act 1972."
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(3) Notwithstanding subsection (1) of section 14 of this Act, and without limiting section 4 of the Public Bodies Contracts Act 1959, the Board may from time to time, in accordance with the said section 4, delegate its power to enter into any specified contract or into contracts of any specified description to any Camp Committee, as if that Camp Committee were a standing or special committee appointed by the Board and consisting of 2 or more persons. The provisions of that Act shall apply accordingly.

(4) The First Schedule to the Public Bodies Contracts Act 1959 (as amended by section 3 of the King George the Fifth Memorial Children's Health Camps Amendment Act 1960) is hereby further amended by omitting from Part II the item relating to the King George the Fifth Memorial Children's Health Camps Federation.

Cf. 1953, No. 51, ss. 10 (1), 11; 1960, No. 19, s. 3

14. Delegation of Board's powers—(1) The Board may from time to time delegate to any committee appointed by it or to a Camp Committee any of the powers conferred on the Board by this Act, except its power to enter into a contract.

(2) Any committee or Camp Committee to whom a power has been delegated under subsection (1) of this section may, subject to any general or special directions given to it by the Board, exercise that power in the same manner and to the same effect as if it had been conferred on the committee or Camp Committee directly by this Act and not by delegation.

(3) Every committee or Camp Committee purporting to act pursuant to any delegation under this section shall, until the contrary is proved, be presumed to be acting within the terms of the delegation.

(4) Any delegation under this section may at any time be wholly or partly revoked by the Board, but the revocation shall not affect anything done under the delegated authority.

(5) No delegation under this section shall prevent the exercise by the Board itself of any powers conferred on it by this Act.

Cf. 1953, No. 51, s. 10; 1960, No. 19, s. 3 (3)

15. Officers and employees of Board—(1) There shall be a Secretary to the Board and such other officers and employees as may be necessary for the effective and efficient carrying out of the functions of the Board under this Act.

(2) Any officer or employee of the Board may be appointed either under the State Services Act 1962 or directly by the Board.

(3) Any person appointed to be an officer or employee of the Board under the State Services Act 1962 may hold his position with the Board together with any other position under that Act.

(4) Any Camp Committee or District Committee may from time to time, with the prior written approval of the Board, appoint persons (not being persons who hold any positions by virtue of appointments under the State Services Act 1962) to be officers or employees of the Board for the purpose of the effective and efficient carrying out of the functions of that Committee.

(5) The Board may pay from the Fund Account or, in the case of an appointment by a Camp Committee or a District Committee under subsection (4) of this section, may authorise that Committee to pay from an imprest account such remuneration as may be appropriate to any officer or employee appointed by the Board or by that Committee, as the case may be.

(6) Nothing in this Act shall make the Board liable to remunerate any officer or employee of the Board appointed under the State Services Act 1962, or affect the right of any such officer or employee to be remunerated by the Crown as a person holding a position by virtue of an appointment under that Act.

Cf. 1953, No. 51, ss. 17, 19 (2) (k)

Camp Committees and District Committees

16. Camp Committees—(1) There shall be established a Camp Committee in respect of each children's health camp.

(2) The Board shall define the area in New Zealand within which each Camp Committee shall for the time being carry out its functions under this Act.

Cf. 1953, No. 51, ss. 18 (1), (1A), 19 (2) (b); 1960, No. 19, s. 6

17. Membership of Camp Committees—(1) Every Camp Committee shall consist of—

- (a) The person who is for the time being the representative of the Camp Committee on the Board:
- (b) One person for every health district established under the Health Act 1956 that is situated wholly or partly within the Camp Committee area, who shall be appointed jointly by all the District Committees carrying out their functions under this Act wholly or partly within the health district:
- (c) One person appointed jointly by all the Education Boards constituted by or under the Education Act 1964 whose districts are situated wholly or partly within the Camp Committee area:
- (d) One person, being an officer of the Department of Health, appointed by the Director-General of Health:
- (e) One person, being an officer of the Department of Education, appointed by the Director-General of Education:
- (f) One person, being an officer of the Post Office, appointed by the Director-General of the Post Office:
- (g) Such other persons as the Camp Committee may from time to time co-opt as members.

