



## ANALYSIS

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1970, No. 17—*Local*

**An Act to provide for the constitution of the Marlborough Forestry Corporation** [13 November 1970]

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 Marlborough Forestry Corporation Act 1970.

(2) This Act shall come into force on a date to be appointed for the commencement thereof by the Governor-General by Order in Council.

(3) No Order in Council shall be made under subsection (2) of this section unless each of at least 5 of the local authorities named in the Schedule to this Act, resolve after the passing of this Act and before the last day of February 1971, by ordinary resolution, to become a constituent authority of the Corporation and, before that date, notify the Minister of Internal Affairs in writing accordingly.

(4) Such of the local authorities named in the Schedule to this Act as comply with subsection (3) of this section shall be the constituent authorities of the Corporation and shall be named as such in any Order in Council made under subsection (2) of this section.

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

“Corporation” means the Marlborough Forestry Corporation constituted under this Act:

“Constituent authority” means any local authority named in the Schedule to this Act and named as a constituent authority of the Corporation in any Order in Council made under subsection (2) of section 1 of this Act:

“Fund” means the Marlborough Forestry Corporation Fund established under this Act:

“Secretary” means the Secretary of the Marlborough Forestry Corporation.

## PART I

**3. Establishment of Corporation**—(1) There is hereby established a Corporation to be called the Marlborough Forestry Corporation.

(2) The Corporation shall be a body corporate with perpetual succession and a common seal, and shall be capable of holding real and personal property, and of suing and being sued, and of doing and suffering all other acts and things as bodies corporate may lawfully do and suffer.

**4. Membership of Corporation**—(1) Each constituent authority shall be entitled to appoint one member of the Corporation, and the Corporation shall consist of the members so appointed.

(2) Every member of the Corporation shall hold office during the pleasure of the constituent authority which appointed him.

(3) The Corporation shall be deemed to be a local authority within the meaning of and for the purposes of the Local Authorities (Members' Interests) Act 1968.

(4) Part II of the First Schedule of the Local Authorities (Members' Interests) Act 1968 is hereby amended by inserting, in its appropriate alphabetical order, the following item:

"The Marlborough Forestry Corporation | 1970, No. 17 (Local)—The Marlborough Forestry Corporation Act 1970."

**5. Chairman and Deputy Chairman**—(1) The Chairman and the Deputy Chairman of the Corporation shall be elected by the Corporation from among its members at the first meeting of the Corporation held after the commencement of this Act and thereafter at the first meeting of the Corporation held after the 31st day of January in each year.

(2) The Chairman of the Corporation may be paid out of the funds of the Corporation such annual allowance, not exceeding the maximum amount payable to the Chairman of a Catchment Board pursuant to the provisions of the Soil Conservation and Rivers Control Act 1941, as may from time to time be fixed by the Corporation with the approval of the Minister of Forests.

**6. Deputies of members**—(1) If any member of the Corporation is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the constituent authority by which he was appointed may appoint a deputy to act for that member during his incapacity and any such deputy shall, while he acts as such, be deemed to be a member of the Corporation.

(2) No appointment of a deputy and no acts done by him as such, and no act done by the Corporation while any deputy is acting as such, shall in any proceedings be questioned on the ground that the occasion for his appointment had not arisen or had ceased.

**7. Extraordinary vacancies**—(1) Any member of the Corporation may resign his office by written notice given to the Secretary.

(2) If any member of the Corporation dies, or resigns, or is removed from office, the vacancy created shall be deemed to be an extraordinary vacancy.

(3) An extraordinary vacancy shall be filled by the appointment of some person in the same manner as the appointment of the vacating member.

(4) The powers of the Corporation shall not be affected by any vacancy in the membership thereof.

**8. Meetings of the Corporation—**(1) Meetings of the Corporation shall be held at such times and places as the Corporation from time to time determines.

(2) The Chairman of the Corporation or any 3 members thereof may at any time call a special meeting of the Corporation.

(3) At all meetings of the Corporation the quorum necessary for the transaction of business shall be 4 members.

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

(5) In the absence of the Chairman from any meeting the Deputy Chairman shall preside, and in the absence of both the Chairman and the Deputy Chairman from any meeting the members of the Corporation present shall appoint one of their number to preside.

