

New Zealand.



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1933, No. 17.

AN ACT to abolish the New Zealand Institute and to constitute in lieu thereof a Body for the Promotion of Science, to be known as the Royal Society of New Zealand. Title.
[6th December, 1933.]

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

1. This Act may be cited as the Royal Society of New Zealand Act, 1933. Short Title.

2. (1) The New Zealand Institute constituted by the New Zealand Institute Act, 1908, is hereby abolished and the Board of Governors thereof is hereby dissolved. New Zealand Institute abolished and Royal Society of New Zealand constituted as successor thereto.

(2) There is hereby constituted as successor to the New Zealand Institute a body which, in accordance with the gracious approval of His Majesty heretofore duly given, shall be called the Royal Society of New Zealand

(hereinafter referred to as the Society) and under that name shall be a body corporate with perpetual succession and a common seal, and shall be capable of holding real and personal property, and of doing and suffering all that bodies corporate may do and suffer.

Membership
of Society.

3. The Society shall consist of the Auckland Institute, the Wellington Philosophical Society, the Philosophical Institute of Canterbury, the Otago Institute, the Hawke's Bay Philosophical Institute, and the Nelson Institute as member bodies, and such other bodies as may hereafter, in accordance with rules in that behalf made by the Council of the Society, be declared to be member bodies of the Society, together with the individual members for the time being of all such member bodies.

Council.

4. (1) There is hereby constituted a Council of the Society (hereinafter referred to as the Council) which shall consist of—

(a) The Minister for the time being in charge of the Department of Scientific and Industrial Research :

(b) Four members to be appointed by the Governor-General in Council, of whom two shall be appointed during the month of March in every year, the first of such appointments to be made in the month of March, nineteen hundred and thirty-four :

(c) Eight members to be appointed in the month of March, nineteen hundred and thirty-four, and in the same month in every alternate year thereafter, of whom two shall be appointed by the Auckland Institute, two by the Wellington Philosophical Society, two by the Philosophical Institute of Canterbury, and two by the Otago Institute :

(d) One member to be appointed by each of the other member bodies in the month of March, nineteen hundred and thirty-four, and in the same month in every alternate year thereafter :

(e) The President and Vice-President of the Society if not otherwise members of the Council.

(2) The Council itself may from time to time if and when it thinks fit so to do appoint for a term not exceeding two years any fit person to be a member of the Council.

(3) Pending appointments of members of the Council pursuant to paragraphs (b) to (d) respectively of subsection one hereof and the last preceding subsection, the members of the Board of Governors of the New Zealand Institute appointed under the corresponding provisions of section three of the New Zealand Institute Act, 1908, and in office immediately before the passing of this Act, shall for all purposes be deemed to be members of the Council and shall continue in office as follows :—

(a) Of the four members appointed by the Governor-General in Council the two longest in office without reappointment shall retire on the first appointment by the Governor-General in Council of two members under paragraph (b) of subsection one hereof, and the other two shall retire on the second appointment of two members under that paragraph :

(b) The member appointed by the said Board of Governors shall retire on the expiration of the period for which he was so appointed :

(c) All the other members shall retire on the first appointments of members pursuant to paragraph (c) or paragraph (d) of subsection one hereof, as the case may be, by the respective member bodies by which they were appointed to membership of the said Board of Governors.

5. (1) Of the members of the Council appointed under subsections one and two of section four of this Act—

Term of office
of appointed
members of
Council.

(a) The members appointed by the Governor-General in Council in the month of March in any year shall retire on the appointment of other such members in the same month in the second year thereafter :

(b) The member or members appointed by any member body shall retire on the appointment of a successor or successors by that body :

(c) The member appointed by the Council shall retire on the expiration of the term for which he was appointed.

(2) Every member retiring from office as aforesaid shall be eligible for reappointment.

Vacancies.

6. (1) Any appointed member of the Council may at any time resign his office by writing addressed to the Council, and in such case, or in case of his death, the vacancy in the membership of the Council shall within three months from the date of such resignation or death be filled by appointment of some fit person by the authority that appointed the member whose office has become vacant, and if not filled within that time the vacancy shall be filled by the Council:

Provided that it shall not be necessary for the Council to fill a casual vacancy caused by the resignation or death of the member appointed by it under subsection two of section four hereof.

(2) Any person appointed to fill any such vacancy shall hold office only for the remainder of the term for which his predecessor was appointed.

Patron,
President, and
Vice-President.

7. (1) The Governor-General shall during his pleasure be the Honorary Patron of the Society.

(2) At its first annual meeting held after the passing of this Act, and at every annual meeting held thereafter, the Council shall appoint some fit person to be President and some fit person to be Vice-President of the Society.

(3) Each of such officers shall come into office at the close of the annual meeting at which he is appointed and hold office until his successor comes into office, and shall be eligible for reappointment.

(4) Where by reason of death or resignation either of such offices becomes vacant the vacancy shall be filled by appointment by the Council of some fit person to hold office until the person appointed at the next annual meeting comes into office.

(5) The President, and in his absence or incapacity the Vice-President, shall, subject to direction by the Council, superintend and carry out all necessary work in connection with the affairs of the Society, and shall be the Chairman of all meetings of the Society and the Council.

(6) The persons holding office as President and Vice-President respectively of the New Zealand Institute immediately before the passing of this Act shall be deemed to be President and Vice-President of the Society until the persons first appointed to those offices under subsection one of this section come into office.

8. (1) The Council may from time to time, as it sees fit, make arrangements for the holding of general meetings of members of the Society, for the reading of scientific papers, the delivery of lectures, and the promotion of science in New Zealand by any means that may appear desirable.

