Version
as at 28 October 2021

Howard Estate Act 1978

Public Act	1978 No 74
Date of assent	18 October 1978
Commencement	see section 1(2)

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Public Trust.

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An Act to consolidate and amend the Howard Estate Act 1919

1 Short Title and commencement

(1) This Act may be cited as the Howard Estate Act 1978.

(2) This Act shall come into force on 1 January 1979.

2 Interpretation

In this Act, unless the context otherwise requires,—

Board means the Howard Estate Advisory Board established by section 17(1)

cadet means a person for the time being enrolled for training at the Training Farm

Estate means all real and personal property, of whatsoever nature, for the time being held by Public Trust for the purposes of this Act

financial year means a period of 12 months ending with 30 June

member means a member of the Board

Minister means the Minister in Charge of Public Trust

Training Farm means the Smedley Cadet Training Farm.

Section 2 **Estate**: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 2 **Minister**: amended, on 1 March 2002, pursuant to section 152(1) of the Public Trust Act 2001 (2001 No 100).

Howard Estate

3 Public Trust to hold property as endowment

Subject to the provisions of this Act, Public Trust must hold, as a permanent endowment for the purposes of this Act,—

(a) all property held by the Public Trustee under the Howard Estate Act 1919 immediately before the commencement of this Act; and

(b) all property subsequently acquired under this Act by the Public Trustee or Public Trust; and

(c) all income derived from the property referred to in paragraphs (a) and (b).

Section 3: substituted, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

4 Objects for which Estate to be held

(1) Subject to subsection (2), Public Trust shall hold the Estate for the following objects:

(a) the development and maintenance of the institute of agricultural education known as the Howard Agricultural Institute established under the Howard Estate Act 1919:

(b) the farming, improvement, and development of the farm land forming part of the Estate:

(c) the assistance and development of any agricultural research or public agricultural education in New Zealand that may be to the special (but not necessarily exclusive) benefit of farming in the provincial district of Hawke's Bay.

(2) The said institute shall be under the control of the Minister.

(3) Subject to the provisions of this Act, Public Trust shall apply, use, and manage the Estate in such manner as it thinks may best accomplish the objects for which it holds it.

Compare: 1919 No 14 s 8

Section 4(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 4(3): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

5 General powers of Public Trust

(1) Without limiting the generality of section 4(1), Public Trust shall have power:

(a) to farm, develop, and manage the farm land forming part of the Estate:

(b) upon and subject to such terms and conditions (if any) as it thinks fit, to sell, exchange, or otherwise deal with any personal property forming part of the Estate:

(c) subject to subsection (2), to lease any land forming part of the Estate:

(d) upon and subject to such terms and conditions (if any) as it thinks fit, to purchase, bail, or otherwise acquire, for the objects for which it holds the Estate, any personal property:

(e) to erect, add to, alter, or dismantle, any building or other work or improvement situated on land forming part of the Estate:

(f) to maintain and keep in good order, repair, and condition, all buildings and other works and improvements forming part of the Estate:

(g) to appoint such officers and servants, and at such salaries and upon and subject to such terms and conditions, as it thinks fit:

(h) to make payments to or subsidise the National Provident Fund, or any fund or scheme established with the approval of the Minister, for the purpose of providing superannuation or retiring allowances for persons appointed under paragraph (g):

(i) to insure any part of the Estate against public liability, loss or damage by fire or earthquake, or any other risk, insurance against which it thinks necessary or desirable:

(j) with the prior approval of the Minister, to do any other act or thing that is necessary, expedient, incidental, or conducive to the objects for which Public Trust holds the Estate.

(2) Every lease of land forming part of the Estate shall be made in accordance with the Public Bodies Leases Act 1969; and, for the purpose, Public Trust shall, in respect of all such land, be deemed to be a leasing authority within the meaning of that Act.