(6) All questions arising at any meeting of the Corporation shall be decided by a majority of the valid votes recorded thereon.

(7) A resolution in writing signed, or assented to by letter or telegram, by all members of the Corporation shall be as valid and effectual as if it had been passed at a meeting of the Corporation duly called and constituted.

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

(9) The Corporation shall be deemed to be a public body under the Public Bodies Meetings Act 1962.

(10) Part II of the Schedule of the Public Bodies Meetings Act 1962 is hereby amended by inserting, in its appropriate alphabetical order, the following item:

“The Marlborough Forestry Corporation | 1970, No. 17 (Local)—The Marlborough Forestry Corporation Act 1970.”

(11) Subject to the provisions of this Act and of any bylaws thereunder, the Corporation may regulate its procedure in such manner as it thinks fit.

**9. Officers of the Corporation—**(1) The Corporation may appoint a Secretary and such consultants, professional foresters, forest rangers, and other officers or employees, including acting or temporary or casual officers and employees, as it deems necessary for the efficient carrying out of its functions under this Act.

(2) One person may hold 2 or more such offices.

(3) The Corporation may, subject to any contract of service, at any time remove, for any reasonable cause, any officer or employee from his office or employment.

(4) The Corporation may pay out of the Fund such salaries and allowances to the said officers and employees as it thinks reasonable.

(5) The Corporation shall be deemed to be a Local Authority for the purposes of the National Provident Fund Act 1950 and section 6 of the Finance Act (No. 2) 1941.

(6) The Corporation may from time to time pay by way of subsidy such sums as it thinks fit to the funds of the sickness, death, or funeral benefit society, or other like institution established by the Corporation's employees or any section of them, the benefits of which are confined to the Corporation's present employees and their dependants.

(7) The Corporation may from time to time pay such sum as it thinks fit to any officer of the Corporation by way of salaries and allowance in respect of his attendance at any conference, meeting, or course of study or training which, in the opinion of the Corporation, will render him better fitted to carry out his duties for the Corporation.

**10. Committees—**(1) The Corporation may from time to time appoint a committee or committees, consisting of 2 or more persons, and may from time to time delegate to any such committee any of the powers or functions of the Corporation.

(2) Any person may be appointed to be a member of a committee under this section, notwithstanding that he is not a member of the Corporation.

(3) Subject to the provisions of this Act and of any bylaws thereunder or of any general or special directions of the Corporation, any such committee may regulate its procedure in such manner as it thinks fit.

**11. Functions and Powers of Corporation—**(1) The principal functions of the Corporation shall be to establish, tend,

and utilise forests within the Marlborough Land Registration District.

(2) The Corporation shall have all such powers, rights, and privileges as may be reasonably necessary or expedient, to enable it to carry out its functions, and in particular it may from time to time—

- (a) Prepare and carry out forest surveys, including surveys necessary for the demarcation of forests, for working plans, for land utilisation, for water conservation, for soil stabilisation, and for timber assessment:
- (b) Acquire, use, and develop land for establishment, culture, growth, protection, maintenance, and management of trees and other plants; for the utilisation of forest produce; for administrative, industrial, residential, or storage uses in connection with its land or forest produce; for providing access; for the carrying on of farming operations incidental to the management and operation of its land; for the conservation of water; for the stabilisation of soil; and for amenity purposes including scientific purposes or such recreational purposes as are consistent with the proper use, management, and utilisation of its land:
- (c) Make provision for the establishment, culture, growth, protection, maintenance, and management of trees and other plants on its land and for the utilisation of forest produce derived from the same:
- (d) Take such steps as may in its opinion be necessary or desirable for the prevention and control of fire on any of its land including for those purposes the purchase and maintenance of cattle and sheep:
- (e) Make provision generally for the administration of this Act.