(2) The members of a Camp Committee referred to in paragraph (b) or paragraph (c) of subsection (1) of this section shall be appointed in accordance with such arrangements as the District Committees or the Education Boards, as the case may be, may make between themselves. The Camp Committee shall not be concerned to inquire whether any appointment appearing to be properly notified to it has been duly made.

(3) If any District Committees or Education Boards cannot agree on the person who is to be appointed by them, or on the arrangements to be made between themselves for the appointment, the Board shall make the appointment after considering any nominations made by any of the District Committees or Education Boards concerned and after consulting such persons or bodies of persons as it thinks fit.

(4) No vacancy in the membership of a Camp Committee shall affect its powers.

Cf. 1953, No. 51, ss. 18 (2), 22 (5)

18. Functions of Camp Committees—Every Camp Committee shall, subject to the general control of the Board, have the following functions:

- (a) To administer the children's health camp in respect of which it has been established:
- (b) To organise and superintend publicity and the collection of funds within the Camp Committee area:
- (c) To protect and advance the interests of the camp, of the children in the camp, and of children's health camps in general.

Cf. 1953, No. 51, s. 19 (1), (2) (b)

19. Powers of Camp Committees—Every Camp Committee may, for the purpose of carrying out its functions under this Act,—

- (a) Control and manage the children's health camp administered by it and provide treatment and other facilities in the camp under the general supervision of the Department of Health:
- (b) Subject to any regulations made under this Act, admit to the camp children who are recommended for admission to a children's health camp under section 35 of this Act, and in particular children who reside within the Camp Committee area, and discharge children from the camp:
- (c) Subject to the terms of any trust, expend, apply, and use money which has been received or raised by or on behalf of the Camp Committee specifically for the purposes of the camp, or for any particular purpose relating exclusively to the camp, (not being money raised in the course of any national campaign for funds), for the purpose or purposes for which the money was so received or raised:
- (d) Undertake, on behalf of the Board, the disbursement within the Camp Committee area of money made available by the Board for the purposes of this Act:
- (e) Establish District Committees within the Camp Committee area:
- (f) Define the districts within which the District Committees established by it shall for the time being carry out their functions:
- (g) Co-ordinate the work of such District Committees:
- (h) Delegate to any such District Committee any of its functions and powers under this Act:

- (i) Dissolve any such District Committee:
- (j) Transfer the functions of any District Committee so dissolved to any other District Committee established by it:
- (k) Co-opt as members of the Camp Committee such persons as it thinks fit:
- (l) Appoint committees of its members, and authorise those committees to co-opt as members persons who are not members of the Camp Committee:
- (m) Appoint any of its members to existing committees, and discharge persons who are members of such committees:
- (n) Make recommendations to the Board as to the improvement and expansion of children's health camps:
- (o) Exercise any other powers that are delegated to it by the Board.

Cf. 1953, No. 51, s. 19 (2)

20. Membership of District Committees—(1) Every District Committee shall consist of—

- (a) The person who is for the time being the representative on the Board of the Camp Committee by whom the District Committee has been established:
 - (b) Two other persons appointed by that Camp Committee:
 - (c) Such other persons as the District Committee may from time to time co-opt as members.
- (2) No vacancy in the membership of a District Committee shall affect its powers.

Cf. 1953, No. 51, s. 20, 22 (5)

21. Functions of District Committees—Every District Committee shall, subject to the general control of the Camp Committee by whom it has been established, have the following functions:

- (a) To organise and promote public interest in the children's health camp administered by that Camp Committee, and in children's health camps generally:
- (b) To obtain contributions to the Fund:
- (c) Such other functions as may be delegated to it by that Camp Committee under this Act.

