



ANALYSIS

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1957, No. 28

An Act to amend the Industrial and Provident Societies Act 1908
[16 October 1957]

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—This Act may be cited as the Industrial and Provident Societies Amendment Act 1957, and shall be read together with and deemed part of the Industrial and Provident Societies Act 1908 (hereinafter referred to as the principal Act).

2. Registrar of Industrial and Provident Societies—(1) The principal Act is hereby amended by inserting, after section three, the following section:

“3A. For the purposes of this Act there shall from time to time be appointed under the Public Service Act 1912 a Registrar of Industrial and Provident Societies.”

(2) Section two of the principal Act is hereby amended by repealing the definition of the term “Registrar”, and substituting the following definition:

“‘Registrar’ means the Registrar of Industrial and Provident Societies appointed under this Act; and ‘District Registrar’, in relation to any society, means the District Registrar of Industrial and Provident Societies in whose office the records relating to the society are kept:”.

3. Deputy Registrar of Industrial and Provident Societies—

The principal Act is hereby further amended by inserting, after section three A (as inserted by section two of this Act), the following section:

“3B. (1) There may also from time to time be appointed under the Public Service Act 1912 a Deputy Registrar of Industrial and Provident Societies, who shall, under the control of the Registrar, perform such general official duties as he is called upon to perform by the Registrar.

“(2) On the occurrence from any cause of a vacancy in the office of Registrar (whether by reason of death, resignation, or otherwise), and in case of the absence from duty of the Registrar (from whatever cause arising), and so long as any such vacancy or absence continues, the Deputy Registrar shall have and may exercise all the powers, duties, and functions of the Registrar.

“(3) The fact that the Deputy Registrar exercises any power, duty, or function as aforesaid shall be conclusive evidence of his authority to do so, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorising him to do so.”

4. District and Assistant Registrars of Industrial and Provident Societies—The principal Act is hereby further amended by inserting, after section three B (as inserted by section three of this Act), the following section:

“3C. (1) There shall from time to time be appointed under the Public Service Act 1912 as many District Registrars of Industrial and Provident Societies and Assistant Registrars of Industrial and Provident Societies as may be found necessary for the purposes of this Act.

“(2) Subject to the control of the Registrar, every District Registrar shall have and may exercise all the duties and powers of the Registrar. Subject to the control of the Registrar and of the District Registrar, every Assistant Registrar shall have and may exercise all the duties and powers of the Registrar. The fact that a District Registrar or an Assistant

Registrar exercises any powers or functions conferred by this Act on the Registrar shall be conclusive evidence of his authority to do so."

5. Registers to be kept—The principal Act is hereby further amended by inserting, after section three c (as inserted by section four of this Act), the following section:

"3d. (1) The Registrar shall cause to be kept in the office of each District Registrar such registers as he considers necessary, in which shall be recorded all matters required by this Act or by regulations made under this Act to be recorded by the Registrar.

"(2) Whenever any act is by this Act or by any regulations under this Act directed to be done to or by the Registrar in respect of any society, it shall, unless the context otherwise requires, be done to or by the District Registrar in whose office the records relating to the society are kept, or to or by an Assistant Registrar in that office."

6. Revising Barristers—The principal Act is hereby amended by repealing section twenty-five, and substituting the following section:

"25. (1) The Governor-General may appoint fit persons, being barristers of the Supreme Court, to be Revising Barristers for the purposes of this Act.

"(2) All Revising Barristers appointed under the Building Societies Act 1908 at the commencement of this section shall, without further appointment, be deemed to be Revising Barristers for the purposes of this Act.

"(3) The Registrar shall cause one copy of the rules received by him with an application to register a society to be transmitted to a Revising Barrister, who, if he finds that the objects of the society and the rules thereof comply with the requirements of this Act, shall return the same to the Registrar with a certificate in writing thereon to that effect.

"(4) If the Revising Barrister is of opinion that the objects of the society, or any of them, or any of the rules are repugnant to or do not comply with the requirements of this Act, he shall notify his opinion in writing to the Registrar, specifying in what particulars the rules or other matters are repugnant to or do not comply with the requirements of this Act; and the Registrar shall thereupon return the rules to the secretary of the society, with a copy of the objections made by the Revising Barrister, and the society may thereupon

transmit amended rules, signed as before required, or, if possible, comply with any requirements of this Act which were previously disregarded.

“(5) All amendments of rules shall be submitted for the perusal of a Revising Barrister in the manner provided by the foregoing provisions of this section as to rules transmitted to the Registrar upon an application for registration of a society.”

7. Repeals and amendments—(1) The following enactments are hereby repealed:

- (a) Sections twenty-one and twenty-four of the principal Act:
 - (b) Paragraph (c) of subsection two of section twenty of the Statutes Amendment Act 1948.
- (2) The principal Act is hereby amended as follows:
- (a) By omitting from paragraph (b) of section five the word “two”, and substituting the word “three”:
 - (b) By inserting in paragraph (b) of section seven, after the word “purpose”, the word “three”:
 - (c) By inserting in section twenty-three, after the word “Registrar” wherever it occurs, the words “or the Deputy Registrar or any District Registrar or Assistant Registrar”.
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