(3) In exercise of the powers conferred on it by this section the Corporation may from time to time—

- (a) Purchase any land or take any land on lease or other tenancy or acquire or grant easements:
- (b) Purchase or hire any machinery, plant or appliances which it considers necessary for the more effective carrying out of its functions:
- (c) Erect dwellings, hostels, or other buildings on Corporation land for the purpose of providing accommodation for persons employed by the Corporation and

let any such buildings to those persons at such rent and subject to such terms and conditions as the Corporation may determine:

- (d) Sell or otherwise dispose of forest, pastoral, or other produce from its land:
- (e) Establish and carry on any operations or industry relative to the felling, cutting, extraction, removal, conversion, manufacture, transport, distribution, or sale of timber or other forest produce derived from its land or the finished products derived from any such produce, and erect, purchase, rent, or lease any buildings, machinery, or plant required in connection therewith:
- (f) Enter into any partnership or into any arrangement for sharing of profits, union of interest, co-operation, joint adventure, reciprocal concession, or otherwise with any Government Department, corporation, company, or person carrying on or engaged in or about to carry on or engage in any purpose which the Corporation is authorised to carry on or engage in:
- (g) Enter into any contract or agreement for the carrying out of the purposes of this Act.

(4) For the purpose of taking under the provisions of the Public Works Act 1928 any area of land required for forest plantation purposes, the Corporation shall be deemed to be a local authority and section 15 of that Act shall apply accordingly.

**12. Land may be purchased on system of time payment—**Any land purchased by the Corporation may, with the approval of the Minister of Forests, be paid for by the Corporation by instalments extending over a period not exceeding 20 years, and interest at such rate as that Minister approves may be paid by the Corporation in respect of any portion of the purchase money that may for the time being be unpaid.

**13. Working plans—**(1) The Corporation may from time to time prepare working plans for forestry purposes in respect of the whole or any part of its land, and every such working plan shall regulate the management of the land affected by the plan for such periods not exceeding 10 years as may be stated on the plan in that behalf.

(2) Every working plan shall specify with respect to the period thereof—

- (a) The silvicultural operations to be carried out; and
- (b) The maximum area from which forest produce may be disposed of or the maximum quantity of forest produce that may be disposed of, or both, as the Corporation thinks fit; and
- (c) The protection and development operations to be carried out; and
- (d) Such other matters as the Corporation thinks fit.

**14. Disposal of land or buildings no longer required—**

(1) Any land owned by the Corporation may be sold at such price and on such terms and conditions as the Corporation may determine.

(2) Any sale under subsection (1) of this section may be by public auction or public tender at an upset price and public notice shall be given by the Corporation of the date and time at which and the place where the sale shall be made:

Provided that where the area of land being sold is small or the purchaser is the holder of other land in the locality or where in the opinion of the Corporation there are special circumstances affecting the purchaser or the land the sale may be by private treaty.

(3) Where any land for the time being owned by or vested in the Corporation is no longer required, or is not for the time being required for the purposes of this Act, the Corporation may lease the land or let any buildings situated on the land.

(4) The Corporation is hereby declared to be a leasing authority for the purposes of the Public Bodies Leases Act 1969.

(5) The Corporation may from time to time, subject to the provisions of this Act and of any working plan for the time being in force thereunder, grant licences and permits to take forest produce from any of its land, or to occupy any such land for any purpose which in the opinion of the Corporation is not prejudicial to its operations, upon and subject to such conditions, whether as to royalties, charges, or otherwise as the Corporation thinks fit.

**15. Exchange of land—**The Corporation may exchange any Corporation land for other land for any purpose authorised by this Act and where any such exchange takes place may pay or receive such sums as may be required by way of equality of exchange.

## PART II

**16. Marlborough Forestry Corporation Fund**—(1) For the purposes of this Act there shall be established, at such bank as the Corporation from time to time determines, an account to be known as the Marlborough Forestry Corporation Fund.

(2) Except as provided by the Local Authorities Loans Act 1956 in respect of money raised by way of special loan, all money from time to time derived from the operations of the Corporation or payable to the Corporation and any other money that may be lawfully payable into the Fund shall be payable into the Fund.

(3) All money shall be paid by the Corporation in cash, or by cheque signed by the Secretary or other officer of the Corporation whom the Corporation, by resolution, from time to time appoints for the purpose of signing cheques, and countersigned in each case by a member whom the Corporation from time to time authorises to sign cheques.