Cf. 1953, No. 51, s. 21 (1), (2) (a)

22. Powers of District Committees—Every District Committee may, for the purpose of carrying out its functions under this Act,—

- (a) Subject to this Act, receive contributions and dispose of them in such manner as may be directed by the Board or by the Camp Committee by whom the District Committee is controlled;
- (b) Appoint subcommittees of such persons as it thinks fit (whether members of the District Committee or not):
- (c) Define the localities in its district within which the subcommittees appointed by it shall for the time being carry out their functions:
- (d) Control, direct, and co-ordinate the work of such subcommittees:
- (e) Delegate to any such subcommittee any of its functions and powers under this Act:
- (f) Dissolve any such subcommittee:
- (g) Transfer the functions of any subcommittee so dissolved to any other subcommittee appointed by it:
- (h) Appoint persons (whether members of the District Committee or not) to existing subcommittees appointed by it, and discharge persons who are members of such subcommittees:
- (i) Exercise any other powers that are delegated to it by the Camp Committee by whom it is controlled.

Cf. 1953, No. 51, s. 21 (2)

23. Tenure of office of members of Camp Committees and District Committees—(1) Every member of a Camp Committee or District Committee, other than the person who is a member of that Committee by virtue of being the representative of a Camp Committee on the Board, shall hold office, subject to subsection (2) of this section, during the pleasure of the person or persons or body or bodies by whom he has been appointed.

(2) A member of a Camp Committee or District Committee may at any time resign his office as member by delivering a notice in writing to that effect to that Committee.

(3) A vacancy in a Camp Committee or District Committee shall be filled by the appointment of a person in the same manner as the appointment of the person vacating office, but nothing in this subsection shall require that Committee to fill a vacancy by co-opting any person as a member.

(4) The decision of a Camp Committee as to whether or not any person has been duly appointed or has ceased to be a member of that Camp Committee or of any District Committee under its control shall be conclusive.

Cf. 1953, No. 51, s. 23

24. Chairmen of Camp Committees and District Committees—(1) Every Camp Committee or District Committee, at its first meeting, and thereafter from time to time as the occasion arises, shall appoint one of its members to be its chairman.

(2) The chairman of a Camp Committee or District Committee shall hold office, subject to subsection (3) of this section, for 1 year from the date of his appointment, but may from time to time be reappointed.

(3) The chairman of a Camp Committee or District Committee shall cease to hold office if he ceases to be a member of that Committee or resigns as chairman.

Cf. 1953, No. 51, s. 22 (1)

25. Meetings of Camp Committees and District Committees—(1) The first meeting of any Camp Committee established after the commencement of this Act shall be held at a time and place to be appointed by the Board. The first meeting of any District Committee established after the commencement of this Act shall be held at a time and place to be appointed by the Camp Committee by whom it has been established. All other meetings of any Camp Committee or District Committee shall be held at such times and places as that Committee or its chairman from time to time appoints.

(2) Subject to subsection (3) of this section, at any meeting of a Camp Committee or District Committee one-third of the members of that Committee, of whom not more than one-half of those present at the meeting are co-opted members, shall be a quorum.

(3) A Camp Committee or District Committee may from time to time at any of its meetings fix a higher proportion of its members than that stipulated in subsection (2) of this section to be a quorum for any specified subsequent meeting or meetings, but in no case shall the proportion of the quorum who are co-opted members exceed one-half.

(4) The chairman of a Camp Committee or District Committee shall preside at every meeting of that Committee at which he is present.

(5) If the chairman is absent from a meeting of a Camp Committee or District Committee, the members present shall appoint one of their number to preside.

(6) Every question before a Camp Committee or District Committee shall be decided by a majority of the votes cast by the members present at the meeting.

(7) At any meeting of a Camp Committee or District Committee the chairman or other person presiding shall have a deliberative vote, and in the case of an equality of votes he shall also have a casting vote.

(8) The principal officer of a children's health camp or any other person may on the invitation of a Camp Committee attend any of its meetings, and may participate in any discussion, but shall not be entitled to vote at the meeting.

