

TROPHIES imported by Fern Trading Limited for the purpose of commemorating its 22nd anniversary, subject to the following condition

1. Used solely for prize giving

Dated this 31st day of October, 1997.

Teburoro Tito  
His Excellency Te Beretitenti

Published by exhibition at the Office of the Beretitenti this 31st day of October, 1997.

Dr. Tetara Tajtai  
Secretary to Cabinet

No.

**THE HOUSING CORPORATION ORDINANCE  
(CAP.40A)  
(Section 3(4))**

**SCHEDULE 1 AND SCHEDULE 2 OF THE HOUSING  
CORPORATION  
ORDINANCE (AMENDMENT) ORDER 1997**

In exercise of the powers conferred by section 3(4) of the Housing Corporation ordinance (Cap. 40A) (hereinafter referred to as "the Ordinance"), the Beretitenti, acting in accordance with the advice of Cabinet, amends Schedule 1 and Schedule 2 of the Ordinance as follows:

**Short title**

1. This Order may be cited as the Schedule 2 of the Housing Corporation Ordinance (Amendment) Order 1997.

**Repeal of Schedule 1 and Schedule 2**

2. Schedule 1 and Schedule 2 of the Ordinance are repealed and the following Schedules are substituted -

**"SCHEDULE 1  
(Section 3 (2))**

**Appointment of members of the Corporation**

1. (1) The Corporation shall consist of not more than 8 nor less than 4 members appointed by notice by the Minister.

- (2) Not more than 3 and not less than 1 of the members shall be at the time of their appointment employed as public officers.

**Chairman**

2. (1) The Minister shall appoint one of the members to be the Chairman of the Corporation for such period as he may specify.

- (2) The Chairman shall keep the Minister fully informed concerning the activities and business of the Corporation and shall furnish the Minister with such information as the Minister may request with respect to any particular matter relating to the activities and business of the Corporation.

- (3) The Corporation may by instrument in writing direct that, such of the functions of the Corporation as may so specified shall (without prejudice to the performance of those functions by the Corporation) be performed by the Chairman.

- (4) The Minister shall appoint one of the members to be Deputy Chairman of the Corporation for such period as he may specify.

- (5) In the case of the absence or inability to act of the Chairman the Deputy Chairman the Minister may appoint one of the remaining members to perform the functions of the Chairman.

- (6) In the case of the absence or inability to act of the Chairman of both the Chairman and the Deputy Chairman the remaining members shall elect one of their number to act as Chairman at that meeting.

**Tenure of office**

3. (1) A member shall, subject to the provisions of this Schedule, hold office for such period being not less than nor more than 4 years as may be specified in the notice appointing him, but shall be eligible for reappointment.

- (2) The Minister may at any time revoke the appointment of any member if he thinks it expedient so to do and the appointment of the Chairman or Deputy Chairman is so revoked he shall cease to be Chairman or Deputy Chairman as the case may be.

**Resignation**

4. (1) Any member, other than the Chairman, may at

time resign his office by notice in writing addressed to the Minister and transmitted through the Chairman, and from the date of the receipt by the Minister of such notice such member shall cease to be a member of the Corporation.

- (2) The Chairman may at any time resign his office by notice in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such notice by the Minister.

#### *Authentication of seal and documents*

5. All documents, other than those required by law to be under seal, made by, and all decisions of, the Corporation may be signified under the hand of the Chairman or any member authorised to act in that behalf.

#### *Procedure and meetings*

6. (1) The Corporation shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such places and times and on such days as the Corporation shall determine.

- (2) The Chairman may at any time call a special meeting of the Corporation and shall call a special meeting to be held with 7 days of a written request to that effect addressed to him by any 2 members.
- (3) The quorum of the Corporation shall be 3 including the Chairman or the Deputy Chairman or the member elected to act as the Chairman as aforesaid.
- (4) Minutes in proper form for each meeting shall be kept and shall be confirmed, whenever practicable, at the next meeting. Certified copies of such minutes when so confirmed shall be forwarded to the Minister.
- (5) The Corporation may co-opt any one or more persons to attend any particular meeting of the Corporation for the purpose of assisting or advising the Corporation, but no such co-opted person shall have any right to vote.
- (6) Subject to the provisions of this Schedule the Corporation may regulate its own proceedings.