(4) Every payment of money by the Corporation shall be authorised by prior resolution of the Corporation or shall be submitted to the Corporation for authorisation at its next ordinary meeting.

(5) Notwithstanding anything in subsection (3) of this section it shall be lawful, with the prior consent in writing of the Audit Office and subject to such conditions as the Audit Office prescribes, for any money to be paid by the Corporation by cheque bearing a facsimile of the signature of the Secretary and of any person authorised pursuant to the provisions of this section to countersign cheques, and every cheque bearing such a facsimile shall be deemed to have been duly signed and countersigned in accordance with the provisions of this section.

**17. Imprest Account**—(1) The Corporation may pursuant to a resolution in that behalf establish an Imprest Account which shall be kept at such bank as the Corporation from time to time appoints.

(2) The Imprest Account may be held jointly in the names of and be operated on by the Secretary and one other person to be appointed in that behalf by the Corporation or may with the express approval in writing of the Audit Office, but not otherwise, be in the sole name of and be operated on by the Secretary or other approved officer of the Corporation. Where the Imprest Account is held jointly in the names of the Secretary and of 1 other person as aforesaid, that other

person shall be either a responsible officer of the Corporation or a member of the Corporation.

(3) The Corporation shall from time to time by resolution fix the maximum amount that may be held at any time in the Imprest Account not exceeding \$500 in any case where the Imprest Account may be operated on by 1 person acting alone and not exceeding such amount as the Audit Office may approve in any other case.

(4) Money in the Imprest Account shall be available only for the payment of salaries and wages and of emergency expenditure. A statement of all payments made from the Imprest Account shall be submitted to the Corporation for approval at its first ordinary meeting thereafter. The payment of money out of the Imprest Account for any purpose not hereby authorised shall be deemed to be the misappropriation of the funds of the Corporation.

**18. Establishment of special funds—**(1) The Corporation may from time to time appropriate any money to form a fund or funds for any of the following purposes:

- (a) The meeting of claims arising from fire occurring on or in connection with any Corporation land:
- (b) To provide for the re-erection, repair, or reinstatement of any buildings or other property of the Corporation that may be destroyed or damaged by fire:

Provided that, where the Corporation considers it inexpedient that any building or other property that is destroyed or damaged by fire shall be re-erected, repaired, or reinstated the Corporation, may with the approval of the Audit Office, apply any money forming part of any such fund, not exceeding the insurable value of the building or other property destroyed or damaged, in the acquisition or erection of another building or the purchase of other property in place of the building or other property destroyed or damaged:

- (c) The meeting of claims for accidents arising out of the exercise and performance by the Corporation of its powers, duties, and functions under this Act; but no greater sum shall be set aside in any one year than the amount that at current rates would have been payable for that year in respect of the insurance of workers employed by or vehicles belonging to the Corporation and in respect of insurance against public risk.

(2) The Corporation may from time to time invest, in accordance with section 26 of this Act, any money so set aside and pay the proceeds into the said fund or funds.

(3) The Corporation having established a special fund or funds under subsection (1) of this section may in any year make an appropriation from its revenue to such special fund or funds.

(4) The Corporation shall not later than the last day of February next following pay the amount so appropriated into a separate bank account.

**19. Banking of money**—Where any money belonging to the Corporation amounting to \$20 or upwards comes into the hands of any officer of the Corporation or other person authorised to receive money on behalf of the Corporation, that officer or other person shall, within 7 days after the money comes into his hands, or within such shorter period as the Corporation from time to time directs, pay the same to such officer of the Corporation as the Corporation from time to time directs, who shall forthwith pay the same, together with any money received direct by him, into the appropriate account at such bank as the Corporation from time to time appoints.

**20. Accounts and audit**—(1) The Corporation 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 for that purpose shall have and may exercise all such powers as it has under the Public Revenues Act 1953 in respect of public money and stores and persons dealing therewith.

(2) The Corporation shall, as soon as practicable after the 30th day of November in each year, cause the accounts of the Corporation for the financial year which ended on that date to be balanced and prepare a balance sheet of the Corporation as at the end of the financial year, and such other statements of accounts as are necessary to show fully the financial position of the Corporation and the financial results of its operations during the year.

