

*Portions of Public Roads, in the County of Waimea, exempted from the Provisions of Section 128 of the Public Works Act, 1928, subject to a Condition as to the Building-line*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 17th day of July, 1946

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section one hundred and twenty-eight of the Public Works Act, 1928, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the following resolution passed by the Waimea County Council on the twelfth day of October, one thousand nine hundred and forty-five, viz. :—

“The Waimea County Council, being the local authority having control of the roads in the County of Waimea, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to the road marked A-B through Section 217A, Square 2, the northern side of the road marked A-P fronting Section 217A, Square 2, the road marked C-D through Section 21, Block XII, and part Section 9 of 112, Waimea South, the eastern side of the road marked D-E fronting part Section 9 of 112 and part Section 112, Waimea South, the road marked E-F through parts Section 112, Waimea South, the northern side of the road marked G-H along the bank of the Wai-iti River fronting parts Section 112, Waimea South, the southern side of the road marked J-K along the bank of the Wai-iti River fronting parts Sections 67 and 68, Waimea South, and the eastern side of the road marked N-O fronting part of Part 10 of 112, Waimea South, Block IX, Waimea Survey District, and Block XII, Wai-iti Survey District, and contained in the Certificate of Titles 63/248, 13/168, and 29/20”;

subject to the condition that no building or part of a building shall at any time be erected on the land fronting the portions of the public roads (described in the Schedule hereto) within a distance of thirty-five feet from the centre-lines of the said portions of roads.

SCHEDULE

ALL that portion of public road in the Nelson Land District, County of Waimea, passing through Section 217A, Square 2, Block XII, Wai-iti Survey District.

Also the northern side of all that portion of public road in the said land district and county fronting part Section 217A, Square 2, Block XII, Wai-iti Survey District.

Also all that portion of public road in the said land district and county fronting Section 21, Block XII, Wai-iti Survey District, and Part 9 of Section 112, District of Waimea South.

Also the northern side of all that portion of public road in the said land district and county fronting part Section 112 and Part 9 of Section 112, District of Waimea South.

Also all that portion of public road in the said land district and county passing through part Section 112, District of Waimea South.

Also the western side generally of all that portion of public road in the said land district and county fronting part Section 112, District of Waimea South, and the Wai-iti River.

Also the eastern side generally of all that portion of public road in the said land district and county fronting parts Sections 67 and 68, District of Waimea South.

Also the northern side of all that portion of public road in the said land district and county fronting part of Part 10 of Section 112, District of Waimea South.

As the same are more particularly delineated on the plan marked P.W.D. 123198, deposited in the office of the Minister of Works at Wellington, and thereon coloured red.

W. O. HARVEY, Clerk of the Executive Council.

(P.W. 51/1926.)

*The Wanganui Milk Treatment Corporation Regulations 1946*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 17th day of July, 1946

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Marketing Act, 1936, and the Agriculture (Emergency Powers) Act, 1934, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. THESE regulations may be cited as the Wanganui Milk Treatment Corporation Regulations 1946.

2. In these regulations, unless the context otherwise requires,—

“Central Milk Council” means the Central Milk Council constituted under the Milk Act, 1944 :

“Corporation” means the Wanganui Milk Treatment Corporation established under these regulations :

“Director” means a director of the Corporation and includes a person acting as a deputy of a director :

“Milk” includes cream :

“Minister” means the Minister of Marketing :

“Treatment,” in relation to milk, includes the examination, cleansing, pasteurization, modification, testing, grading, cooling, refrigerating, bottling, or packing thereof, and otherwise preparing the same for sale or consumption ; and “treat” has a corresponding meaning.

3. (1) There is hereby established a corporation to be called the Wanganui Milk Treatment Corporation.