Compare: 1919 No 14 ss 3, 4

Section 5 heading: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1)(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1)(d): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1)(g): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1)(i): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(1)(j): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 5(2): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

6 Powers of Public Trust with regard to land

Public Trust may with the prior consent of the Minister,—

(a) purchase, take on lease, or otherwise acquire any real property that is, in its opinion, necessary or desirable for the objects for which it holds the Estate:

(b) sell or exchange any real property forming part of the Estate.

Section 6 heading: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 6: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 6(a): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

7 Power of investment

Despite section 48 of the Public Trust Act 2001, and despite the terms of any trust or endowment to which it is subject, Public Trust may invest any money forming part of the Estate that is not immediately required for the objects for which it holds the Estate—

(a) in the common fund of Public Trust; or

(b) in any securities for the time being authorised by the law of New Zealand for the investment of trust funds; or

(c) with the prior consent of the Minister, in any other manner or securities.

Section 7: substituted, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

8 Acceptance of property on trust

(1) With the prior consent of the Minister, Public Trust may accept any property by way of bequest, devise, or gift, in trust for—

(a) the objects for which it holds the Estate; or

(b) any purpose for which it can lawfully apply any part of the Estate;—

and in that case, that property shall be deemed to form part of the Estate and, subject to subsection (2), may be dealt with accordingly.

(2) Subject to section 7, all property accepted by Public Trust under subsection (1), and any income derived from it, shall be appropriated and dealt with by it in accordance with the terms of the trust subject to which it was accepted.

Section 8(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 8(1)(a): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 8(1)(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 8(2): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

9 Unauthorised expenditure

With the prior consent of the Minister, given on the recommendation of the Board, Public Trust may expend out of the Estate, for purposes not otherwise authorised by any law for the time being in force, any sum or sums not exceeding $1,000 in the aggregate in any financial year.

Section 9: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

10 Application of Public Trust Act 2001

(1) The Estate is deemed to be an estate administered by Public Trust under the Public Trust Act 2001; and, except as provided in this Act, all the provisions of that Act, so far as they are applicable and with the necessary modifications, apply to the Estate and its administration accordingly.

(2) All expenses incurred by Public Trust under this Act are charged against and payable out of the Estate.

(3) There is also payable to Public Trust out of the Estate remuneration in accordance with Public Trust's scale of charges.

Section 10: substituted, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

11 Public Trust may maintain imprest accounts

(1) Subject to subsection (2), Public Trust may maintain and establish imprest accounts, and pay into any such account money forming part of the Estate.

(2) Without the prior approval of the Minister, no more than $500 shall be held in any such account.

(3) No money shall be withdrawn from any such account except by cheque signed by a person appointed under section 5(1)(g) who has been authorised in that behalf by Public Trust.

Section 11 heading: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 11(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 11(3): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Smedley Cadet Training Farm

12 Smedley Cadet Training Farm to continue

(1) It is hereby declared that the training farm for boys established under the scheme approved by an Order in Council dated 28 August 1946 made under the Howard Estate Act 1919 and known, immediately before the commencement of this Act, as the Smedley Boys' Training Farm—

(a) shall continue to form part of the Howard Agricultural Institute; and

(b) shall, on and after the commencement of this Act, be known as the Smedley Cadet Training Farm.

(2) The Training Farm shall be conducted, controlled, and administered in accordance with regulations made under this Act.

(3) It is hereby declared that both males and females shall be eligible to be enrolled for training at the Training Farm.

13 Remuneration of cadets

While attending the Training Farm, every cadet—

(a) shall be provided with free board and lodging; and

(b) shall be paid an allowance comprising—

(i) such remuneration for the farming work he does during his training and instruction; and

(ii) a clothing allowance and such other allowances—

as Public Trust, after consultation with the Board, from time to time approves.

Section 13(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

14 Discipline at Training Farm

The Board may from time to time, with the approval of the Minister, make such rules as may be reasonably necessary for maintaining discipline among the cadets, and may from time to time, with the like approval, amend, revoke, or replace, all or any of those rules; and those rules shall be binding upon the cadets according to their tenor.

