



ANALYSIS

Title	9. Powers of Trust Board
Preamble	10. Training farm not to be sold or leased
1. Short Title and commencement	11. Borrowing powers of Trust Board
2. Interpretation	12. Contracts of Trust Board
3. Wairarapa Cadet Training Farm Trust Board	13. Banking of money
4. Extraordinary vacancies	14. Accounts
5. Chairman	15. Exemption from land tax and income tax
6. Meetings of Trust Board	16. Members not personally liable
7. Functions of Trust Board	17. Annual report
8. Vesting of property in Trust Board	Schedule

1969, No. 138

An Act to make provision for the control and management of the Wairarapa Cadet Training Farm and for matters incidental thereto

[24 October 1969]

WHEREAS the lands described in the Schedule to this Act and known as the Wairarapa Cadet Training Farm and certain livestock were in the year 1918 conveyed as a gift to the Crown by certain residents of the Wairarapa district to be held upon the following trusts:

- (a) As a demonstration farm to provide in a practical and efficient manner an object lesson to learners and to farmers in sound, practical, modern profit-earning farming practice, nothing to be done either in the shape of erection of farm buildings or farming methods which is not within the capacity, financially, of the ordinary farmer:
- (b) As a place for accommodating returned soldiers desirous of learning good farming methods and giving them all facilities for doing so:

- (c) As a place for training youths in modern practical farming practice:
- (d) For furthering the advancement of practical farming methods generally, thereby assisting to stimulate increased production:

And whereas the training farm and the stock and implements thereon and other personal property have been and are being administered on behalf of the Crown by a committee of trustees in accordance with the terms of the trust: And whereas a plan of development has been prepared in respect of the training farm in order to increase its productivity, to upgrade its facilities, and to improve the finances of the farming and training programmes, which plan will require the provision of additional finance: And whereas it is desirable that for this purpose the committee of trustees be incorporated and the training farm and the personal property subject to the trusts be vested in the corporate body:

BE IT THEREFORE 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 Wairarapa Cadet Training Farm Act 1969.

(2) This Act shall come into force on the 1st day of January 1970.

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

“Minister” means the Minister of Agriculture:

“Training farm” means the Wairarapa Cadet Training Farm comprising the lands described in the Schedule to this Act:

“Trust Board” means the Wairarapa Cadet Training Farm Trust Board established by this Act.

3. Wairarapa Cadet Training Farm Trust Board—

(1) There is hereby constituted for the purposes of this Act a body corporate under the name of the Wairarapa Cadet Training Farm Trust Board, having perpetual succession and a common seal, and having power to hold real and personal property for the purposes of this Act, to sue and be sued, and, subject to this Act, to do and suffer all such acts and things as bodies corporate may do and suffer.

- (2) The Trust Board shall consist of—
- (a) Two members, to be appointed on the nomination of the committee of the Masterton Agricultural and Pastoral Association:
 - (b) Two members, to be appointed on the nomination of the committee of the Wairarapa and East Coast Pastoral and Agricultural Society:
 - (c) The Director-General of Agriculture:
 - (d) Two other members.
- (3) The members of the Trust Board other than the Director-General of Agriculture shall be appointed by the Minister, they shall be appointed for a term of 4 years, and shall be eligible for reappointment:

Provided that the members of the committee of trustees referred to in the Preamble to this Act holding office at the commencement of this Act shall be members of the Trust Board as if they had been appointed under this section, and, subject to section 4 of this Act, shall hold office for the remainder of the term for which they were appointed to be members of that committee.

(4) In the absence of the Director-General of Agriculture from any meeting of the Trust Board, he may authorise any officer of the Department of Agriculture to attend the meeting in his stead. The fact that any officer of the Department attends and acts as a member of the Trust Board at any such meeting shall be conclusive proof of his authority to do so.

4. Extraordinary vacancies—(1) Any appointed member of the Trust Board may at any time be removed from office by the Minister for disability, bankruptcy, neglect of duty, or misconduct proved to the satisfaction of the Minister, or may at any time resign his office by writing addressed to the Minister.

