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HOW NEW ZEALAND IS GOVERNED

HOW NEW ZEALAND IS GOVERNED

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PREFACE

This is a short brochure on the constitutional and administrative system of *New Zealand*. The purpose of this description is to present an authentic picture of the Government and politics of this great country. It also throws light on almost all the important aspects of its local and central administration and foreign policy.


It may be added that the entire or most of the material of this brochure is based on the fact sheets, reference papers and other official publications supplied to us by the Embassy of *New Zealand*. The volume narrates the whole matter, just as it is described in the official publications of the concerned Embassy or Government. Only the sequence has been arranged to make it easier for the reader to understand the subject-matter. We are extremely grateful to the Embassy of *New Zealand* for generously providing us with the material of our interest and extending co-operation in every respect.

It need hardly be added that the publishers do not claim or acknowledge any responsibility for the views expressed or matter described in the volume.

Once again we express our gratitude to the Embassy of *New Zealand* for supplying us material of our interest and extending their kind co-operation.

Publishers

CONTENTS



1. Introduction	...	1
2. Newzealand's Constitution	10
3. The Government in Action		14
4. Electoral Provisions and Franchise	33
5. Local Government	...	41
6. Town and Country Planning	49
7. New Zealand in International Affairs		54

**HOW
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1

INTRODUCTION

New Zealand, a fully independent member of the Commonwealth, is a constitutional monarchy and Queen Elizabeth II is represented by a Governor-General. Modelled on British parliamentary democracy New Zealand has a single-chamber Parliament of 84 members elected by universal adult suffrage.

THE GEOGRAPHY

If you could drill a hole from West Europe through the centre of the earth, you would come up in New Zealand. The

situation of Wellington, the capital of New Zealand, in the Southern Hemisphere corresponds almost exactly to the latitude in the Northern Hemisphere of New York, Naples, or Ankara.

New Zealand covers 103,740 square miles, an area just a little larger than Britain or West Germany, about half the size of France, and almost the same size as Colorado. New Zealand is made up of the North Island, the South Island and smaller islands. Its length from north to south is nearly 1,000 miles, or the distance between Paris and Gibraltar.

Long white-sand beaches washed by warm south seas are within easy reach on all sides. For example, Lake Taupo, in the middle of the North Island, is only 50 miles from the coast. The extent of the beaches allows freedom from interminable jostling by fellow vacationists.

New Zealand is 3 hours by jet aircraft or 3 days by liner from Australia its nearest neighbour in the South Pacific. Regular shipping from Europe takes 4 to 5 weeks, but by air the journey from almost any capital city in Asia, North America or Europe to Auckland or Christchurch takes from 1 to 3 days.

THE PEOPLE OF THE NEW ZEALAND

There are a little under three million people in New Zealand, of whom 86 percent were born in the country. All but 250,000 are of British or European origin.

The Maoris, who today number about 220,000 are found in all walks of life, living on equal terms with all other New Zealanders. They have the same civil rights as New Zealanders of European origin and enjoy the same education, health, and welfare benefits. In addition nearly 30,000 Polynesians live in New Zealand.

A system of social security, including health, old age and family benefits, and free hospital treatment, has existed since 1938. The life expectancy in New Zealand (69 years for men

and 74 years for women) is exceeded only by Scandinavia; infant mortality is one of the three lowest in the world.

New Zealanders are enterprising and enthusiastic “do-it-yourselfers”. At the weekend they find time to cultivate their gardens, do odd jobs around the house, and carry out repairs to the car; many even paint their own homes.

CITIES AND TOWNS OF NEW ZEALAND

Although most New Zealanders live in cities and towns, the country’s economy still depends greatly on the sale of products of farm and forest. This is because agriculture is highly mechanised; holdings are managed efficiently by one or two men.

Of the four principal cities, two in each main island, **Auckland** is the northernmost and largest, with more than half a million inhabitants. It is situated north of the capital, **Wellington** which has a population of over 220,000. The South Island cities are **Christchurch** (250,000 inhabitants) and **Dunedin** (110,000). Christchurch is English in character and Dunedin is Scottish; both cities are on the east coast.

Each of these cities, evenly spaced down the length of the country, has a long-established university, industries, a modern port, and a number of theatres and other cultural and civic amenities.

New Zealand cities and towns are spacious and have large areas set aside for public gardens and sports grounds. In the suburbs flowerbeds, lawns and shrubs surround most homes, giving them a fresh and open character.