15 Additional courses at approved institution

Where any person who has completed any course of training and instruction at the Training Farm—

(a) has, in the opinion of the Board, shown exceptional promise and ability; and

(b) wishes to study at degree level at an institution (whether within or outside New Zealand) approved by Public Trust on the recommendation of the Board, but cannot afford to do so,—

Public Trust may pay to or for the benefit of that person such sum or sums as Public Trust, on the recommendation of the Board, determines to enable that person to attend that institution.

Section 15: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 15(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

16 Scholarships for farming courses

(1) Public Trust may, on the recommendation of the Board, award to any person who has completed any course of training and instruction at the Training Farm a scholarship to enable him to take a farming course at any institution in New Zealand approved by Public Trust on the recommendation of the Board.

(2) In making any recommendation under subsection (1), the Board shall take into account the standard of performance of the person concerned while enrolled at the Training Farm, but shall not be required to recommend the award of a scholarship after the conclusion of any course or series of courses at the Training Farm, or to any person whom the Board considers unsuitable, for whatever reason, for its award.

(3) Every scholarship awarded under this section shall—

(a) be tenable at such institution and for such period; and

(b) so be awarded subject to such terms and conditions (if any); and

(c) entitle the holder to be paid, or to have paid for his benefit, all or such part of the tuition fees at the institution concerned; and

(d) entitle the holder to be paid such sum or sums by way of subsistence or other allowance or allowances—

as Public Trust, on the recommendation of the Board, approves.

Section 16(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 16(3): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Howard Estate Advisory Board

17 Howard Estate Advisory Board established

(1) There is hereby established the Howard Estate Advisory Board.

(2) The Howard Estate Advisory Board established by subsection (1) is hereby declared to be the same as that established under that name by section 2(1) of the Howard Estate Amendment Act 1927.

Compare: 1927 No 55 s 2(1)

18 Functions of Board

The functions of the Board shall be—

(a) to advise Public Trust on matters concerning the management and administration of the Estate; and

(b) to advise Public Trust on the expenditure of money for the time being forming part of the Estate; and

(c) to exercise, have, and perform, such other functions, powers, and duties as are conferred on it by or under this or any other Act.

Compare: 1927 No 55 s 7

Section 18(a): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 18(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

19 Membership of Board

(1) Subject to section 20, the Board shall comprise 6 members, who shall be appointed by the Governor-General as follows:

(a) 1 member shall be appointed on the joint recommendation of the Hawkes Bay Provincial Executive and the Southern Hawkes Bay Provincial Executive of Federated Farmers of New Zealand (Incorporated):

(b) 1 member shall be appointed on the recommendation or joint recommendation of a body or bodies recognised by the Minister as representing the interests of the parents of students attending State primary and secondary schools in the Provincial District of Hawke's Bay:

(c) 1 member shall be appointed on the joint recommendation of the Central Hawke's Bay District Council, the Tararua District Council, and the Wairoa District Council (or their respective successors) and every Chamber of Commerce whose offices are within the district of any such council:

(d) 1 member shall be appointed on the joint recommendation of the Napier City Council and the Hastings District Council (or their respective successors) and every Chamber of Commerce whose offices are within the district of any such council:

(e) 1 member shall be appointed on the joint recommendation of every society, within the meaning of the Agricultural and Pastoral Societies Act 1908, whose offices are situated within the said Provincial District:

(f) 1 member shall be appointed on the recommendation of the Smedley Ex-Cadets Association Incorporated.

(2) Subject to subsection (1), members shall be appointed in accordance with regulations made under this Act.

(3) Every person who was a member immediately before the commencement of this Act shall, unless he sooner vacates his office under section 22(1), continue in office as a member until the expiration of the term for which he was appointed, but may from time to time be reappointed.