(9) No act of a Camp Committee or District Committee shall be invalid by reason only that any person acting as a member of that Committee is not entitled so to act.

(10) Subject to the other provisions of this Act, a Camp Committee or District Committee may regulate its own procedure and the procedure of its committees and subcommittees in such manner as it thinks fit.

Cf. 1953, No. 51, s. 22 (2)-(6)

Finance

26. Children's Health Camps Fund—(1) There is hereby established a Children's Health Camps Fund, which shall consist of—

- (a) All money that immediately before the commencement of this Act formed part of the King George the Fifth Memorial Children's Health Camps Fund established by section 13 of the former Act;
- (b) Subject to the terms of any trust, all money that immediately before the commencement of this Act formed part of the funds of any Central Council, district committee, local committee, or camp management committee established or appointed by or under the former Act, not being funds to which section 16 of that Act applied;
- (c) All money that may from time to time be paid into the Fund out of money appropriated by Parliament for the purpose;
- (d) All money received by the Board from the sale, lease, or other disposal of any property of the Board:

(e) All money that may be contributed or given to the Fund, or that may otherwise be lawfully paid into the Fund:

(f) All accumulations of money belonging to the Fund.

(2) The Board shall establish an account, to be called the Children's Health Camps Fund Account, at such bank as the Board may from time to time decide.

(3) All money forming part of the Fund shall as soon as practicable after it is received by the Secretary or any other officer of the Board be paid—

(a) Into the Fund Account; or

(b) Subject to section 27 of this Act, into an imprest account.

(4) No money shall be payable out of the Fund Account except with the authority of and in accordance with any general or special directions of the Board.

(5) The Fund Account may be operated on only by cheque or other instrument (not being a promissory note or bill) signed by the Secretary to the Board, or by any other officer of the Board who is authorised by the Board to sign such cheques, and countersigned in each case by any member of the Board who is authorised by the Board to countersign such cheques.

Cf. 1953, No. 51, s. 13, 14 (5); 1960, No. 19, s. 4 (1), (2)

27. Imprest accounts—(1) The Board may establish imprest accounts to be kept in the name of the Board at such banks as it may from time to time decide.

(2) An imprest account may be operated on only by cheque or other instrument (not being a promissory note or bill) signed by such person or persons as are authorised by the Board to sign such cheques.

(3) The Board shall from time to time by resolution fix the maximum amount that may be held at any time in a specified imprest account, not exceeding in any case \$12,000 or such larger amount as the Minister of Finance may approve.

(4) Money in an imprest account shall be available only for the payment of such expenses as the Board decides. The payment of money out of any imprest account for any purpose not authorised by the Board shall be deemed to be a misappropriation of the funds of the Board.

Cf. 1953, No. 51, s. 14 (1)–(4); 1960, No. 19, s. 5

28. Grants to Board—The Minister of Finance may pay into the Fund, for the purpose of assisting the Board to carry out its functions under this Act, such sums as he may from time to time determine, out of money appropriated by Parliament for the purpose.

29. Investment of Fund—Subject to the terms of any trust, the Board may invest any money that forms part of the Fund, and is not immediately required for expenditure by the Board, in any manner in which trustees are for the time being authorised to invest trust funds.

Cf. 1953, No. 51, s. 15

30. Camp Committee and District Committee funds—

(1) Every Camp Committee or District Committee shall establish an account to be kept in the name of that Committee at such bank as it may from time to time decide.

(2) All money to which paragraph (c) of section 19 of this Act applies shall as soon as is practicable after it is received by any person on behalf of a Camp Committee or District Committee be paid into the bank account of that Committee.

(3) No money shall be payable out of an account established under subsection (1) of this section by a Camp Committee or District Committee, except as authorised by a resolution of that Committee.

