

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
8th December, 1937.*

*Hon. Mr. Lee Martin.*

## SCHOOL OF AGRICULTURE.

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### A BILL INTITULED

AN ACT to provide for the Establishment of a New **Title.**  
Zealand School of Agriculture, in connection with the  
University of New Zealand, for the Purpose of  
**5** co-ordinating and developing Higher Education in  
Agriculture, and to make Provision for Matters  
incidental thereto.

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

**1.** This Act may be cited as the School of Agriculture **Short Title.**  
Act, 1937.

Interpretation.

2. In this Act, unless the context otherwise requires,—

“ College ” means either of the agricultural colleges referred to in section *three* of this Act:

“ Council ” means the Council of the New Zealand School of Agriculture: 5

“ Minister ” means the Minister of Agriculture:

“ School of Agriculture ” means the New Zealand School of Agriculture established under this Act. 10

Constitution and incorporation of School of Agriculture.

3. (1) There is hereby established in connection with the University of New Zealand a School of Agriculture to be called the New Zealand School of Agriculture.

(2) The School of Agriculture shall consist of—

(a) The Canterbury Agricultural College, established under the Canterbury Agricultural College Act, 1930: 15

(b) The Massey Agricultural College, established under the Massey Agricultural College Act, 1926. 20

(3) The School of Agriculture shall be a body corporate, with perpetual succession and a common seal, and shall be capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer. 25

1930, No. 31

1926, No. 68

One member of University Senate to be appointed by Council of School of Agriculture. See Reprint of Statutes, Vol. II, p. 1139

4. (1) In addition to the members provided for by section four of the New Zealand University Amendment Act, 1926, the Council of the School of Agriculture established under this Act may from time to time appoint a suitable person to be a member of the Senate of the University of New Zealand. 30

(2) The member of the Senate appointed under this section shall be appointed for a term of three years, but shall, unless disqualified as provided in section five of the New Zealand University Amendment Act, 1926, be entitled to continue in office until the appointment of his successor in office: 35

Provided that the first member to be appointed under this section shall be appointed for a term expiring at the same time as the term for which the members appointed under paragraph (c) of subsection two of the said section four, and in office at the date of his appointment, were appointed. 40

5. (1) The Massey Agricultural College Council shall hereafter be called the Board of Governors of the Massey Agricultural College.

Massey Agricultural College Council to be known as Board of Governors. 1926, No. 68

(2) All references in the Massey Agricultural College Act, 1926, or in any other Act, to the Massey Agricultural College Council shall hereafter be deemed to be references to the Board of Governors of the Massey Agricultural College.

6. (1) There shall be a Council of the School of Agriculture, to be called the Council of the New Zealand School of Agriculture.

Constitution of Council of School of Agriculture.

(2) The Council shall consist of—

(a) Four members to be appointed by the Board of Governors of the Canterbury Agricultural College:

(b) Four members to be appointed by the Board of Governors of the Massey Agricultural College:

(c) The Chairman of the Council, if he is not a member appointed under the foregoing paragraphs of this subsection.

(3) The powers of the Council shall not be affected by any vacancy in the membership thereof.

7. (1) Subject to the provisions of this Act, the members of the Council appointed under paragraphs (a) and (b) of subsection *two* of the *last preceding* section shall be appointed for a term of two years; but every member so appointed, unless he sooner vacates his office under section *eight* of this Act, shall hold office until his successor comes into office.

Term of office of members of Council.

(2) In the year nineteen hundred and thirty-nine, and in every year thereafter, two of the members appointed under each of the said paragraphs (a) and (b) shall retire from office. The members so to retire in the year nineteen hundred and thirty-nine shall, not later than the first day of November, nineteen hundred and thirty-eight, be determined by lot.

(3) Except in the case of the first appointments and in the case of appointments to fill casual vacancies, members appointed under the said paragraphs (a) and (b) shall come into office on the first day of January next following the date of their appointment, on which day their predecessors in office shall retire.

(4) The appointment of members to replace members due to retire in any year shall be made not later than the third Monday in December in the preceding year.

(5) Every retiring member shall be eligible for reappointment.

Casual  
vacancies in  
Council.

