

(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 Nelson 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, or 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 audited, 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 Timaru Milk Treatment Corporation Regulations 1946*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 2nd day of October, 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 Timaru 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 Timaru 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 Timaru 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) Three shall be appointed as representatives of the consumers on the nomination of the Timaru Borough Council;

(c) Three shall be appointed as representative of the producers on the nomination of the South Canterbury Co-operative Milk Supply Company, Limited.

(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, 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