HISTORICAL AND POLITICAL DEVELOPMENT

The island of New Zealand were discovered by the Maoris, a Polynesian people, between the 10th and 14th centuries but no European discoverer sighted them until 13 December 1642 when Abel Tasman, a Dutch explorer, looking for the great Southern Continent, made a brief visit to these shores. In 1769 Captain James Cook charted the islands and before

the end of the century he had been followed by numbers of traders, whalers and sealers. Missionaries followed the traders. On Christmas Day, 1814, Samuel Marsden conducted the first Christian religious service in New Zealand at the Bay of Islands and left behind three families of resident missionaries.

Friendly relations between the Maoris and the whites, who by now numbered several hundred, soon deteriorated. The whites were regarded with indifference or contempt by the dominant race, except in so far as they proved useful as traders in items which the Maoris prized—chiefly the musket. In order to survive, even the missionaries became involved in the musket trade and conditions in the northern part of New Zealand, where the population was greatest, became anarchic. In 1833 the British Government had appointed James Busby official British Resident and in 1838 the United States accredited a Consul. But these officials had no real authority. The Maoris called Busby “the man o’war without guns”. In August 1839 the British Government despatched Captain William Hobson to New Zealand to persuade the Local Maori chiefs to cede the country to Queen Victoria and make it a dependency of the Australian colony of New South Wales. Hobson had been sent in response to appeals from New Zealand settlers for action to check the lawlessness which existed in this country and in response to insistence from idealistic elements in Britain that the Government should act to protect the Maoris from exploitation by whites.

The Treaty of Waitangi was signed by Captain Hobson and about 50 Maori chiefs on 6th February 1840. Tamati Waka Nene, the great Ngapuhi chief, persuaded his people to cede the land to the Queen so that she could maintain peace, foster trade, and protect Maori’s rights over their land. Eventually about 500 chiefs signed. Hobson proclaimed British sovereignty over the whole of New Zealand on 21 May 1840. He became the colony’s first governor and established his capital at Auckland.

Meanwhile the first organised group of colonists had been sent out by a commercial colonising company, the New Zealand Company, and had reached Wellington in January 1840. The guiding spirit of the New Zealand Company, e.g., Wakefield, also presided over the foundation of Nelson and New Plymouth, in 1841. Otago and Canterbury, both church settlements, were founded in 1848 and 1850. All of these settlements were anxious for land and Hobson and his successor, William Fitzroy, were immediately faced with a series of disputes centreing around land purchase.

As early as 1844 Hone Heke, a Northland chief, rebelled against British authority and cut down the flagpole at Kororaraka which symbolised British rule. This rebellion was crushed by Sir George Grey (Governor 1845-53, 1861-68), with the help of friendly Maori tribes. Grey was also responsible for the 1852 Constitution which made six provinces with elected provincial councils out of the six settlements and granted the colony a substantial measure of self-government. Colonial affairs were dealt with by a Central Government, but responsibility for Maori affairs and land purchase was reserved for the Governor. This constitution remained in force until 1876 when the provinces were abolished, although steady erosion of the Governor's reserved authority began almost as soon as the first Parliament met at Auckland in 1854.

By the end of the 1850s some Maori leaders were becoming uneasy at the influx of immigrants to New Zealand and were increasingly reluctant to part with their land. The South Island which had few Maoris, was quickly settled but in the North Island tension between settlers and Maoris built up. In 1859 war broke out in Taranaki over a disputed land purchase and the resultant land wars dominated the history of the North Island for a decade. Meanwhile the southern provinces were waxing fat on revenue from land sales and from gold. Gold was found in Gabriel's Gully, Otago, in 1861 and within two years the population of Otago rose from 12,500 to 60,000. In 1864 more gold was found in Westland. Pressure from the

wealthier south brought the capital to Wellington in 1865 and there was talk of the South Island cutting itself loose from its retarded northern relation.

Gold and wool, however, were inadequate staples to support New Zealand's economy and depression was threatening by the end of the 1860s. In 1870 Julius Vogel became Colonial Treasurer and temporarily solved the colony's economic problems by heavy borrowing for development. Vogel and his successors borrowed some 20m pounds sterling in 10 years - imposing an enormous burden of debt upon a population of less than 250,000. The money was spent on public works and immigration and in the long run it provided the necessary groundwork for the small-farming explosion of the early 20th century. In the short run Vogel's millions encouraged a frantic land boom. Borrowing was an inadequate solution to the problems of the colonial economy. Wool prices fell and after 1880, as her credit collapsed, New Zealand suffered a grim 15 years of depression.

