

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,*

*12th October, 1949.*

*Hon. Mr. Parry*

## NEW ZEALAND COUNTIES ASSOCIATION

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### A BILL INTITULED

AN ACT to Incorporate the New Zealand Counties Association. Title.

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 New Zealand Counties Association Act, 1949. Short Title.

2. (1) The body known as the New Zealand Counties Association (hereinafter referred to as the Association), being an unincorporated association of County Councils, is hereby constituted a body corporate under the same name with the addition of the word " Incorporated ", 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. Association incorporated.

(2) The Association as incorporated by this section shall for all purposes continue to be the same Association as before the passing of this Act.

Functions of Association.

3. The general functions of the Association shall be to watch over and protect the interests, rights, and privileges of its members; to take action in relation to any subject or legislation affecting any of its members; to procure legal opinions or to prosecute or defend test cases or engage in any other legal proceedings in respect of matters of general interest to its members; to engage in trading and commercial activities on behalf of its members; and generally to promote the efficient carrying out of local government so far as it affects directly or indirectly corporations referred to in the *next succeeding* section. 5 10 15

Membership of Association.

4. (1) Every corporation which is a member of the New Zealand Counties Association at the passing of this Act shall be deemed to be a member of the Association constituted under this Act.

(2) Any of the corporations referred to in the *next succeeding* subsection may from time to time become members or resign from membership of the Association in accordance with the rules of the Association. 20

(3) The corporations to which the *last preceding* subsection refers are— 25

See Reprint of Statutes, Vol. V, p. 180

(a) The corporation of any county where the Counties Act, 1920, is in force:

(b) The Road Board of any road district in a county where the Counties Act, 1920, is suspended or not in force: 30

(c) Any Board, Council or other corporation incorporated under any special enactment which, in the opinion of the Executive Committee of the Association, has functions and interests of such a nature that it can conveniently be admitted to the membership of the Association. 35

Rules of Association.

5. (1) The Association may from time to time, at any meeting of the Association, make rules (not inconsistent with this Act) for all or any of the following purposes:— 40

- 5 (a) For the regulation and good government of the Association and of the affairs thereof; and regulating the election of a President and Vice-Presidents and an Executive Committee and such other committees as may be deemed necessary or advisable, and the filling of extraordinary vacancies:
- 10 (b) Regulating the keeping of the accounts of the Association, the audit thereof, and the appointment of auditors, and prescribing their qualifications:
- 15 (c) Providing for and regulating admission to the membership of the Association and the termination of membership of the Association:
- (d) Prescribing the subscriptions, fees, or other payments, annual or otherwise, to be paid by members of the Association:
- (e) Generally for carrying into full effect the objects for which the Association is formed.
- 20 (2) Any rules of the Association may in like manner be amended or revoked.
- (3) Rules may be made under this section prescribing different subscriptions, fees, or other payments for different members or classes of members and providing 25 for the exemption of any member or class of members from any subscriptions, fees, or other payments.
- (4) Rules may be made under this section prescribing different voting rights in respect of different classes of members.
- 30 (5) For the more convenient administration of the affairs of the Association, rules may be made under this section constituting wards of the Association and specifying the boundaries thereof.
- (6) No rule made under this section, and no amendment or revocation of any rule, shall come into force 35 unless and until it is approved by the Minister of Internal Affairs.
- (7) Two copies under seal of any rules made under this section and of any amendment or revocation of any 40 rules shall be given to the Registrar of Incorporated Societies, and shall be recorded by him.
- (8) Until approval by the said Minister of rules made by the Association under this Act, the rules of the New Zealand Counties Association in force immediately

before the passing of this Act shall, so far as they are applicable and are not inconsistent with this Act, be deemed to be the rules of the Association constituted under this Act.

Application of certain provisions of Incorporated Societies Act, 1908.

See Reprint of Statutes, Vol. III, pp. 925, 926

Officers of Association.

Payments by the Association.

Authority for members to pay subscriptions to Association.

Expenditure of moneys in connection with annual meeting of the Association.

6. Sections thirteen to eighteen of the Incorporated Societies Act, 1908, shall apply to the Association in all respects as if it were a society incorporated under that Act. 5

7. The Executive Committee of the Association may from time to time appoint a Secretary and such other officers and servants as it deems necessary for the efficient carrying out of the objects of the Association, and may fix the remuneration and allowance payable to the Secretary and to the other officers and servants of the Association. 10

8. (1) The Association may pay the reasonable travelling-expenses incurred by members of the Executive Committee of the Association in carrying out any functions under this Act, or of any person acting under the directions of the Executive Committee. 15

(2) The President may, in addition to any amount payable for travelling-expenses under the *last preceding* subsection, be paid such annual allowance, not exceeding one hundred and fifty pounds, as shall be fixed from time to time by resolution passed at an annual meeting of the Association. 20

9. Each member of the Association may from time to time out of its General Fund or Account pay to the Association any subscriptions, fees, or other moneys payable by it under this Act or under the rules of the Association, and may also pay the reasonable travelling-expenses of its representatives incurred in attending meetings or conferences of the Association or any ward thereof or of the Executive Committee of the Association. 25

10. Each member of the Association assuming responsibility for the reception and entertainment of delegates and other persons attending the annual meeting of the Association in any year may in that year or in any earlier or later year expend in connection with the holding of the meeting and the reception and entertainment of delegates and other persons attending the 30 40

meeting such amount or amounts as that member thinks fit, not exceeding in the aggregate a sum equal to one per centum of the total general rate struck by that member in the year in which the meeting is held.

5 **11.** (1) The Association may from time to time on behalf of its members or any of them enter into a contract with any person for the supply of goods or materials required by its members or any of them.

Trading activities of Association.

(2) The Association may from time to time enter  
10 into agreements with its members providing for the payment by those members of a proportionate part of the moneys payable by the Association under any such contract as aforesaid. The Association may recover from any such member the moneys agreed to  
15 be contributed as aforesaid.

(3) The Association may act as agent for any person carrying on any trade or business for the supply of goods or materials that are normally required by its members.

20 **12.** Section one hundred and thirty-two of the Counties Act, 1920, and section ten of the Statutes Amendment Act, 1947, are hereby repealed.

Repeals.

See Reprint of Statutes, Vol. V, p. 228. 1947, No. 60