(2) If any appointed member of the Trust Board dies, or resigns, or is removed from office, the vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made. Every person so appointed shall, subject to the provisions of this Act, hold office for the residue of the term for which his predecessor was appointed.

(3) The powers of the Trust Board shall not be affected by any vacancy in its membership.

5. Chairman—(1) At the first meeting of the Trust Board held after the commencement of this Act, at the first meeting of the Board held after the 30th day of June 1970, and at the

first meeting of the Board held after the 30th day of June in every year thereafter, the Board shall appoint one of its members to be Chairman.

(2) Any person appointed as Chairman of the Trust Board shall hold office, while he continues to be a member of the Board or unless he sooner resigns his office, until the appointment of his successor, and may be reappointed.

6. Meetings of Trust Board—(1) The first meeting of the Trust Board shall be held at a time and place appointed by the person holding office at the commencement of this Act as the Chairman of the committee of trustees referred to in the Preamble to this Act.

(2) Subsequent meetings of the Trust Board shall be held at such times and places as the Board or the Chairman appoints from time to time.

(3) The Chairman of the Trust Board, or any 3 members thereof, may at any time call a meeting of the Board.

(4) At all meetings of the Trust Board, 4 members shall form a quorum.

(5) In the absence of the Chairman from any meeting of the Trust Board, the members present shall appoint one of their number to be the Chairman of that meeting.

(6) At any meeting of the Trust Board the Chairman presiding at that meeting shall have a deliberative vote, and, in the case of an equality of the votes, shall also have a casting vote.

(7) All questions before the Trust Board shall be decided by a majority of the valid votes recorded thereon.

(8) Subject to this section, the Trust Board shall determine its own procedure.

7. Functions of Trust Board—The functions of the Trust Board shall be to administer all real and personal property vested in it upon the trusts specified in the Preamble to this Act:

Provided that for the purposes of this Act the expression "modern practical farming practice" in paragraph (c) of the Preamble to this Act shall include theoretical tuition and training.

8. Vesting of property in Trust Board—(1) The land described in the Schedule to this Act is hereby vested in the Trust Board for an estate in fee simple, subject to the provisions of this Act.

(2) All personal property vested in the Crown immediately before the commencement of this Act and held for the purposes of the trust specified in the Preamble to this Act is hereby vested in the Trust Board for the purposes of this Act.

(3) If any question arises as to whether or not any personal property has vested in the Trust Board pursuant to subsection (2) of this section, that question shall be determined by the Minister, whose decision shall be final.

9. Powers of Trust Board—(1) Subject to subsection (2) of this section, in the exercise of its functions the Trust Board shall have the following powers:

- (a) To farm, develop, and manage the training farm:
- (b) To sell, exchange, or otherwise deal with any of its personal property upon such terms and subject to such conditions as it determines:
- (c) To acquire, whether by purchase or otherwise, any personal property for its general purposes or for any particular purpose:
- (d) With the prior consent of the Minister, to acquire by purchase, gift, or otherwise howsoever any real property for its general purposes or for any particular purpose:
- (e) To erect, add to, or alter such buildings, other works, and improvements on the training farm as it considers necessary, expedient, incidental, or conducive to the functions of the Trust Board:
- (f) To maintain and keep in good order, condition, and repair all buildings, other works, and improvements vested in the Trust Board:
- (g) To appoint officers and servants at such salaries and upon such conditions as it thinks fit, and make contributions to the National Provident Fund for the purpose of providing retiring allowances for its officers and servants. The Trust Board is hereby declared to be a local authority for the purposes of the National Provident Fund Act 1950:
- (h) To insure against public liability, loss, or damage by fire or earthquake or such other risks as the Trust Board may from time to time consider necessary or expedient.

(2) Except with the prior consent of the Minister, the Board shall not—

- (a) Incur capital expenditure exceeding \$2,000 on any one item of new buildings or equipment or any extension of existing capital works:
- (b) Alter the mode of investment of any of its funds:
- (c) Make any major policy change with respect to the use of the training farm.