8. (1) If any member of the Council—

(a) Dies:

(b) Resigns his office by writing under his hand delivered to the Chairman of the Council: 5

(c) Becomes 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: 10

(d) Becomes of unsound mind:

(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 for any offence to imprisonment without the option of a fine by any Court: 15

(f) Is absent without leave from three consecutive meetings of the Council,—

he shall thereupon cease to be a member, and the vacancy thereby created shall be deemed to be a casual vacancy. 20

(2) Subject to the provisions relating to a vacancy in the office of Chairman of the Council, every casual vacancy shall, within sixty days after the occurring thereof, be filled in the same manner as in the case of the vacating member, and the member appointed to fill any casual vacancy shall be appointed only for the residue of the term of office of the vacating member. 25

Governor-  
General may  
appoint  
member in  
default of  
appointment by  
proper person.

9. If at any time prescribed by this Act for the appointment of members of the Council no members or insufficient members are appointed, or if a casual vacancy is not filled within the time hereinbefore prescribed, the Governor-General may appoint a suitable person in the place of the member who should have been appointed. 30

Meetings of  
Council.

10. (1) The first meeting of the Council shall be held at a time and place to be fixed in that behalf by the Minister. 35

(2) Thereafter meetings of the Council shall be held at such times and places as the Council determines.

(3) At any meeting of the Council *five* members shall form a quorum. 40

(4) Except as otherwise provided in this Act, the Council shall regulate its own procedure.

11. (1) At the first meeting of the Council in each year the Council shall elect one of its members or any other person to be the Chairman of the Council for the ensuing year. The retiring Chairman shall be eligible for re-election.

Chairman and Deputy Chairman of Council.

(2) Whenever there is a casual vacancy in the office of Chairman, the Council may elect one of its members or any other person to be the Chairman for the residue of the term of office of the vacating Chairman.

10 (3) Unless he sooner vacates his office as Chairman or ceases to be a member of the Council, the Chairman shall hold office until the election of his successor under this section.

15 (4) Where a Chairman is elected who was not at the time of his election a member of the Council, he shall be a member of the Council so long as he is the Chairman.

20 (5) The Council may from time to time appoint one of its members to be the Deputy Chairman of the Council. During any vacancy in the office of Chairman or whenever the Chairman is unable to act, whether by reason of absence or illness or otherwise, the Deputy Chairman shall have and may exercise and perform all the powers and duties of the Chairman.

25 (6) The Chairman shall preside at every meeting of the Council at which he is present. In the absence of the Chairman and the Deputy Chairman from any meeting of the Council, the members present shall select one of their number to be the Chairman for the purposes of that meeting.

30 (7) At any meeting of the Council the Chairman shall have a deliberative vote, and in the case of an equality of votes he shall also have a casting vote. All questions before the Council shall be decided by a majority of the valid votes recorded thereon.

35 12. The Chairman may at any time, of his own motion, call a special meeting of the Council, and he shall call a special meeting on the requisition in writing of any two members. Not less than five days' previous notice in writing of the place and time of any special meeting shall be given to all members of the Council.

Special meetings of Council.

40 13. (1) The Council may from time to time appoint standing or special committees, and may delegate any of its powers and duties to any such committee.

Council may appoint committees and delegate powers.

(2) Any committee to which any powers or duties are delegated as aforesaid may, without confirmation by the Council, exercise or perform them in like manner and with the same effect as the Council itself could have exercised or performed them. 5

Functions of Council.

**14.** (1) The Council shall be the governing body of the School of Agriculture, through which the corporation of the School of Agriculture shall act, and shall have the entire management of and superintendence over the affairs, concerns, and property of the School of Agriculture, and, subject to the provisions of this Act, shall in respect of all those matters have authority to act in such manner as appears to it to be best calculated to promote the interests of the School of Agriculture or to accomplish the purpose for which it is established. 10

(2) Without limiting the general powers conferred by the *last preceding* subsection, the Council may— 15

(a) Co-ordinate the work of each College with a view to the development of a progressive policy in agricultural education in New Zealand: 20

(b) Determine the general policy of research in relation to teaching at each College:

(c) Collaborate with Departments of State in the preparation and adoption of a programme of special work or special training at either College designed to achieve greater efficiency in agricultural education in New Zealand. 25

Appointment of officers of School of Agriculture, and of principals, professors, &c., of colleges. 1926, No. 68 1930, No. 31

**15.** (1) The Council may from time to time appoint such officers and servants as it deems necessary for the efficient exercise of its functions. 30

(2) Notwithstanding anything to the contrary in the Massey Agricultural College Act, 1926, or the Canterbury Agricultural College Act, 1930, no principal, professor, lecturer, or examiner of either College shall be appointed or removed without the prior consent of the Council. Any principal, professor, lecturer, or examiner of either College who is suspended may appeal to the Council, whose decision shall be final. 35

Seal.

