

2. The Tokoroa Rural Fire Committee shall be a body corporate having perpetual succession and a common seal, with power to make, alter, and renew the same, and with power to purchase, take, or hire or otherwise acquire, hold, transfer, and lease property, real and personal, to sue and be sued in any Court, and to do and suffer all that bodies corporate may lawfully do and suffer.

#### MEMBERS

3. (1) The Committee shall consist of nine members, who shall be appointed in the following manner:—

- (a) Five members shall be appointed by N.Z. Forest Products, Limited, by writing signed on behalf of that company by one director and the secretary thereof. In the event of any member of the Committee appointed as aforesaid ceasing to hold office under Regulation 7 hereof, the said company shall be entitled to fill up the vacancy, subject, nevertheless, to the provisions of Regulation 9 (2) hereof:
- (b) One member (herein referred to as the remaining forest owners' representative) shall be appointed either by a resolution passed by a majority of those present at a meeting of owners (other than N.Z. Forest Products, Limited) of forests situated within the district, or by a majority vote by ballot of those present at such a meeting, as those so present by resolution determine:
- (c) One member (herein referred to as the sawmillers' representative) shall be appointed either by a resolution passed by a majority of those present at a meeting of sawmill or logging proprietors carrying on business as such within the district, or by a majority vote by ballot of those present at such a meeting, as those so present by resolution determine:
- (d) One member (herein referred to as the farmers' representative) shall be appointed either by a resolution passed by a majority of farmers present at a meeting of farmers, or by a majority vote by ballot of those present at such a meeting, as those so present by resolution determine:
- (e) One member (herein referred to as the Government representative) who may be the holder of a specified office in the Public Service shall be appointed by the Minister as representative of the New Zealand Government.

(2) In connection with the appointments to be made pursuant to paragraphs (b), (c), and (d) of subclause 1 of this regulation, the mode of voting shall be as follows:—

- (a) A company or other corporate body entitled to be present and vote at any meeting aforesaid may be present and vote by any director, officer, or servant of that company or corporate body; and his authority to be so present and vote shall be conclusively established by the production by him to the Returning Officer of an authority in writing in that behalf signed by some person purporting to be a director, secretary, or manager of such company or body corporate:
- (b) In the case of partners, joint tenants, or tenants in common, one only of such partners, joint tenants, or tenants in common (as the case may be), shall be entitled to vote; and if more than one be present at a meeting held under subclause (1) of this regulation they shall agree among themselves which of them shall vote, and failing such agreement the matter shall be determined by the Returning Officer by lot.
- (c) Subject to the foregoing provisions of this subclause, every person entitled to vote shall both on a resolution and on a ballot have one vote.

4. (1) The Secretary of N.Z. Forest Products, Limited, shall be the Returning Officer for the first appointment of the remaining forest owners' representative, the sawmillers' representative, and the farmers' representative, and shall convene such meetings, conduct such ballots, and take such other steps as may be required for the first appointments, and shall also convene the first meeting of the Committee. Thereafter, the Secretary of the Committee shall be the Returning Officer.

(2) A Returning Officer acting under subclause (1) of this regulation shall have power, without limitation to the generality of the powers and authorities vested in him thereby, to do and perform all or any of the following acts, matters, and things:—

- (a) He may convene any meeting by notice published once in some newspaper circulating within the district, or in such other manner as he may think fit, and may fix the time and place of such meeting:
- (b) He may determine what persons are competent to vote on any resolution or ballot for the appointment of any representative or class of representative, and may act on such evidence as to ownership, title, existence of partnership or co-tenancy, and other matters as he thinks sufficient:
- (c) He may regulate the procedure at any meeting, appoint scrutineers, and generally do all such things as he may think proper or expedient for carrying out the objects of the meeting:
- (d) He may make and keep such minutes, records, voting lists, and other material as he thinks proper.

(3) A Returning Officer shall be entitled to be indemnified out of the funds of the Committee against all costs, charges, and expenses incurred by him in and about carrying out the duties and powers imposed or conferred upon him under these regulations.