(2) Subject as hereinafter appears, the Corporation shall consist of seven directors to be appointed from time to time by the Governor-General on the recommendation of the Minister either by name or as the holder or as the respective holders for the time being of any office or offices, of whom—

(a) One shall be appointed as representative of the Government :

(b) Two shall be appointed as representative of the consumers on the nomination of the Wanganui City Council :

(c) Two shall be appointed as representative of the producers on the nomination of the Wanganui Co-operative Milk Supply Company, Limited :

(d) One shall be appointed as representative of the vendors of milk on the nomination of such body or organization as the Minister approves as representing vendors :

(e) One shall be appointed as representative of the producers who are also vendors of milk on the joint nomination of the Wanganui Co-operative Milk Supply Company, Limited, and of such body or organization as the Minister approves as representing vendors.

(3) The Corporation shall be a body corporate with perpetual succession and a common seal, and shall be capable of holding real and personal property, and of suing and being sued, and of doing all such acts and things as bodies corporate may lawfully do and suffer.

4. (1) The directors shall at their first meeting, and thereafter at a meeting held in the month of September in every subsequent year, elect one of their number to be Chairman. For the purposes of the election of Chairman the Secretary of the Corporation shall preside, and in the case of equality of votes shall determine the election by lot in such manner as he thinks fit.

(2) The Chairman shall come into office on his election, and shall hold office until the election of his successor.

(3) The Chairman may resign his office by writing addressed to the Secretary of the Corporation ; and in such case, or in the case of his ceasing from any cause to be a director, his office shall become vacant, and the Secretary shall forthwith convene a meeting of the directors for the appointment of another Chairman.

5. (1) Except as otherwise provided in these regulations every director shall be appointed for a term of three years, but may from time to time be reappointed.

(2) Notwithstanding anything to the contrary in these regulations, every director appointed pursuant to subclause (2) of Regulation 3 hereof unless his office is sooner vacated as hereinafter provided shall continue to hold office until his successor comes into office.

6. (1) Any director may at any time be removed from office by the Governor-General for inefficiency, disability, insolvency, neglect of duty, or misconduct proved to the satisfaction of the Governor-General, or may at any time resign his office by writing addressed to the Secretary of the Corporation, who shall forthwith give notice of the resignation to the Minister.

(2) If any director dies, or resigns, or is removed from office, or if he is concerned or interested (otherwise than as a member of a corporate body in which there are more than twenty members and of which he is not the general manager) in any contract with the corporation other than a contract relating to the sale, purchase, collection, delivery, or treatment of milk, his office shall become vacant and the vacancy shall be deemed to be an extraordinary vacancy.

(3) In case of any extraordinary vacancy the Governor-General may appoint some fit person to be a director for the residue of the term for which the vacating director was appointed. Any such appointment shall be made in the same manner as the appointment of the vacating director.

(4) The powers of the Corporation shall not be affected by the fact that at any time there may be less than the full number of directors in office.

7. (1) In any case in which the Corporation is satisfied that any director is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Corporation, with the consent of the body or bodies which nominated the director so incapacitated, may appoint a deputy to act for that director during his incapacity, and any such deputy shall, while he acts as such, be deemed to be a director :

Provided that in the case of the incapacity of the director appointed as representative of the Government, the deputy shall be appointed by the Minister.

(2) No such appointment of a deputy and no acts done by him as such shall in any proceedings be questioned on the ground that the occasion for his appointment had not arisen or had ceased.

8. (1) If, pursuant to any guarantee given by the Minister of Finance in respect of the liabilities of the Corporation, any moneys are paid on behalf of the Crown to any creditor of the Corporation, or if the Corporation makes default in the repayment of any moneys lent to the Corporation by the Minister of Finance, the Minister of Marketing may on behalf of the Government refer to the Central Milk Council for inquiry and for its recommendation the question of the manner in which the business of the Corporation has been or should be conducted or managed.

(2) In any case where a matter has been referred to the Central Milk Council for inquiry pursuant to subclause (1) of this regulation, the Central Milk Council shall conduct a local inquiry under section 103 of the Milk Act, 1944.