**16.** The seal of the School of Agriculture shall be in the custody of the Chairman of the Council, and shall not be affixed to any document except pursuant to a resolution of the Council. 40

17. (1) Subject to the provisions of this Act, the Council may from time to time make such by-laws as may be considered necessary for the administration of the affairs of the School of Agriculture, and for giving full effect to the provisions of this Act, and for the due administration thereof, including in particular (without limiting the generality of the foregoing provision) by-laws prescribing any matters that may be prescribed by by-laws made by the Board of Governors of either College.

By-laws.

(2) No by-laws made by the Council shall come into force unless and until they have been approved by the Governor-General.

(3) No by-laws made after the passing of this Act by the Board of Governors of either College shall come into force unless and until they have been approved by the Council.

18. The members of the Council, other than officers in the service of the Government, shall be paid such travelling-allowances as may from time to time, with the approval of the Minister of Finance, be fixed by the Council, and shall in addition be entitled to receive a refund of all moneys reasonably expended by them in fares in respect of their attendance at meetings of the Council or otherwise in transacting the business of the Council.

Travelling-expenses of members of Council.

19. The Council may in any financial year expend for purposes not authorized by any law for the time being in force any sum or sums not exceeding in the aggregate one hundred pounds.

Unauthorized expenditure.

20. Subject to the terms of any trust or endowment, any moneys belonging to the School of Agriculture and available for investment may be invested in accordance with the provisions of the Trustee Act, 1908, as to the investment of trust funds, or in such other manner as the Governor-General from time to time approves.

Investment of moneys.

See Reprint of Statutes, Vol. VIII, p. 908

21. (1) The Council shall, during the month of April in every year, furnish to the Minister a report of the proceedings of the School of Agriculture for the year ended on the last preceding thirty-first day of December. The report shall contain a statement, in such form as the Minister of Finance from time to time approves or directs, of the total assets and liabilities as at the end of the year, together with an account of receipts and payments and of income and expenditure showing the financial transactions for the year.

Annual report, including statement of accounts and estimates.

(2) The report shall also contain a statement showing in respect of each College separately the estimated income and expenditure for the ensuing year, and the recommendations of the Council in relation thereto.

(3) A copy of the report, with the accounts duly audited by the Audit Office, shall be laid before Parliament. 5

(4) Notwithstanding anything to the contrary in section twenty-four of the Massey Agricultural College Act, 1926, or in section thirty-six of the Canterbury Agricultural College Act, 1930, the annual reports and statements of accounts to be furnished by the Colleges to the Minister in any year shall be forwarded in the first instance to the Council, and the Council shall forward them to the Minister who shall lay copies of them before Parliament at the same time as the annual report to be furnished by the Council in the same year. 15

1926, No. 28  
1930, No. 31

(5) The Council shall, when forwarding the reports of the School of Agriculture and of the Colleges to the Minister, send copies thereof to the Senate of the University of New Zealand. 20

Annual grant  
to School of  
Agriculture.

**22.** (1) The Minister of Finance shall in the current financial year and in every financial year thereafter pay to the School of Agriculture, out of moneys appropriated by Parliament for the purpose, the sum of twenty-seven thousand pounds, or such other sum as the Minister of Finance may on the recommendation of the Council approve, as a fund for maintaining and administering the School of Agriculture, and for such other purposes in relation to the School as the Minister of Finance may from time to time approve. 25 30

Repeals.  
1930, No. 31  
1935, No. 5

(2) This section is in substitution for section thirty-two of the Canterbury Agricultural College Act, 1930, and subsections two and three of section ten of the Finance Act, 1935; and the said section thirty-two and the said subsections two and three and also section sixty-one of the Finance Act, 1937, are hereby repealed. 35

1937, No. 17