(4) Every person who, immediately before the commencement of Schedule 16 of the Local Government Act 2002, was a member who held office under subsection (1)(c) or subsection (1)(d), is, unless he or she sooner vacates his or her office under section 22(1), to continue in office as a member until the expiration of the term for which he or she was appointed, but may from time to time be reappointed.

Compare: 1927 No 55 s 2(3)

Section 19(1): amended, on 17 December 1985, by section 2(2) of the Howard Estate Amendment Act 1985 (1985 No 178).

Section 19(1)(b): substituted, on 16 December 1988, by section 2(1) of the Howard Estate Amendment Act 1988 (1988 No 190).

Section 19(1)(c): substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 19(1)(d): substituted, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

Section 19(1)(f): added, on 17 December 1985, by section 2(1) of the Howard Estate Amendment Act 1985 (1985 No 178).

Section 19(4): added, on 1 July 2003, by section 262 of the Local Government Act 2002 (2002 No 84).

20 Disqualification for appointment

No person shall be capable of becoming a member if—

(a) he is not of full age or full capacity; or

(b) he is alien; or

(c) he is a bankrupt who has not yet obtained his order of discharge, or whose order of discharge is suspended for a term not yet expired or is subject to conditions not yet fulfilled; or

(d) he has been sentenced to a term of imprisonment in respect of any offence for which he has been convicted and has neither obtained a full pardon nor served the sentence; or

(e) he holds a position in the service of the New Zealand Government or the Estate to which any fees, salary, or emolument are attached.

21 Term of office

(1) Subject to subsection (2), every member shall hold office for a term of 3 years but may from time to time be reappointed.

(2) Unless he sooner vacates his office under section 22(1), every member shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.

Compare: 1927 No 55 s 2(2)

22 Extraordinary vacancies

(1) Any member may be removed from office by the Governor-General for inability to perform the functions of the office, neglect of duty, or misconduct, proved to the satisfaction of the Governor-General, and may at any time resign his office by writing addressed to the Minister; and, notwithstanding section 21, if any member—

(a) dies; or

(b) becomes disqualified for appointment; or

(c) is removed from office; or

(d) resigns; or

(e) is absent without leave from 3 consecutive meetings of the Board—

his office shall become vacant and that vacancy shall be deemed to be an extraordinary vacancy.

(2) Notwithstanding subsection (1)(b), where any member becomes disqualified for appointment by virtue of his having been sentenced to a term of imprisonment in respect of any offence for which he has been convicted, the following provisions shall apply:

(a) his office shall not become vacant until the time for appealing against the conviction or the sentence has expired and, where he has appealed against the conviction, the sentence, or both, until the appeal has been determined:

(b) during the time specified in paragraph (a), the member shall be deemed to have been granted leave of absence, and shall not be capable of acting as a member.

(3) Where an extraordinary vacancy has arisen, it shall as soon as practicable be filled by the appointment of some qualified person,—

(a) in the same manner as; and

(b) for the residue of the term for which—

the vacating member was appointed.

Compare: 1927 No 55 s 4

Section 22(1): amended, on 1 January 2002, by section 70(1) of the Human Rights Amendment Act 2001 (2001 No 96).

23 Chairman of Board

(1) Whenever that office is vacant, the members shall elect a Chairman from among themselves.

(2) Every Chairman shall hold office until—

(a) the expiration of the term of office as member during which he was elected Chairman; or

(b) he ceases to be a member; or

(c) he resigns as Chairman,—

whichever is the soonest; but so long as he remains a member he shall be eligible for re-election as Chairman.

(3) The Chairman shall preside at every meeting of the Board at which he is present; but if he is not present then the members present shall elect a person to preside from among themselves.

(4) The person who, immediately before the commencement of this Act, held office as Chairman shall, unless he sooner vacates his office as a member under section 22(1), continue to be Chairman until the expiration of the term of office as member during which he was elected Chairman, but may from time to time be re-elected.