#### *Allowances to members of Corporation*

- 7.(1) Members of the Corporation may be paid, out of the funds of the Corporation, such travelling and other expenses

as may be incurred by them in respect of their duties as Members, and, subject to subparagraph (2), an attendance allowance as the Minister may by order from time to time determine.

- (2) A member of the Corporation who is a public officer shall be entitled to be paid an attendance allowance referred to in subparagraph (1) if the Corporation meets on Saturday, Sunday, or a public holiday.

#### *Protection of members*

- 8) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Corporation in respect of any act done bona fide in pursuance or execution or intended execution of this Ordinance.

#### *Declaration of interest of members*

9. (1) If a member has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the Corporation at which the contract or other matter is the subject of consideration, he shall, as soon as practicable after the commencement of the meeting, disclose to the Corporation the fact and nature of his interest, and shall not take part in the consideration or discussion of the contract or other matter or vote on any question with respect to it.

- (2) Without limiting the generality of the provisions of sub-paragraph (1), no member of the Corporation shall at any meeting of the Corporation take part in the discussion of or vote upon, or where business is transacted by circulation of papers take part in such business on -
  - (a) any application for a loan or for the guarantee of a loan by, or business relating to, a person who is the spouse or a member of the family of such member; or
  - (b) any application for a loan or for the guarantee of a loan by, or business relating to, a person who is a debtor or creditor of such member or in partnership with or in the employ of such member; or
  - (c) any application for a loan or for the guarantee of a loan by any body of persons, corporate or unincorporate, or a person who is, to the knowledge of such member, a debtor of any body of persons, corporate

or unincorporate, of which such member is a shareholder or director or under which he holds any office or position other than that of auditor.

- (3) Any member of the Corporation who contravenes any provision of subparagraph (1) or subparagraph (2) shall be guilty of an offence and liable on conviction to a fine not exceeding \$100 or to imprisonment for a period not exceeding 3 months or to both such fine and imprisonment, and the court before which he is convicted may order that he shall vacate his seat as such member and thereupon his seat shall become vacant.
- (4) For the purposes of this section, the family of a member of the Corporation shall be deemed to include the father, mother, child, brother or sister of such member and any person married to his father, mother, child, brother or sister.

#### *Secrecy*

10. (1) Any person employed in the administration of the business of the Corporation shall regard and deal with all documents, information, returns and forms relating to applications for loans or the making of loans or other financial assistance by the Corporation as secret.
- (2) Any such person who, having possession of or control over any documents, information, returns or forms relating to any of the matters aforesaid, communicates or attempts to communicate such information or anything contained in such documents returns or forms to any person -
- (a) other than a person to whom he is authorised by the Minister or the Corporation to communicate it; or
- (b) otherwise than for the purpose of the business of the Corporation; or
- (c) otherwise than by or in accordance with the directions of any court,
- shall be guilty of an offence and liable on conviction before a magistrate's court to a fine not exceeding \$100 or to imprisonment for a term not exceeding 3 months or to both such fine and imprisonment.

#### *Appointment of staff of Corporation*

1. (1) The Corporation shall appoint a General Manager who shall be the Chief Executive Officer of the Corporation who shall, subject to the Corporation's instructions, direct the employees of the Corporation and all other administrative and operational functions of the Corporation.
2. The Corporation shall from time to time establish such other posts including that of Accountant as it considers necessary and proper for the due and efficient administration, management and performance by the Corporation of its duties under this Ordinance and shall, appoint staff to fill these posts.
3. The termination of appointment, dismissal and disciplinary control of the staff and the General Manager shall be vested in the Corporation.
4. (a) In the course of a Corporation meeting when representations from an employee of the Corporation are received in relation to the dismissal or disciplinary control of that employee, the Corporation shall, unless the employee concerned otherwise consents, exclude the General Manager from that part of the meeting during which the representations are being received.
- (b) In the course of a Corporation meeting where the Corporation is deliberating on a matter involving the dismissal or disciplinary control of an employee, the General Manager shall be excluded from that part of the meeting during which such deliberations are taking place.

#### *Responsibility of certain officers*

2. All officers charged with the receipt, accounting for, or disbursements of money, or with the custody or delivery of stores, or other property belonging to the Corporation shall be individually responsible for the due and efficient discharge of their respective duties, and for the exercise of proper supervision of the accounts kept or controlled by them and of all the property entrusted to their care, and for the due observance of all rules and regulations and of all orders and instructions prescribed for their guidance."