(3) As soon as may be reasonably practicable after the end of each financial year, the Corporation shall furnish to each constituent authority a report of its operations for that financial year together with a copy of its accounts and balance sheet for that year and the report of the Audit Office on those accounts and that balance sheet.

**21. Borrowing powers**—(1) The Corporation may from time to time borrow such sums as are necessary for carrying out its functions under this Act.

(2) The Corporation shall be a local authority for the purposes of the Local Authorities Loans Act 1956 and the provisions of that Act shall apply to all sums borrowed by the Corporation.

**22. Constituent authorities may guarantee loans**—(1) Any constituent authority may guarantee the repayment of money borrowed by the Corporation and the payment of interest on any such money.

(2) Any 2 or more constituent authorities may combine in entering into any such guarantee, whether jointly and severally or on such other terms and conditions as may be agreed upon between those constituent authorities.

(3) Where any constituent authority becomes liable to make any payment under any such guarantee as aforesaid, it may make payment out of its general fund or account or out of any money borrowed by it under this section.

(4) For the purpose of providing funds to enable it to make any payment for which it becomes liable under any guarantee pursuant to this section, or for the purpose of refunding to its general fund or account the amount of any payment so made thereout, any constituent authority may borrow money by way of special loan under the Local Authorities Loans Act 1956, and, notwithstanding anything in section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

**23. Grants for research**—(1) The Corporation may from time to time make grants from the funds for the purpose of giving assistance towards research or investigation in respect of matters relating to the forestry industry and generally for the purpose of encouraging the adoption of measures designed to promote the greater efficiency of that industry:

Provided that the money so granted shall not in any financial year exceed the sum of \$500.

(2) In addition to the amounts authorised to be paid by the Corporation under subsection (1) of this section the Corporation may in any year pay to any organisation engaged in research in respect of forestry or silviculture for the purpose of receiving assistance in the destruction of forest pests or weeds or in respect of any other matter likely to

assist the Corporation in administering its land with greater efficiency an amount not exceeding a sum equivalent to 50c for every acre of Corporation forest land which is planted with trees.

**24. Fees and travelling allowances and remuneration of members—**(1) The Corporation is hereby declared to be a Statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

(2) There shall be paid out of the Fund to the members of the Corporation or any committee appointed by the Corporation travelling allowances or expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

(3) The Corporation may pay to each member of the Corporation remuneration in respect of each meeting of the Corporation or of any Committee thereof attended by him at such rate as may from time to time be paid by any Catchment Board to a member of a Catchment Board pursuant to section 114A of the Soil Conservation and Rivers Control Act 1941:

Provided that the total amount that may be paid under this section to any member in any financial year shall not exceed the amount for the time being specified in the proviso to the said section 114A:

Provided also that no remuneration may be paid under this section to any person holding office as the Chairman of the Corporation if an allowance is for the time being payable to that person pursuant to subsection (2) of section 5 of this Act.

**25. Unauthorised expenditure—**The Corporation may in any financial year expend out of the Fund for purposes not authorised by this Act any sum or sums not amounting in the aggregate to more than 1 percent of the Corporation's revenue for the last preceding financial year, but not in any case exceeding \$600:

Provided that if 1 percent of the Corporation's revenue for any financial year does not amount to \$200 the Corporation may in the next succeeding year expend a sum not exceeding \$200 for the purposes aforesaid.

**26. Investment of funds of Corporation—**Any money belonging to the Corporation and available for investment

may from time to time be invested by the Corporation in the manner following:

- (a) In New Zealand Government Securities; or
- (b) On deposit in any bank lawfully carrying on the business of banking in New Zealand, or in the Post Office Savings Bank, or in any trustee savings bank established under the Trustee Savings Banks Act 1948, or in any private savings bank established under the Private Savings Banks Act 1964; or
- (c) In the Common Fund of the Public Trust Office; or
- (d) In the National Provident Fund; or
- (e) In the debentures or stock of any local authority within the meaning of the Local Authorities Loans Act 1956 which are authorised investments for the investment of trust funds under the provisions of section 4 of the Trustee Act 1956:

Provided that the Corporation shall not be entitled under this paragraph so to invest any money forming part of any particular fund of the Corporation, if at the time of the investment the total amount of the securities of such local authorities held pursuant to this paragraph or to paragraph (f) of this subsection as investments of that fund, together with the money proposed to be then invested, exceeds half the total investments for the time being of the money in that fund; or

- (f) In any other securities that may from time to time be authorised by the Governor-General in Council.

