

(3) If after an inquiry as aforesaid the Central Milk Council reports that the business of the Corporation has been inefficiently conducted and recommends that any of the directors should be removed from office, the Governor-General may in his discretion remove those directors from office accordingly and thereafter, if any of the persons so removed from office were appointed otherwise than as representative of the Government, the persons to be appointed from time to time as directors in their place shall not be nominated as provided in those paragraphs, but shall be selected from a panel containing not less than five names submitted for the purpose by the body or bodies that would otherwise make the nomination, and the provisions of the said Regulation 3 shall be deemed to be modified accordingly.

9. (1) The first meeting of the directors shall be held on a day to be appointed in that behalf by the Minister.

(2) Subsequent meetings of the directors shall be held at such times and places as the directors from time to time appoint.

(3) The Chairman or any three directors may at any time call a special meeting of the directors.

(4) At all meetings of the directors four directors shall form a quorum.

(5) The Chairman shall preside at all meetings at which he is present. In the absence of the Chairman, the directors present shall appoint one of their number to act as Chairman of that meeting.

(6) All questions before the directors shall be decided by a majority of the directors present and voting at a meeting held in pursuance of these regulations:

Provided that the Chairman of the meeting shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(7) Subject to the provisions of these regulations, the directors may regulate their procedure in such manner as they think fit.

10. No director shall be personally liable for any liability of the Corporation, or for any act done or omitted by the Corporation or by any director or officer thereof in good faith in pursuance or intended pursuance of the powers and authority of the Corporation.

11. (1) The Corporation may out of its funds pay to the Chairman of directors an allowance at the rate of £100 a year, or at such higher rate as may be approved by the Minister of Finance, and to each of the other directors an allowance at the rate of £50 a year.

(2) There may be paid to the directors out of the funds of the Corporation all amounts actually and reasonably expended by them in attending meetings of the directors, or of any committee of the directors, or in transacting any business of the Corporation pursuant to any resolution of the directors or of any committee of the directors.

12. (1) Any contract which, if made between private persons, must be by deed shall, if made by the Corporation, be in writing under the seal of the Corporation.

(2) Any contract which, if made between private persons, must be in writing signed by the parties to be charged therewith shall, if made by the Corporation, be either under the seal of the Corporation or signed by two directors on behalf of and by direction of the Corporation.

(3) Any contract which, if made between private persons, may be made orally may be similarly made by or on behalf of the Corporation by any two directors acting by direction of the Corporation, but no oral contract shall be made for any sum exceeding £20.

13. The functions of the Corporation shall be to acquire, treat, and sell milk for consumption and use in the Wanganui Milk District constituted under the Milk Act, 1944, and in neighbouring areas.

14. (1) The Corporation shall have all the powers and authorities reasonably necessary for the effective performance of its functions.

(2) Without limiting the general provisions hereinbefore contained, it is hereby declared that the Corporation may—

(a) Appoint such officers and servants as it deems necessary for the efficient carrying out of its functions under this Act:

(b) Manufacture and sell any mixture or compound containing milk for use in the manufacture of ice cream:

(c) Provide for the cool storage of milk and milk products, and other articles of human food of whatsoever kind or nature:

(d) Acquire by purchase, lease, or otherwise howsoever, any land, buildings, plant, machinery, appliances, or other property whatsoever (whether real or personal), rights, or privileges which it thinks necessary for the purpose of these regulations:

(e) Maintain and work any buildings, plant, machinery, or appliances required for the treatment, transport, and delivery of milk, and otherwise for the carrying out of the functions of the Corporation:

(f) Exchange, lease, dispose of, turn to account, or otherwise deal with any property, rights, or privileges of the Corporation:

(g) Contract for the execution by any person of any work or service authorized to be executed by the Corporation in such manner and upon and subject to such terms and conditions as the Corporation thinks fit.

15. Nothing in these regulations shall derogate from the provisions of the Milk Act, 1944, or of any other Act relating to the acquisition, treatment, handling, or sale of milk, or relieve the Corporation from compliance with the provisions of any such Act or any by-laws made thereunder.

16. (1) The Corporation may from time to time borrow from the Minister of Finance, upon and subject to such terms and conditions as the Minister of Finance thinks fit, such amounts as are, in the opinion of the Minister of Finance, required by the Corporation for working-capital, wages, administration, or for any other purpose incidental to the effective performance of the Corporation's functions.

(2) In addition to the power conferred by subclause (1) of this regulation, the Corporation may from time to time with the consent of the Minister of Finance borrow moneys from the Bank of New Zealand.

(3) For the purpose of securing the repayment of any moneys borrowed by it as aforesaid the Corporation may mortgage or charge any of its real or personal property.

17. (1) The Corporation shall cause books to be provided and kept, and true and regular accounts to be entered therein of all sums of money received and paid, and of the several purposes for which such sums of money have been received and paid.

(2) The Corporation shall keep its accounts in such form as may be required or approved by the Minister of Finance.

18. (1) The Corporation may, with the approval of the Minister of Finance, set aside out of its revenue such sums as it thinks proper as reserves for depreciation of assets, insurance, superannuation or retiring allowances for the staff of the Corporation, and other purposes.

(2) The Corporation may invest any of the moneys to the credit of any reserve account either as provided in Regulation 19 hereof or, except in the case of moneys set aside as reserves for superannuation or retiring allowances for the staff of the Corporation, in the business of the Corporation.

19. Any moneys belonging to the Corporation and available for investment may be invested in the manner following:—

(a) In New Zealand Government securities; or

(b) On deposit in the Bank of New Zealand; or

(c) If the Minister of Finance so consents, and subject to any conditions imposed by him, in the making of advances to producers of milk for the purpose of enabling them to improve the quality of the milk; or

(d) In any other securities that may from time to time be authorized by the Minister of Finance.

20. (1) On or before the last day of October in each year the Corporation shall cause to be prepared and sent to the Audit Office a yearly balance-sheet and a profit and loss account, together with such other statements of accounts as may be necessary, to show fully the financial position of the Corporation and the financial results of its operations during the preceding financial year ended the 31st day of August then last past.

(2) The yearly balance-sheet, account, and statements shall be audited by the Audit Office, which for that purpose shall have and may exercise all such powers as it has under the Public Revenues Act, 1926, in respect of public moneys and public stores and the audit of local authorities' accounts.

(3) A copy of the yearly balance-sheet, profit and loss account, and statements shall, when duly audited, be submitted by the Corporation to the Minister accompanied by a report as to the operations of the Corporation for the year; and a copy of the balance-sheet, account, statements, and report shall be laid before Parliament.

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

*The Hawke's Bay 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

**P**URSUANT 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 Hawke's Bay 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 Hawke's Bay 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 Hawke's Bay Milk Treatment Corporation.

(2) Subject as hereinafter appears, the Corporation shall consist of five 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, one being nominated by the Napier Borough Council, and the other being nominated by the Hastings Borough Council:

(c) Two shall be appointed as representative of the producers on the nomination of the Hawke's Bay Raw Milk Producers' Co-operative, Limited.

(3) If the directors unanimously resolve that a person named by them be appointed as an additional director representative of the vendors of milk or that a person named by them be appointed as an additional director representative of the producers of milk who are