(4) An account established under subsection (1) of this section by a Camp Committee or District Committee may be operated on only by, and negotiable or transferable instruments drawn on the account may be signed only by,—

(a) Two members of that Committee who are authorised by it to do so; or

(b) One member of that Committee, and one of its officers, who are authorised by it to do so—and negotiable or transferable instruments may, for collection by the bank, be endorsed on behalf of that Committee by any one of those persons.

(5) Every Camp Committee or District Committee shall keep full and correct accounts of all money received and expended by it.

(6) Every Camp Committee shall as soon as is practicable after the end of each financial year, in respect of money to which paragraph (c) of section 19 of this Act applies,—

(a) Cause its accounts of money received and expended by it during that year to be balanced; and

(b) Cause an abstract of its transactions, and the transactions of every District Committee under its control, to be duly audited and transmitted to the Board.

(7) Every District Committee shall as soon as is practicable after the end of each financial year, in respect of money to which paragraph (c) of section 19 of this Act applies,—

(a) Cause its accounts of money received and expended by it during that year to be balanced; and

(b) Cause an abstract of its transactions, and the transactions of every subcommittee under its control, to be duly audited and transmitted to the Camp Committee by whom the District Committee is controlled.

(8) All money, other than money to which paragraph (c) of section 19 of this Act applies, shall as soon as practicable after it is received by any person on behalf of a Camp Committee or District Committee be paid, in accordance with such directions as the Board may from time to time give, into the Fund Account or an imprest account.

Cf. 1953, No. 51, s. 24 (1)–(4), (6), (7); 1960, No. 19, s. 7

31. Travelling expenses—(1) The Board, every Camp Committee, and every District Committee are hereby each declared to be statutory Boards for the purposes of the Fees and Travelling Allowances Act 1951.

(2) There shall be paid out of the Fund to each member of the Board, or of a Camp Committee or District Committee, travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951 in respect of time spent by him travelling in the service of the Board or of that Committee, and the provisions of that Act shall apply accordingly.

Cf. 1953, No. 51, s. 29; 1960, No. 19, s. 8

32. Insurance of members and volunteers—(1) The Board, with the approval of the Minister of Finance, may from time to time enter into contracts—

(a) Insuring members of the Board and of Camp Committees and District Committees against loss from personal accident arising out of and in the course of the exercise and performance of their functions, powers, and duties as members thereof; and

(b) Insuring, whether pursuant to section 98 of the Workers' Compensation Act 1956 or otherwise, persons who render services to the Board or any Camp Committee or District Committee free of charge, against loss from personal accident arising out of and in the course of such services—

and may pay the premiums in respect of those contracts.

(2) The Board may pay the net proceeds received by it under any such contract of insurance to the member or other person affected, or to his personal representative, as the case may be.

33. Unauthorised expenditure—The Board may in any financial year expend out of the Fund, for purposes not authorised by this Act or any other enactment, any sum or sums not exceeding in the aggregate \$200.

34. Accounts and annual reports—(1) The Board shall keep full and correct accounts of all money received and expended by it, and the accounts shall be audited by the Audit Office which shall for that purpose have the same powers as it has under the Public Revenues Act 1953 in respect of public money and stores.

(2) The Board shall as soon as is practicable after the end of each financial year cause its consolidated accounts for that year (including all abstracts that are to be transmitted to the Board under subsection (6) of section 30 of this Act) to be balanced, and a statement of the assets and liabilities of the Board as at the end of that year, together with an account of income and expenditure showing the financial transactions for that year, to be prepared and submitted to the Audit Office.

(3) Every Camp Committee shall as soon as is practicable after the end of each financial year furnish to the Board a report of its proceedings and operations for that financial year, together with a copy of the report of every District Committee under its control.

(4) Every District Committee shall as soon as is practicable after the end of each financial year furnish to the Camp Committee by whom it is controlled a report of its proceedings and operations for that financial year.

(5) The Board shall, not later than the 31st day of October in each year, furnish to the Minister of Health a report of its proceedings and operations for the preceding financial year, together with a copy of its audited accounts for that year.

