

New Zealand

## ANALYSIS

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1946, No. 3—*Private*

**Title.** AN ACT to amend the Papawai and Kaikokirikiri Trusts Act, 1943. [9th October, 1946]

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

**Short Title and commencement.**

**1.** (1) This Act may be cited as the Papawai and Kaikokirikiri Trusts Amendment Act, 1946, and shall be read together with and deemed part of the Papawai and Kaikokirikiri Trusts Act, 1943 (hereinafter referred to as the principal Act).

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(2) This Act shall come into force on the first day of November, nineteen hundred and forty-six.

2. Section two of the principal Act is hereby amended by omitting from the definition of the term "financial year" the words "such day in any year as the Board determines", and substituting the words "the thirty-first day of March in any year".

Section 2 of  
principal Act  
amended.

3. Section four of the principal Act is hereby amended as follows:—

Constitution  
of Board.

- (a) By omitting from subsection one the word "eight", and substituting the word "ten":
- (b) By omitting from paragraph (a) of the same subsection the words "Four members", and substituting the words "Five members, one of whom shall be a Maori,":
- (c) By omitting from paragraph (b) of the same subsection the word "Three", and substituting the word "Four":
- (d) By repealing subsection three and subsection four.

Repeal.

4. (1) The members of the Board in office at the commencement of this Act shall continue in office, and any members needed to fill vacancies in the membership of the Board at the commencement of this Act shall be appointed as soon as practicable thereafter.

Term of office  
of members of  
Board.

(2) With respect to the members of the Board in office at the commencement of this Act and the members to be appointed, as provided in subsection one hereof, to fill any vacancies in the membership of the Board, the following provisions shall apply:—

- (a) Two of the members (other than the Maori member) appointed on the recommendation of the Diocesan Trusts Board shall retire on the thirty-first day of March, nineteen hundred and forty-seven:
- (b) One of the members (other than the Maori member) appointed on the recommendation of the Diocesan Trusts Board and one of the members appointed on the recommendation of the Native Land Court shall retire on the thirty-first day of March, nineteen hundred and forty-eight:

(c) Two of the members (including the Maori member) appointed on the recommendation of the Diocesan Trusts Board, one of the members appointed on the recommendation of the Native Land Court, and the member appointed on the recommendation of the Minister shall retire on the thirty-first day of March, nineteen hundred and forty-nine:

(d) Two of the members appointed on the recommendation of the Native Land Court shall retire on the thirty-first day of March, nineteen hundred and fifty.

(3) The members of the Board to retire in any year shall be those who have been longest in office since their last appointment, but as between persons who become members on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

(4) Subject to the provisions of subsection two hereof, all members of the Board shall be appointed for a term of three years computed from the expiration of the term for which their predecessors were appointed.

**5.** Section seven of the principal Act is hereby amended as follows:—

(a) By inserting, after subsection one, the following subsection:—

“(1A) Any three members of the Board may at any time by notice given in writing to the Chairman of the Board require the Chairman to call a special meeting of the Board, and thereupon the Chairman shall call a special meeting of the Board to be held not later than one month after the day on which he received the notice.”:

(b) By omitting from subsection two the word “ five ”, and substituting the word “ six ”.

**6.** Section twelve of the principal Act is hereby amended by inserting in paragraph (a) of subsection four, after the words “ scholarships for ”, the words “ the post-primary education of ”.

Section 7 of  
principal Act  
amended.

Section 12 of  
principal Act  
amended.

7. Section thirteen of the principal Act is hereby amended as follows:—

Section 13 of  
principal Act  
amended.

(a) By omitting from subsection five the words “ a Judge of the Supreme Court by motion in Chambers ”, and substituting the words “ the Native Land Court ”:

(b) By omitting from the same subsection the word “ Judge ” where it secondly occurs, and substituting the word “ Court ”:

(c) By omitting from the same subsection the words “ such motion ”, and substituting the words “ such application ”.

8. Notwithstanding anything in the principal Act, the Board is hereby authorized to pay to Sidney Archibald Wiren, Esquire, of Wellington, out of the income of the Board such sum as may be fixed by agreement made between him and the Board for legal work performed by him for certain Maoris in connection with the principal Act and this Act.

Authorizing  
payment of  
legal costs.

9. This Act is hereby declared to be a private Act.

Private Act.