10. Training farm not to be sold or leased—Except with the prior consent of the Minister, the Trust Board shall not sell, exchange, or lease the training farm or any part thereof.

11. Borrowing powers of Trust Board—(1) The Trust Board may from time to time borrow money from its bankers by way of overdraft.

(2) In addition to the power conferred by subsection (1) of this section, the Trust Board shall have power, with the prior consent of the Minister and upon and subject to such conditions as the Minister thinks fit, to borrow money for any of the purposes of the Board.

(3) For the purpose of securing the repayment of money borrowed pursuant to this section, the Trust Board may, with the prior consent of the Minister and upon and subject to such conditions as the Minister thinks fit, mortgage or charge the training farm or any part thereof or any of its personal property.

12. Contracts of Trust Board—(1) The Trust Board is hereby declared to be a public body for the purposes of the Public Bodies Contracts Act 1959 and to be a local authority for the purposes of the Local Authorities (Members' Interests) Act 1968.

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

“The Wairarapa Cadet Training Farm Trust Board	1969, No. 138—The Wairarapa Cadet Training Farm Act 1969.”
--	--

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

“The Wairarapa Cadet Training Farm Trust Board	1969, No. 138—The Wairarapa Cadet Training Farm Act 1969.”
--	--

13. Banking of money—(1) All money belonging to the Trust Board shall, within 7 days after it has been received by the proper officer of the Board, be paid into the account of the Board at such bank as the Board from time to time appoints.

(2) No money shall be withdrawn from the bank except by authority of the Trust Board and by cheque signed and countersigned by at least two persons whom the Board from time to time appoints for that purpose.

14. Accounts—(1) The Trust Board shall at all times keep full and correct records and accounts of all its financial transactions, assets, liabilities, and funds.

(2) The accounts shall be audited by the Audit Office.

(3) The Trust Board shall, not later than 3 months after the end of every financial year ending with the 30th day of June, cause its accounts for that year to be balanced, and full and true accounts of its funds, income, and expenditure for that year, with a balance sheet at the end of that year, to be prepared and submitted to the Audit Office:

Provided that this subsection shall apply with respect to the period commencing on the 1st day of January 1970 and ending with the 30th day of June 1970 as if that period were a financial year.

15. Exemption from land tax and income tax—The Trust Board is hereby declared to be exempt from the payment of land tax and income tax.

16. Members not personally liable—No member of the Trust Board shall be personally liable for any act done or omitted by the Board or by any member thereof in good faith in the course of the operations of the Board.

17. Annual report—The Trust Board shall furnish to the Minister a report of its operations during each year ending with the 30th day of June, together with a copy of its Profit and Loss Account for that year and balance sheet at the end of that year certified by the Audit Office, as soon as practicable after the end of that year:

Provided that this section shall apply with respect to the period commencing on the 1st day of January 1970 and ending with the 30th day of June 1970 as if that period were a year.

SCHEDULE

Sections 2, 8

LANDS COMPRISING THE WAIRARAPA CADET TRAINING FARM

(a) All that area of land in the Wellington Land District containing 409 acres, 1 rood, and 15 perches, more or less, situated in Block VIII, Tiffin Survey District, being Sections 55 to 58 inclusive on the plan of the Taratahi Plain Block, and being the whole of the land comprised and described in certificate of title, Volume 188, folio 285, Wellington Land Registry.

(b) All that area of land in the Wellington Land District containing 329 acres, 2 roods, and 25 perches, more or less, situated in the Tiffin and Otahoua Survey Districts, being Sections 51 and 59 on the plan of the Taratahi Plain Block, and also a piece of land situated between the said sections and the bed of the Waingawa River and formed by accretion, and being the whole of the land comprised and described in certificate of title, Volume 188, folio 286, Wellington Land Registry.

This Act is administered in the Department of Agriculture.