(6) Copies of the report of the Board and of its audited accounts shall be laid before Parliament as soon as practicable after their receipt by the Minister of Health.

Cf. 1953, No. 51, s. 31 (1)-(3), (5), (6); 1960, No. 19, s. 7 (3)

General Provisions

35. Admission to children's health camps—(1) No child shall be admitted to a children's health camp except on the recommendation of a Medical Officer of Health, or of any other medical practitioner nominated for that purpose by the Director-General of Health.

(2) No child shall be admitted to a children's health camp without the written consent of one of its parents or its guardian.

Cf. 1953, No. 51, ss. 19 (2) (d), 21 (2) (b)

36. Medical and surgical supplies—The Department of Health may from time to time provide, out of money appropriated by Parliament for the purpose, medical and surgical supplies and equipment for the treatment of children in children's health camps.

Cf. 1953, No. 51, s. 25

37. Gifts—Any local authority, public body, corporation sole, company or other incorporated body of persons, trustee or trustees (including any statutory trustee or trustees or board of trustees), or other person may, unless expressly prohibited from doing so by any Act or by any instrument of trust, make to the Board, and the Board may accept, gifts of land or any interest in land, or of chattels, or of money for the purposes of the Fund.

Cf. 1953, No. 51, s. 27

38. Members not personally liable—No member of the Board, or of any Camp Committee, District Committee, or subcommittee, or of any other committee appointed under this Act, shall be personally liable for any act done or default made by the Board, or by any such Camp Committee, District Committee, subcommittee, or other committee, or by any member of it, in good faith, in the course of its operations.

Cf. 1953, No. 51, s. 32

39. Protection of emblem of Board—(1) Notwithstanding subsection (2) of section 45 of this Act, the emblem declared by the Health Camps Federation Emblem Order 1954 to be the emblem to be used as the distinctive emblem of the King George the Fifth Memorial Children's Health Camps Federation shall be the emblem of the Board, whether with the abbreviation "Fed", as it now appears in the circumscription, or with the abbreviation "BD" substituted in its place.

(2) No person shall—

- (a) For the purposes of sale apply or cause to be applied to any article the emblem of the Board or any colourable imitation of that emblem without the prior written consent of the Board; or
- (b) Knowing that the emblem of the Board or any colourable imitation of that emblem has been applied to any article without the prior written consent of the Board, sell that article or cause it to be sold, or offer or expose that article for sale, or cause it to be offered or exposed for sale.

(3) Every person who contravenes subsection (2) of this section commits an offence and is liable on summary conviction to a fine not exceeding \$200.

Cf. 1953, No. 51, s. 33

40. Purposes of Board charitable—(1) For the purposes of every enactment and rule of law, the Board and every Camp Committee and District Committee shall be deemed to have been established exclusively for charitable purposes in New Zealand.

(2) Notwithstanding subsection (1) of section 73 of the Land and Income Tax Act 1954, all land vested in the Board and held by it as the site of any children's health camp, or in conjunction with any such site, shall be exempt from land tax whether or not the land exceeds 15 acres.

Cf. 1953, No. 51, ss. 28, 33A; 1960, No. 19, s. 9

41. Regulations—Subject to the other provisions of this Act, the Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Regulating the admission of children to and the discharge of children from children's health camps;
- (b) Prescribing the classes of children who may be admitted to children's health camps;

- (c) Regulating the administration, control, and management of children's health camps;
- (d) Prescribing minimum standards of accommodation, equipment, and facilities in children's health camps;
- (e) Prescribing the staff or classes of staff who shall be employed or engaged in children's health camps, and the minimum qualifications to be held by any such persons;
- (f) Regulating the care and treatment of children in children's health camps;
- (g) Regulating the procedure of the Board, and of Camp Committees and District Committees;
- (h) Providing for such other matters as are contemplated by or necessary for giving full effect to this Act and for its due administration.

