

The Ngaruawahia Pa Regulations, 1940.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 1st day of May, 1940.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by virtue of a declaration of trust bearing date the eleventh day of August, one thousand nine hundred and twenty-one, a copy of which declaration appears in the Schedule hereto, those pieces of land comprising Lots 166 and 167 of the Suburbs of Newcastle North were declared to be held by the trustee therein named upon trust for the benefit of the people referred to in the said declaration of trust:

And whereas the said trustee, Te Rata Mahuta Tawhiao Potatau te Wherowhero, died on the first day of October, one thousand nine hundred and thirty-three:

And whereas by order of the Native Land Court, Koroki Te Rata Mahuta, Te Puea Herangi, and Pei te Hurinui Jones were appointed trustees in place of the said deceased:

And whereas on the recommendation of the Native Land Court the said land was, by Order in Council dated the fourth day of October, one thousand nine hundred and thirty-nine, declared to be a Native reservation pursuant to section five of the Native Purposes Act, 1937, for the purpose set out in the said Order in Council:

Now, therefore, in pursuance and in exercise of the powers and authorities conferred upon him by section five of the Native Purposes Act, 1937, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations with respect to the management and control of the said reservation and as to the use thereof by the beneficiaries.

REGULATIONS.

PRELIMINARY.

1. (a) These regulations may be cited as the Ngaruawahia Pa Regulations, 1940.

(b) These regulations shall come into force on the day following publication in the *Gazette*.

(c) In these regulations unless a contrary intention appears the expressions following have the meanings attached thereto—

“The Act” means section five of the Native Purposes Act, 1937, and includes any amendments thereto or statutes in substitution therefor.

“Trustees” means the Trustees for the time being acting pursuant to the said Deed of Trust and these regulations.

The “Settlement” means the land above described and any other land hereafter lawfully added to the reservation.

All other terms used in these regulations have the same meaning as when used in the Act, unless a contrary intention appears.

2. The said reservation together with any other land added thereto in future shall be for all time called “The Turangawaewae Trust.”

TRUSTEES.

3. The Trustees for the time being are Koroki Te Rata Mahuta, Te Puea Herangi, and Pei te Hurinui Jones. Subject to the provisions of the Act and the powers of the Court thereunder, there shall be always not more than five or less than three trustees, and the Trustees may immediately apply to the Native Land Court for and recommend the appointment of one or two additional trustees and in case a vacancy occurs thereafter it shall be the duty of the Trustees to forthwith apply to the Court for and recommend the appointment of a suitable person to be chosen by them to fill such vacancy.

4. Regular meetings of the Trustees shall be held at such times and at such places as shall be decided upon by the Trustees and at and in respect of such meetings the following rules shall apply:—

(a) The first meeting shall be convened by the said Te Puea Herangi and all subsequent meetings by the Chairman of the Trustees in such manner as he shall think best: Provided that one or more of the Trustees may at any time require the Chairman to summon a meeting.

(b) At the first meeting the Trustees shall elect one of their number to be Chairman.

(c) A quorum shall consist of half the whole number of members when that number is even, and a majority when that number is odd.

(d) The Chairman shall, when present, preside at all meetings of the Trustees, and in his absence the members present shall elect some member present to be the Chairman of the meeting.

(e) Every question coming before the Trustees shall be decided by open voting and by the majority present, and in case of an equality of votes the Chairman, or member acting as Chairman, shall have a second or casting vote.

(f) The Chairman shall cause minutes of the proceedings of the Trustees to be kept in a book, in which shall be entered the names of the members attending each meeting, and every resolution, order, or proceeding of the Trustees.

(g) The minutes of proceedings of each meeting shall be read aloud at the next subsequent meeting and if approved by the Trustees the Chairman shall sign the same in the presence of the Trustees, and shall insert the date of his making his signature.

5. The Trustees are hereby empowered to appoint one of their number to be Managing Trustee in charge of the property of the Trust and to delegate to such Managing Trustee all or any of the powers and duties of the Trustees and it shall be the duty of the Managing Trustee to report at each meeting of the Trustees and the Trustees are hereby empowered to appoint such other officers from persons resident in the reserve to be officers for the purpose of carrying into effect any particular duty laid down by the Trustees with power to cancel any such appointment and make reappointments at their discretion.

Subject to these regulations the Trustees may regulate their own procedure.

HEALTH AND SANITATION.

6. All deaths shall be notified by the nearest of kin or in his absence by the owner or occupier of the dwelling where death took place to the nearest Registrar of Births, Deaths, and Marriages within thirty-six hours of death. Failure to comply shall render the offender liable to a penalty not exceeding £1.

7. No person shall erect a dwellinghouse upon any site not having natural or artificial subsoil-drainage sufficient to prevent such site being damp, or upon any site having matter thereon which may prove injurious to the health of the occupants of such buildings. The ground underlying every dwellinghouse shall be so formed and graded that no water can flow or lodge thereon or under any part of such building. Where the site of an erected dwellinghouse is considered injurious to the health of the occupants the Trustees may order the owner or occupier to remove such building to a more healthy site approved by the Medical Officer of Health or Inspector of Health.

8. Every person who shall erect a dwellinghouse shall construct every room intended to be used as a living-room so that the same shall be not less than 8 ft. in height from the floor to the ceiling in every part: Provided that every room intended to be used as aforesaid with a sloping or unceilinged roof shall be not less than 9 ft. in height from the floor to the roof over one half the superficial area of such room, and no wall thereof shall have a less height than 5 ft. before any slope of the roof commences.

9. Every person who shall erect a dwellinghouse shall provide that any room intended for sleeping purposes shall have not less than 63 square feet of total floor space. When intended for two or more persons, every sleeping-room shall be of such size that for each adult or every two children under ten years of age sleeping therein, there shall be available at least 50 square feet of floor space. There shall be a window-space of at least one-tenth of the floor space, one half of which shall be made to open: Provided that this regulation may be waived by the Trustees in any particular case with the approval of the Medical Officer of Health.

10. Every person who shall erect a dwellinghouse must provide each sleeping-room with a boarded floor so that there shall be between the underside of every joist, plate, stringer, and bearer on which such floor may be laid or supported and the upper surface of the ground a space of 6 in. at the least in each part, and he shall cause the area below such floor to be thoroughly ventilated by some effectual method approved by the Medical Officer of Health or Inspector of Health. The space between the surface of the ground and the floor shall be protected against dogs or other animals by some means so approved.