Moreover the land boom of the 1870s had created, with its uneven access to credit, a landless, land hungry, urban working class. From 1868 to 1893 the number of acres held in private hands rose thirteenfold, but the number of landowners barely quadrupled. The long depression of the 1880s created two political parties by creating two distinct socio-economic groups, and in the 1890 election the town workers and would-be small farmers placed the first Liberal Government in power under John Ballance. The Liberals believed in the efficacy of state intervention and embarked on a novel reform programme. A Land and Income Tax Act was passed in 1892; Womens' Suffrage in 1893; the Advances to Settlers Act, and the Industrial Conciliation and Arbitration Act in 1894. The last introduced the world's first compulsory system of state arbitration in labour disputes.

By the turn of the century the depression was lifting. Prices for primary produce rose, the discovery of refrigeration

enabled New Zealand farmers to sell dairy produce 12,000 miles away, and the Advances to Settlers Act opened up credit facilities to small producers. The dairying and frozen meat industries changed the face of the North Island and employed a large number of New Zealanders in the production of exports—something which neither wool nor gold had been able to do. The age of the rural businessman on the family-owned and operated farm had begun. Its presiding genius was “King Dick”—Richard John Seddon, Premier 1893–1906.

The census of 1901 showed that for the first time more people lived in the North Island than in the South. In 1911 town dwellers outnumbered country dwellers for the first time and in this century the competition between rural and urban sectors for the Government’s attention has dominated the political scene. Resentment at the city links of the Liberal Party led to the resurgence of a rural opposition which formed the Political Reform League in 1904. It was led by “Farmer Bill”—W. F. Massey, Premier 1912–25.

The uncertain prosperity of the 1920s, followed by the depression of the 1930s, brought New Zealand’s first Labour Government into power under the genial Michael Joseph Savage. Labour’s welfare state was built upon the Liberal’s tradition of state intervention in the economic and social sphere, and more directly upon Seddon’s Old Age Pension Act of 1898. Its main features were a complex, but not comprehensive, system of social security pensions, virtually free medical services, a guarantee to farmers that they would receive a fair price for their goods despite the fluctuations of overseas markets, and an acceptance of the principle that full employment was the ultimate responsibility of the state.

Since the 1930s New Zealand has continued to be set by problems of a dependent economy—one that relies upon exporting a limited range of primary produce to what is virtually one market, the United Kingdom. A very high degree of technical sophistication disseminated to the farmers through

the agricultural university colleges has enabled the primary industries to hold their own. But the 20th century population drift from the countryside to the towns and from south to north has meant that the Auckland area, with its secondary industry, now holds nearly half the population of the whole country. Accordingly, new stress has been placed on industrial development and the exploitation of natural resources other than grass. Prospectors now search for oil, natural gas and minerals. Steel mills and an aluminium smelter have been built. A National Development Conference was held in 1968-69, and the emphasis is now upon finding new exports to supplement primary produce.

New Zealand obtained local self-government in 1852, but not autonomy in external affairs. This was not resented; she was proud to be part of the British Empire and 19th century New Zealanders saw their world role in terms of the imperial connection. In 1899 Seddon enthusiastically despatched 6,500 volunteers to the Boer War and during the First World War, 10 percent of New Zealand's population joined the armed forces. Most of these served in France and the Middle East, thousands of miles from home. The major effort of 1914-18 did more than any other event in our history to give this country a sense of nationhood. New Zealand formed part of the British Empire delegation at the 1919 Peace Conference, but she joined the League of Nations as an independent member. The Savage Government was a staunch advocate of collective security, in recognition of which New Zealand was elected to the Security Council in 1936.

During the Second World War New Zealand again mounted an impressive war effort and has since played a full part in the work of the United Nations and its affiliated organisations. Full autonomy within the Commonwealth was attained when New Zealand adopted the Statute of Westminster in 1947. Cultural and emotional ties with Britain remain strong. But with the insecurity of the British market for primary produce, with the development of the EEC, and the contraction of

British power east of Suez since the 1950s, New Zealand's foreign policy has been increasingly oriented less towards Europe and more towards South-east Asia and the United States.

EDUCATION

Education is compulsory from 6 to 15 years of age, and at state schools is free from the age of 5. Six out of seven of all schools are state controlled, the others being sponsored by churches or private interests. There are universities in the six largest cities and an agricultural college in the main two islands.