(4) The decision and determination of the Returning Officer in all matters falling within the scope of his duties and powers aforesaid shall be final and conclusive.

5. Every person appointed as a Government representative under Regulation 3 hereof shall hold office during the pleasure of the Minister, and every such appointment shall be made by notification published in the *Gazette*, and shall take effect on the date of notification or such later date as may be stated therein.

6. Subject to Regulation 5 hereof and to the provisions of these regulations as to resignation and forfeiture of office, a member shall hold office for five years commencing from the date of his appointment, and thereafter until his successor has been appointed. A retiring member shall be eligible for reappointment.

7. The office of a member of the Committee shall become vacant and the vacancy shall be deemed to be a casual vacancy if the member—

- (a) Dies; or
- (b) Resigns his office by writing under his hand delivered to the Secretary or Chairman of the Committee; or
- (c) Becomes a bankrupt or makes any composition with his creditors for less than twenty shillings in the pound or makes an assignment of his estate for the benefit of his creditors; or
- (d) Becomes of unsound mind; or
- (e) Is convicted on indictment or is sentenced by the Supreme Court on a plea of "guilty" to any charge of an indictable offence, or is sentenced by any Court for any offence to imprisonment without the option of a fine or to reformatory detention under any Act; or
- (f) Is absent without leave from three consecutive meetings of the Committee; or
- (g) Acts in contravention of Regulation 8 hereof; or
- (h) Being a director, officer, or servant of an incorporated company which has taken part in his appointment to the Committee ceases to hold office or employment under that company.

8. A member of the Committee shall not vote or take part in the discussion of any matter before the Committee in which he may receive remuneration from the Committee in the terms of any contract or as salary or wages, or as the rent or hire of property or equipment.

9. (1) Every casual vacancy shall be filled by the appointment by the Committee of some fit person representing the interest affected to the Committee for the residue of the term for which the member whose office has become vacant was appointed:

Provided always that in the case of an appointment to fill a casual vacancy in the office of the Government representative on the Committee, the appointment shall be made by the Minister; and, provided further, that if the member whose office has become vacant was at the time of his appointment to the Committee a director, officer, or servant of an incorporated company which took part in his appointment, the casual vacancy shall be filled by an appointment made by that company and not by the Committee:

(2) In any case where a casual vacancy has not been filled within a period of three months, the Minister may appoint to the Committee some fit person to represent the interest affected for the residue of the term for which the member whose office has become vacant was appointed.

10. The powers of the Committee shall not be affected by any vacancy in the membership thereof, nor shall the proceedings of the Committee be invalidated by reason only of the subsequent discovery that some defect existed in the appointment of any member or that any person acting as a member was not validly a member thereof.

#### MEETINGS

11. The Committee shall meet for the despatch of business at such time and place as it may appoint, and a meeting may be summoned at any time by the Chairman.

12. The Minister may direct a meeting to be convened at any time, and thereupon a meeting shall be so held.

13. (1) The first meeting of the Committee shall be held at a time and place to be appointed in that behalf by the Secretary of N.Z. Forest Products, Limited.

(2) At the first meeting the Committee shall appoint one of its members to be Chairman.

(3) The Chairman shall preside at every meeting of the Committee at which he is present. In the absence of the Chairman from any meeting of the Committee the members present shall select one of their number to be the Chairman of that meeting.

(4) Subject to the provisions of these regulations, the Committee may make such arrangements as it thinks fit for the holding of its meetings, the procedure thereat, and generally for the conduct of its business and the exercise of its functions.

(5) At all meetings of the Committee five members shall form a quorum, and no business shall be transacted at any meeting unless a quorum is present.

(6) The Chairman at any meeting of the Committee may exercise a deliberative vote, and, in the case of an equality of votes, a casting vote.

(7) If any member of the Committee is unable to attend any meeting of the Committee, he may, by writing under his hand or by telegram or by notification by telephone to the Secretary of the Committee, appoint any person to attend that meeting in his stead, and that person shall for all the purposes of that meeting have the same rights and privileges as his appointor would have been capable of exercising and enjoying had he been personally present thereat.