

National Research Advisory Council Act 1963

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An Act to establish a National Research Advisory Council, and to define its functions

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 and commencement

- (1) This Act may be cited as the National Research Advisory Council Act 1963.

- (2) This Act shall come into force on the first day of January, nineteen hundred and sixty-four.

2 Interpretation

In this Act, unless the context otherwise requires,—

“Council” means the National Research Advisory Council constituted by this Act:

“Minister” means the Minister for the time being charged with the administration of this Act.

3 Establishment of National Research Advisory Council

- (1) There is hereby established for the purposes of this Act a Council, to be known as the National Research Advisory Council.
- (2) The Council shall consist of nine members, being—
- (a) Six members (hereinafter referred to as appointed members) to be appointed by the Governor-General on the recommendation of the Minister, of whom one shall be appointed as Chairman:
 - (b) The Secretary to the Treasury:
 - (c) The Director-General of the Department of Scientific and Industrial Research:
 - (d) The Director-General of Agriculture.
- (3) For the purpose of making recommendations to the Governor-General for the appointment of members the Minister shall have regard to—
- (a) The need for adequate representation on the Council of persons qualified in scientific research; and
 - (b) Any representations made to him by the Royal Society of New Zealand or any other organisation concerned with the advancement of scientific research.
- (4) Each of the appointed members shall be appointed for a term not exceeding three years, and, subject to subsection (5) of this section, shall be eligible for reappointment from time to time.
- (5) Upon the completion by any appointed member of six consecutive years' service as a member of the Council, he shall cease to be eligible for reappointment until after the lapse of one year during which he did not hold office as a member of the Council:

Provided that any member who has completed not more than six consecutive years' service as a member of the Council, otherwise than as Chairman, may be appointed as Chairman of the Council for a further term not exceeding three years immediately following the expiry of his term of office as a member.

- (6) Notwithstanding anything to the contrary in this Act, every appointed member of the Council, unless he sooner vacates his office under section 4 of this Act, shall continue in office until his successor comes into office.
- (7) No appointed member shall be deemed to be employed in the service of Her Majesty for the purposes of the State Services Act 1962 or the Superannuation Act 1956 by reason of his being a member of the Council.

4 Extraordinary vacancies

- (1) Any appointed member may at any time be removed from office by the Governor-General for disability, bankruptcy, 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 Minister.
- (2) If any appointed member of the Council dies, or resigns, or is removed from office, the Governor-General may, on the recommendation of the Minister, appoint a fit person to fill the vacancy for the residue of the term for which the vacating member was appointed.
- (3) The powers of the Council shall not be affected by any vacancy in its membership.

5 Temporary members of Council

- (1) If any member of the Council is absent from New Zealand, or for sufficient reason is unable to act in his capacity as a member, the Minister may appoint a suitable person in his stead to hold office as a temporary member of the Council for such term, not exceeding the unexpired period of the term of office of the member so unable to act, as the Minister directs.
- (2) All the provisions of this Act shall apply to every such temporary member in all respects as if he were a member appointed or holding office under subsection (2) of section 3 of this Act; but while any such temporary member continues in office no allowance or travelling expenses under section 9 of this Act shall be payable to the member in whose stead the temporary member was appointed.

6 Meetings of Council

- (1) The first meeting of the Council shall be held at a time and place to be appointed by the Minister.
- (2) Subsequent meetings of the Council shall be held at such times and places as the Council may from time to time appoint:
Provided that the Council shall meet at least four times in every year.
- (3) At any meeting five members of the Council shall form a quorum.
- (4) The Chairman shall preside at all meetings of the Council at which he is present. In the absence of the Chairman from any meeting the members present

shall select one of their number to be the Chairman for the purposes of that meeting.

- (5) The Chairman at any meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.
- (6) At any meeting the decision of a majority of the members present shall be the decision of the Council.
- (7) In the absence from any meeting of any member of the Council, other than an appointed member, he may authorise any other officer of his Department having the status of a deputy or an assistant Permanent Head of the Department or, where there is no officer having that status, some other senior officer approved for the purpose by the Minister in charge of the Department, to attend the meeting in his stead. While any person is attending a meeting under this subsection he shall be deemed for all purposes to be a member of the Council. The fact that any person attends and acts as a member of the Council at any such meeting shall be conclusive proof of his authority to do so.
- (8) Subject to the provisions of this Act, the Council may regulate its own procedure.

7 Functions of Council

- (1) The functions of the Council shall be to advise the Minister on—
 - (a) The promotion and development of scientific research in New Zealand:
 - (b) The planning and coordination of scientific research and services in New Zealand, including—
 - (i) The determination of priorities among research activities of Government Departments, having regard to research done by other organisations:
 - (ii) The provision of scholarships and fellowships, and the promotion of the training of research workers:
 - (iii) The association of the Government with industry in the promotion of fundamental and applied research, including the promotion of research associations:
 - (iv) The collection and dissemination of scientific information, including the publication of reports and journals:
 - (c) The promotion of cooperation with the Governments of or organisations in other countries, or with international organisations, in scientific matters:
 - (d) Any other matters that are appropriate for the carrying out of any of the above-mentioned functions, or that are referred to it by the Minister.
- (2) The Council shall have such other functions as are conferred on it by any other enactment.

8 Committees of Council

The Council may from time to time appoint competent persons, whether members of the Council or not, to be a committee or committees to assist the Council on such matters within the scope of its functions as are referred to them by the Council.

9 Fees and travelling allowances

- (1) The Council is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.
- (2) There shall be paid to the members of the Council, and there may be paid to the members of any committee appointed by the Council, out of money appropriated by Parliament for the purpose, remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

10 Administrative services

The State Services Commission shall provide such administrative services as may be necessary for the efficient carrying out of the Council's functions under this Act.

11 Annual report

- (1) As soon as practicable after the end of each year ending with the thirty-first day of March the Council shall furnish to the Minister a report of its operations and proceedings during that year.
- (2) A copy of the report shall be laid before Parliament within twenty-eight days after its receipt by the Minister if Parliament is then in session, and, if not, then within twenty-eight days after the commencement of the next ensuing session.

12 Abolition of Council of Scientific and Industrial Research

- (1) The Council of Scientific and Industrial Research is hereby abolished.
- (2) Every reference to the Council of Scientific and Industrial Research in any Act, regulation, or other enactment shall hereafter, unless the context otherwise requires, be read as a reference to the National Research Advisory Council.

13 Consequential repeals and amendments

- (1) Sections 8 to 12 of the Scientific and Industrial Research Act 1952 are hereby repealed.
- (2) The Scientific and Industrial Research Act 1952 is hereby amended—
 - (a) By repealing the definition of the term "Council" in section 2:
 - (b) By omitting from subsection (6) of section 17 the words "convened by the Council of Scientific and Industrial Research".

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- (3) The First Schedule to the Fees and Travelling Allowances Act 1951 is hereby amended by repealing so much thereof as relates to the Council of Scientific and Industrial Research.
 - (4) The Land and Income Tax Act 1954 is hereby amended by omitting from paragraph (mm) of subsection (1) of section 86 (as inserted by section 7 of the Land and Income Tax Amendment Act (No. 2) 1957) the words “approved by the Council of Scientific and Industrial Research for the purposes of paragraph (c) of subsection (1) of section 10 of the Scientific and Industrial Research Act 1952, whether or not it is in receipt of a grant under that paragraph”, and substituting the words “approved by the National Research Advisory Council established under the National Research Advisory Council Act 1963”.

This Act is administered in the Office of the State Services Commission.