#### **27. Contribution to and disposal of Corporation funds—**

(1) Subject to the provisions of this section, the constituent authorities shall from time to time contribute to the Fund such sum or sums as the Corporation thinks necessary to enable it to carry out its functions.

(2) The sums so required by the Corporation shall be apportioned among the constituent authorities in accordance with a percentage formula for contributions determined by the Corporation from time to time by way of special order, after consultation with the constituent authorities:

Provided that that Corporation may at any time or times, with the approval in writing of the Minister of Forests, defer or waive any contribution or contributions of a constituent authority upon such terms and conditions, if any, as are approved by that Minister.

(3) Each constituent authority which is called upon to pay a sum or sums into the Fund pursuant to the provisions of this section shall pay any sum or sums within 60 days after receiving notice from the Secretary that the Corporation has required the payment or payments or on such later date as may be specified in that notice. If any constituent authority fails to make any such payment or payments within the time prescribed by this subsection the amount so unpaid, together with interest thereon at such rate as shall be specified in the notice, shall be deemed to be a debt due to the Corporation from the constituent authority and may be recovered accordingly.

(4) The Secretary shall in each year issue to each constituent authority a certificate of its contributions specifying the amounts of its contributions and the dates of payment thereof.

(5) At any time when the Corporation shall resolve to distribute to the constituent authorities unappropriated income arising from its operations the contributions made in each year by the constituent authorities together with interest thereon at the rate of \$5 per centum per annum from the date of payment thereof, as stated in the certificates of contribution, shall be capitalised and such unappropriated income shall be distributed to the constituent authorities by way of dividend declared at such rate per centum on the capital so determined as shall be resolved by the Corporation.

(6) Any constituent authority may at any time, with the consent of the Corporation, make additional contributions to the Fund and the Corporation is hereby empowered to accept any such additional contributions. The provisions of subsections (4) and (5) of this section shall apply to all such additional contributions.

(7) Any constituent authority may, out of its general fund, advance to the Corporation such sum as it thinks fit towards payment of the expenses of and incidental to the passing of this Act and the formation and establishment of the Corporation.

(8) All money advanced by a constituent authority under subsection (7) of this section shall be repayable by the Corporation on demand:

Provided that any constituent authority may, after the commencement of this Act, resolve that any money advanced by it to the Corporation under subsection (7) of this section shall be additional contributions under subsection (6) of

this section and the money to which the resolution relates shall be deemed to have been paid to the Corporation as additional contributions on the date on which the constituent authority notifies the Corporation in writing of the passing of the resolution.

**28. Power of constituent authorities in regard to payment**—Every constituent authority shall, for the purpose of enabling it to make payments to the Corporation under the provisions of section 27 of this Act, be entitled and authorised to make such payments out of its ordinary revenue or funds.

### PART III

**29. Contracts of Corporation**—(1) The Corporation shall be deemed to be a local authority under the Public Bodies Contracts Act 1959.

(2) Part II of the First Schedule to the Public Bodies Contracts Act 1959 is hereby amended by inserting, in its appropriate alphabetical order, the following item:

“The Marlborough Forestry Corporation	1970, No. 17 (Local)—The Marlborough Forestry Corporation Act 1970.”
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(3) The Corporation shall be empowered to contract with any constituent authority as if such constituent authority were a private person unconnected with the Corporation.