Compare: 1927 No 55 ss 3, 5(3)

24 Meetings of Board

(1) The Board shall hold a meeting within 1 month of the appointment of its members for a term of 3 years.

(2) Subject to subsections (1) and (3), the Board shall hold meetings at such times and places as the Board or the Chairman decides.

(3) Any 4 members may at any time call a special meeting of the Board.

(4) At any meeting of the Board, 4 members shall form a quorum.

(5) Subject to subsection (6), every question before any meeting of the Board shall be decided by a majority of the votes cast by the members present at the meeting.

(6) At any meeting of the Board the Chairman or person presiding shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(7) Subject to the provisions of this Act, the Board may regulate its procedure in such manner as it thinks fit.

Compare: 1927 No 55 s 5

Section 24(3): amended, on 17 December 1985, by section 2(3) of the Howard Estate Amendment Act 1985 (1985 No 178).

Section 24(4): amended, on 17 December 1985, by section 2(3) of the Howard Estate Amendment Act 1985 (1985 No 178).

25 Members' interests

The Local Authorities (Members' Interests) Act 1968 shall apply to contracts made under this Act by Public Trust as if—

(a) Public Trust were a local authority within the meaning of that Act; and

(b) the Board were a committee of that local authority.

Section 25: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 25(a): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

26 Travelling allowances and expenses

(1) Each member shall, when absent from his usual place of residence on business of the Board, be entitled to be paid, out of the Estate,—

(a) his actual and reasonable travelling expenses; and

(b) a prescribed amount for each day or part of a day during which he is so absent.

(2) For the purposes of subsection (1), **business of the Board** means—

(a) attendance at any meeting of the Board or of any committee of the Board; or

(b) any business transacted pursuant to a resolution of the Board.

Compare: *Gazette* 1928 Vol III, p 2835

27 Secretary

The Board may from time to time appoint some suitable person to be Secretary of the Board; and in that case that person may be paid, out of the Estate, such salary or honorarium as the Board, with the prior approval of the Minister, decides.

Compare: 1927 No 55 s 6

Miscellaneous

28 Public Trust may borrow money

(1) With the prior consent of the Minister, Public Trust may from time to time raise or borrow such sums of money as it considers necessary or desirable for the attainment of the objects for which it holds the Estate.

(2) Without limiting the generality of subsection (1), any such sum may be raised or borrowed—

(a) by way of advance out of the common fund of Public Trust under section 56 of the Public Trust Act 2001; or

(b) on the security of any part of the Estate; and in that case Public Trust may—

(i) execute such mortgage or other documents as may be required by the lender; and

(ii) enter into such covenants and agreements as may be agreed upon between it and the lender; and

(iii) do all such other things as are necessary to enable the granting of that security and the registration of any document relating to it.

Compare: 1955 No 103 s 19

Section 28 heading: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 28(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 28(2)(a): substituted, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 28(2)(b): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 28(2)(b)(ii): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

29 Accounts

(1) Public Trust shall cause true and regular accounts of all income and expenditure relating to the Estate and the objects for which it holds it to be kept.

(2) As soon as practicable after the close of each financial year, Public Trust shall cause those accounts to be balanced, and true statements of account to be prepared showing—

(a) the income and expenditure for that year relating to the Estate and the objects for which it holds it; and

(b) the assets comprising the Estate, and any liabilities relating thereto, as at the end of that year.

Section 29(1): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 29(2): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

Section 29(2)(a): amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

30 Annual report

As soon as practicable after the preparation, in respect of any financial year, of the statements of account referred to in section 29(2), Public Trust shall send a report of its activities under this Act during that year, together with a copy of those statements, to the Minister, and shall also send copies of that report and those statements to the Minister of Finance, and the Controller and Auditor-General.

Section 30: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

31 Liability for rates

Notwithstanding that it is vested in Public Trust for the objects specified in this Act, the Estate shall be liable for the payment of rates to the same extent as it would be liable if it were vested in a private person.

