



## ANALYSIS

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1993, No. 3—*Private*

**An Act to amend the Thomas Cawthron Trust Act 1924**

[20 September 1993]

WHEREAS under the will of the late Thomas Cawthron and the Thomas Cawthron Trust Act 1924, the Cawthron Institute Trust Board holds certain money and investments upon trust for the purchase of land and the erection and maintenance of an industrial and technical school, institute, and museum called the Cawthron Institute: And whereas 3 members of the Board are appointed by the Minister of Research, Science, and Technology and 4 members are appointed by the Governor-General in Council after consultation with the Board: And whereas it is no longer appropriate for members to be so appointed: And whereas the Board desires to alter the constitution of the Board to provide for 6 members to be appointed by the members ex officio of the Board: And whereas the objects of this Act cannot be attained otherwise than by legislation:

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Thomas Cawthron Trust Amendment Act 1993, and shall be read together with and deemed part of the Thomas Cawthron Trust Act 1924 (hereinafter referred to as the principal Act).

**2. Constitution of Board**—(1) The principal Act is hereby amended by repealing section 3 (as substituted by section 2 of

the Thomas Cawthron Trust Amendment Act 1966), and substituting the following section:

“3. (1) The Board shall consist of—

“(a) The persons holding for the time being the respective offices of—

“(i) Mayor of Nelson City:

“(ii) Mayor of Tasman District:

“(iii) Member of Parliament for the Electoral District of Nelson:

“(iv) Anglican Bishop of Nelson:

“(b) Six members appointed by the members holding office under paragraph (a) of this subsection, 3 of whom shall be appointed for their scientific knowledge and experience.

“(2) Before making any appointment under subsection (1) (b) of this section, the members holding office under subsection (1) (a) of this section—

“(a) Shall consult with, and have regard to the views of, the other members (if any) of the Board; and

“(b) Shall satisfy themselves that any regulations made by the Board (under section 12 (a) of this Act) in relation to the appointment of members (and not inconsistent with this section) have been complied with.

“(3) Except as otherwise provided in this section, each of the appointed members shall hold office for a period of 3 years from the date of that member’s appointment, but may from time to time be reappointed.

“(4) Every appointed member, unless that member vacates office otherwise than by effluxion of time, shall continue to hold office until that member’s successor comes into office.

“(5) The office of any appointed member shall become vacant if the member—

“(a) Dies; or

“(b) Resigns office by written notice to the Board; or

“(c) Is declared bankrupt; or

“(d) Is convicted of any offence punishable by a term of imprisonment of 2 years or more; or

“(e) Becomes subject to a compulsory treatment order made under Part II of the Mental Health (Compulsory Assessment and Treatment) Act 1992 or becomes a special patient as defined in section 2 (1) of that Act; or

“(f) Becomes a person in respect of whom an order is made pursuant to the Protection of Personal and Property Rights Act 1988.”

**3. Additional powers of Board**—Section 12 (a) of the principal Act is hereby amended by adding the words “, and the procedure that is to apply in relation to the making of appointments under section 3 (1) (b) of this Act”.

**4. Repeals**—The following enactments are hereby consequentially repealed:

(a) The Thomas Cawthron Trust Amendment Act 1966:

(b) Section 3 (2) of the Thomas Cawthron Trust Amendment Act 1981:

(c) The Thomas Cawthron Trust Amendment Act 1985:

(d) So much of the Second Schedule to the Foundation for Research, Science, and Technology Act 1990 as relates to the principal Act.

**5. Private Act**—This Act is hereby declared to be a private Act.

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