**30. Making of special orders**—The power given by this or any other Act to the Corporation to do anything by “special order” shall be exercised only as follows:

- (a) The resolution to do such thing shall be passed at a special meeting:
- (b) The resolution shall be confirmed at a subsequent meeting (either ordinary or special) held not sooner than the twenty-eighth day and not later than the seventh day after the special meeting:
- (c) Public notice of the place and date fixed for that subsequent meeting, and of the purport of the resolution shall be given twice during the period of 28 days immediately preceding the date of the subsequent meeting, with an interval of not less than 14 days between the 2 notifications:
- (d) Written notice of the time and place of the subsequent meeting under the hand of the Secretary shall be given to each member of the Corporation not less

than 3 clear days before the subsequent meeting, which notice shall refer to the said resolution:

- (e) The notice directed to be given by paragraph (d) of this section shall suffice, even though the subsequent meeting is a special meeting.

**31. Evidence of special orders**—A document purporting to be a copy of any special order, sealed with the common seal of the Corporation, shall be received as evidence for all purposes that the special order of which the document purports to be a copy has been duly made in accordance with this Act unless the contrary is proved.

**32. Proceedings to quash special orders**—No special order shall be quashed by proceedings in any Court or otherwise unless such proceedings are commenced within 6 months from the making of the special order.

**33. Insurance of Corporation members**—(1) The Corporation may from time to time enter into contracts of insurance insuring members of the Corporation against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members of the Corporation, and may pay the premiums payable in respect of those contracts.

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

**34. Bylaws**—The Corporation may from time to time make bylaws for all or any of the following purposes:

- (a) The management and use of any land under its control and the preservation of trees and plants thereon:
- (b) The general conduct of business and proceedings of the Corporation and its committees:
- (c) The more effectual carrying out of any of the objects of this Act.

**35. Bylaws not to be repugnant to Act**—Bylaws made under section 34 of this Act shall not be repugnant to the provisions of this Act, or any Act, and they shall not come into operation until a copy under the seal of the Corporation has been sent to, and a receipt thereof has been acknowledged by, the Minister of Internal Affairs.

**36. Bylaws, how made—**(1) Bylaws under this Act shall be made only in the manner and subject to the conditions following, namely:

(a) They shall be made only by special order:

Provided that in publicly notifying the resolution making such order it shall not be necessary to set forth the whole of the proposed bylaw if the object or purport of the same is stated, and if a copy of the proposed bylaw is deposited at the office of the Corporation and is open to the inspection of the public during office hours for at least 7 days immediately preceding the meeting at which the resolution is to be confirmed:

(b) They may be amended before confirmation of the special order making the same:

(c) They shall have the common seal of the Corporation affixed thereto.

(2) Any bylaw may in like manner be altered or revoked.

**37. Proof of bylaws—**The production of any document purporting to be a printed copy of any bylaw made in whole or in part under the authority of this Act, and to be sealed with the common seal of the Corporation, shall, until the contrary is shown, be sufficient evidence of the bylaw having been duly made, and that the same duly came into force on the day mentioned in that behalf in that copy of the bylaw.

**38. Corporation to provide printed copies of bylaws—**The Corporation shall cause printed copies of all bylaws to be kept at the office of the Corporation and to be sold at a reasonable charge to any person applying for the same.

**39. Disallowance of bylaws—**Within 6 months after the receipt of a copy of any bylaw has been acknowledged as aforesaid by the Minister of Internal Affairs, the Governor-General may disallow the same or any part thereof, and upon the disallowance being gazetted the bylaw or part thereof so disallowed shall cease to have any force; but the disallowance shall not affect the validity of anything theretofore done under the bylaw or part thereof so disallowed.

**40. Penalty for breach of bylaws—**(1) Bylaws made by the Corporation under this Act may prescribe fines not exceeding \$50 for any breach thereof, and in the case of a

continuing breach may prescribe a further fine not exceeding \$10 for every day or part of a day during which such breach continues.

(2) Where any person has been convicted of a continuing offence against any bylaw made under this Act, the Corporation may apply to the Supreme Court for an injunction to restrain the further continuance of the offence by that person.

(3) The continued existence of any work or thing in a state contrary to any such bylaw shall be deemed a continuing offence for the purposes of this section.

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## SCHEDULE

Section 1 (3)

Awatere County Council.  
Blenheim Borough Council.  
Kaikoura County Council.  
Marlborough County Council.  
Marlborough Catchment Board.  
Marlborough Electric Power Board.  
Marlborough Harbour Board.  
Picton Borough Council.

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