42. Relationship with other enactments—(1) Except as expressly provided in this Act, nothing in this Act shall derogate from or otherwise affect any provision in any other enactment.

(2) Without limiting the generality of subsection (1) of this section, it is hereby declared that sections 11 and 12 of this Act shall be read subject to section 317A of the Municipal Corporations Act 1954 (as inserted by section 26 (1) of the Municipal Corporations Amendment Act 1968) and section 334A of the Counties Act 1956 (as inserted by section 25 (1) of the Counties Amendment Act 1968).

Miscellaneous Provisions

43. Amendments to other enactments—(1) The Rating Act 1967 is hereby consequentially amended by omitting from clause 10 of the First Schedule the words "King George the Fifth Memorial Children's Health Camps Federation", and substituting the words "Children's Health Camps Board".

(2) The First Schedule to the Local Authorities (Members' Interests) Act 1968 is hereby amended by inserting in Part II, after the item relating to the Carter Observatory Board, the following item:

"The Children's Health Camps Board	1972, No. 21—The Child- ren's Health Camps Act 1972."
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44. Transitional provisions—(1) The provisions of this section shall apply notwithstanding any other provision in this Act.

(2) Subject to subsection (3) of this section—

- (a) The first persons to be appointed as members of the Board under paragraph (a) of subsection (1) of section 4 of this Act shall, instead of being appointed respectively by each Camp Committee, be appointed respectively before the commencement of this Act by each camp management committee appointed under section 19 of the former Act to administer a children's health camp that is in existence at the date of the passing of this Act;
- (b) The first persons to be appointed as members of the Board under paragraph (b) of subsection (1) of section 4 of this Act shall, instead of being appointed by the Board, be appointed before the commencement of this Act by the former Board.

(3) In default of any appointment under subsection (2) of this section by a camp management committee or by the former Board, the corresponding Camp Committee or the Board, as the case may be, may on or after the commencement of this Act make the appointment under paragraph (a) or paragraph (b) of subsection (1) of section 4 of this Act.

(4) Every camp management committee appointed under section 19 of the former Act to administer a children's health camp that is in existence at the commencement of this Act shall be deemed to be the Camp Committee established under section 16 of this Act in respect of that camp; and—

- (a) Until the 1st day of January 1974, the persons who immediately before the commencement of this Act are the members of that camp management committee shall be members of that Camp Committee instead of the persons to be appointed under paragraphs (b) to (f) of subsection (1) of section 17 of this Act;
- (b) The person appointed under subsection (2) or subsection (3) of this section to be the first member of the Board representing that Camp Committee shall be the first member of that Camp Committee to hold office under paragraph (a) of subsection (1) of section 17 of this Act.

(5) Every person who immediately before the commencement of this Act holds office as an officer or servant of the former Board appointed by the former Board under section 17

of the former Act, or as an officer or servant appointed by any Central Council established by the former Act, shall be deemed without further appointment to hold office as an officer or employee of the Board appointed directly by the Board under section 15 of this Act.

(6) Every person who immediately before the commencement of this Act holds office as an officer or servant of the former Board appointed under the State Services Act 1962, shall be deemed without further appointment to hold office as an officer or employee of the Board appointed under that Act.

(7) The former Board shall, before the commencement of this Act, define for the purposes of section 16 of this Act and of this section the area in which each Camp Committee shall initially carry out its functions under this Act. The areas so defined shall be deemed to have been duly defined under the said section 16 by the Board.

(8) Every district committee that was established under section 19 of the former Act and is in existence immediately before the commencement of this Act shall be deemed to have been established as a District Committee under section 19 of this Act by the Camp Committee within whose area it had under the former Act carried out its functions; and—

(a) The persons who immediately before the commencement of this Act are members of that district committee appointed under paragraph (b) of section 20 of the former Act shall be deemed to be the first members of the District Committee appointed under paragraph (b) of subsection (1) of section 20 of this Act:

(b) The persons who immediately before the commencement of this Act are members of that district committee appointed under paragraph (c) of section 20 of the former Act shall be deemed to be the first members of the District Committee co-opted under paragraph (c) of subsection (1) of section 20 of this Act:

(c) The person appointed under subsection (2) or subsection (3) of this section to be the first member of the Board representing the Camp Committee by whom the District Committee is controlled under this Act shall be the first member of the District Committee to hold office under paragraph (a) of subsection (1) of section 20 of this Act.