Meetings of
Society and
Council.

(2) An annual meeting of the Council shall be held in the month of May, nineteen hundred and thirty-four, and in the same month or the month of April in each year thereafter as the Council from time to time determines, at a time and place fixed by the Council, to deal with such matters as are required by this Act or any rules thereunder to be dealt with at the annual meeting, and such other matters as that meeting thinks fit. At each annual meeting the President shall present a report of the work of the Society for the year ended the thirty-first day of March then last past, and a statement of accounts (including a Receipts and Payments Account) duly audited.

(3) Ordinary meetings of the Council shall be held from time to time as the Council or the President directs.

(4) In the absence of both the President and the Vice-President from any meeting of the Society or the Council the members present shall elect one of their own number to be Chairman of that meeting.

(5) At every meeting the Chairman shall have a deliberative vote and in case of an equality of votes shall also have a casting vote.

9. (1) The Council shall have the control and management of the Society and of all property for the time being vested in the Society, and may dispose, in such manner as it thinks fit, of any grants, bequests, or gifts of books or specimens of any kind whatever made to the Society, and generally shall act for and on behalf of the Society.

Powers of
Council.

(2) The Council may from time to time appoint standing or special committees and may relegate to such committees any matters for consideration, or inquiry, or management, or regulation; and may delegate to any such committee any of the powers or duties of the Council.

(3) The Council may from time to time appoint such officers and servants and pay to them such remuneration as it thinks fit.

(4) The Council shall appoint the President or some other fit person to be Editor of the transactions of the Society.

(5) The Council may from time to time expend in such manner as it thinks fit for the promotion of science any funds of the Society not appropriated or held in trust for any special purpose.

Fellowships,
honorary
membership,
and awards.

10. The Council may from time to time elect any person who has rendered eminent services to science to be a Fellow or an honorary member of the Society, and may also from time to time make awards of medals or other prizes to persons deemed worthy of such awards by reason of any research, investigation, or other scientific work made or done by them.

Rules.

11. (1) The Council may from time to time by resolution passed at any meeting thereof make rules not inconsistent with this Act for all or any of the following purposes, namely:—

- (a) Governing the admission of scientific bodies as member bodies of the Society, and prescribing the conditions on which they may continue to be member bodies and the annual or other fees (if any) to be paid by member bodies :
 - (b) Regulating the proceedings of the Council and of committees and the conduct of meetings thereof respectively :
 - (c) Providing for the custody of the property of the Society, and the custody and use of the common seal of the Society :
 - (d) Prescribing the form and manner of keeping accounts of moneys of the Society :
 - (e) Prescribing the duties of officers and servants :
 - (f) The encouragement of research by members of the Society :
 - (g) Regulating the election and prescribing the privileges and duties of Fellows and honorary members of the Society and regulating the making of awards :
 - (h) Such other matters as may be necessary for duly carrying out the work of the Society or the Council.
- (2) Notice of every resolution proposed to be submitted to any meeting for the making, amendment, or revocation

of any such rules as aforesaid shall be given to every member of the Council fourteen clear days before the day fixed for such meeting.

(3) Every resolution making, amending, or revoking any such rules as aforesaid shall be published in the *Gazette* and shall have force and effect as from the date of gazetting thereof or some later date to be specified in such resolution.

(4) *Prima facie* evidence that any rule under this section has been duly made and remains in force may be given in all legal proceedings by the production of a copy of the *Gazette* purporting to contain such rule or by the production of a copy of such rule purporting to be printed by the Government Printer.

12. The Minister of Finance shall, out of moneys appropriated by Parliament for the purpose, pay to the Council the sum of five hundred pounds in each financial year commencing with the year beginning on the first day of April, nineteen hundred and thirty-four, to be applied in or towards payment of the general expenses of the Society.

Endowment of Society.

13. On the passing of this Act all real and personal property of every description vested in the Board of Governors of the New Zealand Institute shall vest in the Society without conveyance or assignment for the estate and interest of the said Board therein, subject to all liabilities, charges, obligations, or trusts affecting that property, and all the contracts, debts, and liabilities of the said Board shall become the contracts, debts, and liabilities of the Society.

Property, &c., of New Zealand Institute to vest in Society.

14. Forthwith upon the gazetting of any resolution making, amending, or revoking any rules under this Act or the publication of any transactions the Council shall transmit a copy thereof to the Minister for the time being in charge of the Department of Scientific and Industrial Research, who shall lay the same before Parliament if then sitting, or if not, then within twenty-one days after the commencement of the next ensuing session.

Rules and transactions to be laid before Parliament.

15. (1) The New Zealand Institute Act, 1908, the New Zealand Institute Amendment Act, 1930, section seven of the Finance Act, 1925, and section seven of the Finance Act, 1931 (No. 2), are hereby repealed.

Repeals and savings.

(2) With respect to those enactments the following provisions shall apply :—

(a) All appointments and other acts of authority which originated under any of the said enactments or any enactment thereby repealed, and are subsisting or in force on the commencement of this Act shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(b) All regulations made by the Board of Governors of the New Zealand Institute under any of the said enactments and in force immediately before the passing of this Act shall continue in force as rules under this Act until amended or revoked under this Act.

(c) All matters and proceedings commenced under any of the said enactments and pending or in progress on the commencement of this Act may be continued, completed, and enforced under this Act.

(3) All references in any other Act to the New Zealand Institute or the Board of Governors, or the President or Vice-President thereof respectively, shall hereafter be deemed for all purposes to be and shall be read as references to the Society or the Council or the President or Vice-President of the Society, as the case may require.