Compare: 1922 No 51 s 38

Section 31: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

32 Upkeep of grave of Josiah Howard

Public Trust may from time to time expend such sums of money out of the Estate as it thinks fit in maintaining in good order the headstone and grave of the late Josiah Howard.

Compare: 1921–22 No 72 s 42; 1926 No 29 s 5

Section 32: amended, on 1 March 2002, by section 170(1) of the Public Trust Act 2001 (2001 No 100).

33 Regulations

(1) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

(a) providing for the conduct, control, and administration of the Training Farm:

(b) prescribing the manner of appointment of members of the Board:

(c) prescribing travelling allowances and expenses for members of the Board:

(d) providing for such matters as are contemplated by, or necessary for giving full effect to, the provisions of this Act and for its due administration.

(2) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1927 No 55 s 10

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 33(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

34 Repeals and revocations

(1) The enactments specified in Schedule 1 are hereby repealed.

(2) The regulations and Orders in Council specified in Schedule 2 are hereby revoked.

Schedule 1
Enactments repealed

s 34(1)

Finance Act 1921–22 (1921–22 No 72) (1957 Reprint Vol 5, p 50)

Finance Act 1922 (1922 No 51) (1957 Reprint Vol 5, p 52)

Finance Act 1932 (1932 No 11)

Amendment(s) incorporated in the Act(s).

Finance Act 1950 (1950 No 93)

Amendment(s) incorporated in the Act(s).

Finance Act (No 2) 1955 (1955 No 103)

Amendment(s) incorporated in the Act(s).

Howard Estate Act 1919 (1919 No 14)

Howard Estate Amendment Act 1926 (1926 No 29)

Howard Estate Amendment Act 1927 (1927 No 55)

Statutes Amendment Act 1947 (1947 No 60)

Amendment(s) incorporated in the Act(s).

Schedule 2
Regulations and Orders in Council revoked

s 34(2)

Howard Estate Advisory Board Regulations 1928 (*Gazette* 1928 Vol III, p 2835)

Howard Estate Advisory Board Regulations 1928, Amendment No 1 (*Gazette* 1931 Vol II, p 1764)

Smedley Boys' Training Farm Approval Order 1946 (*Gazette* 1946 Vol II, p 1197)

Smedley Boys' Training Farm Approval Order 1946, Amendment No 1 (*Gazette* 1952 Vol I, p 459)

Smedley Boys' Training Farm Approval Order 1946, Amendment No 2 (*Gazette* 1954 Vol I, p 178)

Smedley Boys' Training Farm Approval Order 1946, Amendment No 1 (*Gazette* 1965 Vol I, p 482)

Smedley Boys' Training Farm Approval Order 1946, Amendment No 4 (*Gazette* 1974 Vol III, p 2978)

Howard Estate Amendment Act 1988

Public Act	1988 No 190
Date of assent	16 December 1988
Commencement	16 December 1988

1 Short Title

This Act may be cited as the Howard Estate Amendment Act 1988, and shall be read together with and deemed part of the Howard Estate Act 1978 (hereinafter referred to as "the principal Act").

2 Membership of Board

(1) *Amendment(s) incorporated in the Act(s).*

(2) Every person who was a member immediately before the commencement of this Act shall, unless the member sooner vacates office under section 22(1) of the principal Act, continue in office until the expiration of the member's term; but, subject to section 20 of the principal Act, may from time to time be reappointed.

Notes

1 General

This is a consolidation of the Howard Estate Act 1978 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Secondary Legislation Act 2021 (2021 No 7): section 3

Local Government Act 2002 (2002 No 84): section 262

Public Trust Act 2001 (2001 No 100): sections 152(1), 170(1)

Human Rights Amendment Act 2001 (2001 No 96): section 70(1)

Howard Estate Amendment Act 1988 (1988 No 190)

Howard Estate Amendment Act 1985 (1985 No 178)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2022