SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 21 AUGUST 1980

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Commission of Inquiry into Allegations of Impropriety in
Respect of Approval by the Marginal Lands Board of an
Application by James Maurice Fitzgerald and Audrey
Fitzgerald

KEITH HOLYOAKE, Governor-General
ORDER IN COUNCIL
To all to whom these presents shall come, and to:
Brinsley Donald Inglis, of Wellington, One of Her
Majesty's Counsel Learned in the Law;
Air Marshal Sir Richard Bruce Bolt, K.B.E., C.B., D.F.C.,
A.F.C., of Wellington, formerly Chief of Defence Staff;
and
John Joseph Loftus, O.B.E., of Lower Hutt, formerly Deputy
Secretary of Defence:
GREETING:
Whereas allegations of impropriety have been made in respect
of the approval by the Marginal Lands Board of an applica­
tion under the Marginal Lands Act 1950 by James Maurice
Fitzgerald and Audrey Fitzgerald, both of Wellington:
And whereas the question whether such allegations or any
of them are true is a matter of public importance:
Now, therefore, pursuant to the Commissions of Inquiry
Act 1908, I, The Right Honourable Sir Keith Jacka Holyoake,
the Governor-General of New Zealand, acting by and with
the advice and consent of the Executive Council, hereby
appoint you, the said Brinsley Donald Inglis, Sir Richard
Bruce Bolt, and John Joseph Loftus, to be a Commission to
inquire into and report upon—
(a) Whether there was any impropriety on the part of any
person in relation to the reference on any occasion
of the application to the Board for consideration:
(b) Whether there was any impropriety on the part of any
person in relation to the circumstances in which, or
the basis on which, the application was considered
on any occasion:
(c) In respect of the approval of the application by the
Board,—
(i) Whether there was any error of jurisdiction or
otherwise; and
(ii) Whether there was any impropriety by way of
departure from previously accepted criteria for
granting loans or from what have been previously
accepted as proper conditions of loans, or otherwise:
(d) Whether any amendment to the legislation governing
the functions, procedures, and practices of the
Marginal Lands Board is necessary or expedient.
And for the better enabling you to carry these presents
into effect you are hereby authorised and empowered to
make and conduct any inquiry under these presents, in
accordance with the Commissions of Inquiry Act 1908, at
such times and places as you consider expedient, with power
to adjourn from time to time and from place to place as
you think fit, and so that these presents shall continue in
force and the inquiry may at any time and place be resumed
although not regularly adjourned from time to time or from
place to place:
And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, except to me in pursuance of these presents or by my direction, the contents or purport of any report so made or to be made by you, or any evidence or information obtained by you in exercise of the powers hereby conferred upon you, except such evidence or information as is received in the course of a sitting open to the public:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one of the members hereby appointed so long as the Chairman or a member deputed by the Chairman to act in his stead, and one other member, are present and concur in the exercise of the powers:

And it is hereby declared that you have liberty to report your proceedings and recommendations under this Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to me in writing under your hand not later than the 14th day of November 1980 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

Given in Executive Council under the hand of His Excellency the Governor-General this 25th day of August 1980.

P. G. MILLEN, Clerk of the Executive Council.