(9) The members of every local committee that—

- (a) Was established under section 21 of the former Act by a district committee that is deemed under this Act to be a District Committee; and
- (b) Is in existence immediately before the commencement of this Act—

shall be deemed to be a subcommittee of that District Committee appointed under section 22 of this Act by that District Committee.

(10) Until the Board otherwise decides under subsection (2) of section 26 of this Act, the account called the King George the Fifth Memorial Children's Health Camps Fund Account established at the Reserve Bank of New Zealand under section 13 of the former Act (as amended by section 4 (1) of the King George the Fifth Memorial Children's Health Camps Amendment Act 1960) shall be deemed to be the Children's Health Camps Fund Account established under the said subsection (2) of section 26 by the Board.

(11) Every imprest account that was established under section 14 of the former Act by the former Board and is in existence at the commencement of this Act shall be deemed to be an imprest account established under section 27 of this Act by the Board.

(12) All money that immediately before the commencement of this Act—

- (a) Is held by or in the name of a Central Council established by the former Act; and

- (b) Is so held for the purposes of an existing particular children's health camp—

shall on the commencement of this Act be held by and in the name of the Camp Committee administering that camp, in its bank account established under section 30 of this Act, and shall be applied for the same purposes.

(13) All money that immediately before the commencement of this Act—

- (a) Is held by or in the name of a camp management committee that is deemed under this Act to be a Camp Committee; and

- (b) Is so held—

- (i) For the purposes of the children's health camp administered by it; or

- (ii) For the purpose of meeting the administrative expenses of that camp management committee—

shall on the commencement of this Act be held by and in the name of that Camp Committee, in its bank account

established under section 30 of this Act, and shall be applied for the same purposes.

(14) All money that immediately before the commencement of this Act—

(a) Is held by or in the name of—

(i) A district committee that is deemed under this Act to be a District Committee; or

(ii) A local committee established under the former Act by that district committee; and

(b) Is so held—

(i) For the purposes of a particular children's health camp; or

(ii) For the purpose of meeting the administrative expenses of that district committee or local committee—

shall on the commencement of this Act be held by and in the name of that District Committee, in its bank account established under section 30 of this Act, and shall be applied for the benefit of the camp administered by the Camp Committee by whom that District Committee is controlled.

(15) All money (not being money to which subsection (12), subsection (13), or subsection (14) of this section applies) that immediately before the commencement of this Act is held by or in the name of any Central Council, district committee, local committee, or camp management committee established or appointed by or under the former Act, shall on the commencement of this Act be held and shall be disposed of in such manner as the former Board shall before the commencement of this Act direct.

(16) The former Board may under subsection (15) of this section apportion any money between different Camp Committees and District Committees.

(17) Nothing in this section shall—

(a) Derogate from any liability, charge, or obligation affecting any money to which any provision of this section applies; or

(b) Authorise such money to be used or dealt with in a manner inconsistent with any trust to which the money is subject.

Cf. 1953, No. 51, ss. 4 (7), 34 (2), (3)

45. Repeals and revocations—(1) The following enactments are hereby repealed:

(a) The King George the Fifth Memorial Children's Health Camps Act 1953:

- (b) The King George the Fifth Memorial Children's Health Camps Amendment Act 1960.
- (2) The following Orders in Council are hereby revoked:
- (a) The Health Camps Federation Emblem Order 1954:
- (b) The Health Camps Districts Order 1961:
- (c) The Health Camps Imprest Order 1971.

Cf. 1953, No. 51, s. 34 (1)

This Act is administered in the Department of Health.
