



ANALYSIS

Title
 1. Short Title
 2. Interpretation

3. Standing Committee
 4. New sections substituted
 14. Statement of account
 15. Annual report

1974, No. 52

**An Act to amend the Ngarimu V.C. and 28th (Maori)
 Battalion Memorial Scholarship Fund Act 1945**

[12 September 1974]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund Amendment Act 1974, and shall be read together with and deemed part of the Ngarimu V.C. and 28th (Maori) Battalion Memorial Scholarship Fund Act 1945 (hereinafter referred to as the principal Act).

2. Interpretation—Section 2 of the principal Act is hereby amended by omitting from the definition of the term “financial year” the word “March”, and substituting the word “December”.

3. Standing Committee—The principal Act is hereby amended by inserting, after section 6, the following section:

“6A. (1) The Board may establish a Standing Committee consisting of the Chairman of the Board and any 2 other members of the Board.

“(2) The Board may delegate such of its functions and powers as it sees fit to the Standing Committee, except this power of delegation.

“(3) The Deputy Chairman of the Board may act in the place of the Chairman of the Board at any meeting of the Standing Committee from which the Chairman of the Board is absent.

“(4) Any member of the Board may, at the request of the Chairman or the Deputy Chairman, act in the place of any member of the Committee (other than the Chairman) at any meeting of the Committee from which the member of the Committee is absent.

“(5) The Chairman of the Board, or in his absence the Deputy Chairman of the Board, shall be the Chairman of the Committee.

“(6) While the Deputy Chairman acts in the place of the Chairman, or any member of the Board acts in the place of any member of the Committee (other than the Chairman), under this section the Deputy Chairman or the member, as the case may require, shall be deemed for all purposes to be a member of the Standing Committee; and the fact that the Deputy Chairman or any member of the Board attends any meeting shall be sufficient evidence of his authority to do so.

“(7) Subject to the provisions of this section and to any general or special conditions attached by the Board, the Standing Committee may exercise and perform any functions and powers delegated to it by the Board in the same manner and with the same effect as if those functions and powers had been directly conferred on the Committee by this Act and not by delegation.

“(8) Any delegation under this section may at any time be revoked by the Board.

“(9) Where the Standing Committee purports to act pursuant to any delegation under this section it shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

“(10) No delegation under this section shall prevent the Board from exercising any of its functions and powers.

“(11) Subject to the provisions of this Act, the Committee appointed under this section may regulate its procedure in such manner as it thinks fit.”

4. New sections substituted—(1) The principal Act is hereby amended by repealing section 14, and substituting the following sections:

“**14. Statement of account—**(1) The Board shall, before the 1st day of April in each year, cause to be prepared in respect of the Fund a true statement of account, in a form for the time being approved by the Controller and Auditor-General, which shall include:

“(a) A balance sheet showing the assets and liabilities of the Fund at the end of the immediate preceding financial year:

“(b) An income and expenditure account showing the financial transactions for the immediately preceding financial year.

“(2) Every such statement shall be audited by the Audit Office which for that purpose shall have and may exercise all the powers which it has under the Public Revenues Act 1953 in respect of public money and the audit of local authorities’ accounts.

“**15. Annual report—**(1) As soon as practicable after the end of each financial year the Board shall furnish to the Minister a report of its operations and proceedings during that year, together with a copy of its statement of account for that year with the report of the Audit Office thereon.

“(2) A copy of the annual report and of the statement of account with the report of the Audit Office thereon shall be laid before Parliament as soon as practicable after their receipt by the Minister.”

(2) Notwithstanding anything in subsection (1) of section 14 of the principal Act (as substituted by subsection (1) of this section) the statement of account in respect of the Fund prepared after the 31st day of December 1974 and before the 1st day of April 1975 shall cover the period of 9 months ending with the 31st day of December 1974.

(3) Notwithstanding anything in section 15 of the principal Act (as added by subsection (1) of this section) the report and statement of account required to be furnished to the Minister in the year nineteen hundred and seventy-five and laid before Parliament shall cover the period of 9 months ending with the 31st day of December 1974.

This Act is administered in the Department of Education.