The larger centres have technical institutions, and a State correspondence school caters for more than 5,500 children in isolated areas.



2

NEW ZEALAND'S CONSTITUTION

New Zealand is a constitutional monarchy and is modelled on British parliamentary democracy. The original constitution was an enactment of the British Parliament, the Act to Grant a Representative Constitution to the Colony of New Zealand (15-16 Vic. c. 72), made law in June 1852. A further British Act in 1857 gave the power to amend this constitution to the New Zealand General Assembly with some restrictions. These being finally removed in 1947, the New Zealand Parliament can now legislate any constitutional change it considers desi-

nable. Though the Governor General has the power to withhold his assent to any measure, this power is not exercised.

Since the Legislative Council was abolished (in January 1951) legislative power belongs entirely to the House of Representatives. Its 84 elected members—80 Europeans and four Maoris are called Members of Parliament. The four Maori members are elected by the Maori people.

Seats are allocated as evenly as possible, on the basis of population. The Electoral Amendment Act 1965 provides that following each census the South Island is divided into 25 electoral districts, and the North Island into as many electoral districts as are required to provide the same population ratio as the South Island.

At elections, now held on Saturdays, persons over 20 years who have lived for a year in New Zealand may vote in secret ballot. Maoris may vote only for the members representing their own race, and half-caste Maoris may vote in either a European or a Maori electoral district.

Registration on electoral rolls is compulsory for all who are eligible to vote. Although voting is not compulsory, 90 percent of electors customarily vote.

Three-Year Term

Parliament has a term of three years, though it may be dissolved sooner. Any elector may be a candidate, but public servants must resign from the Public Service if elected. Parliament meets in an annual session, lasting usually from June to December, but the House customarily has several recesses, each of from one to three weeks. The business of the House is controlled by a Speaker elected for the duration of a Parliament and by a Chairman of Committees.

Executive power is in the hands of the Governor-General and the Executive Council. The Council consists of those members of the House of Representatives who also form the Cabinet, and is usually presided over by the Governor-General,

or, in his absence, by the Prime Minister; there is provision for it to contain a member representing the Maori race.

In carrying out his executive functions, the Governor-General must be guided by the advice of his Cabinet Ministers. Should he dissent, he may act in opposition to the Council, but must report the matter to Her Majesty the Queen without delay, with the reasons for his so acting. In the Governor-General's absence from New Zealand the Chief Justice is sworn in as Administrator of the Government.

Inheritance from England

New Zealand has a considerable inheritance of law from England, and this includes a large number of constitutional rules and principles. At a very early period, the statute and common law of England as it stood in 1840 became the law of the Colony of New Zealand, and is still in force here, except in so far as it has been modified by New Zealand Statutes, English Statutes applying to New Zealand, or by English or New Zealand Court decisions.

Women have had the right to vote since 1893 and to be members of Parliament since 1919. Two have been Ministers in New Zealand Governments: Miss Mabel Howard, Minister of Health and later Minister of Social Security and Minister for the Welfare of Women and Children in the Labour Government; and the late Dame Hilda Ross, Minister for the Welfare of Women and children and later Minister of Social Security in a National Government.

This is the constitution in law. In practice it functions very much as does the unwritten British Constitution. Like Britain, New Zealand has two main political parties: the National Party, which may be compared to the British Conservative Party with a Liberal element, and the Labour Party.

The Social Credit Political League won one seat in 1966, but although it nominated candidates for all 84 constituencies for the 1969 election this seat was then lost.

Though there have been coalition governments in the past, usually the party that has a majority of members elected to the House of Representatives takes office, the other party becoming the opposition.

Immediately the results of an election are known, the leader of the successful party is invited by the Governor-General to form a Government. To help him in the running of the country, he chooses his Cabinet, each member of which is responsible for one or more portfolios, that is, for the administration of various Government Departments. Since 1960 there have always been one or two Under-Secretaries appointed.

The Legislative Council Abolition Act, 1950:

The Legislative Council Abolition Act, 1950, abolished the former Upper House of appointed members, normally half as large as the elected Lower Houses. Members of this body normally sat for a seven-year term, but could be reappointed. There were 53 members when the Council was abolished.

In addition to these enactments, the *Treaty of Waitangi*, guaranteeing to the Maori people their rights to lands, fisheries and personal independence, must be regarded as one of the basic documents in the New Zealand Constitution. It was signed by representatives of the Maori peoples and of Queen Victoria at Waitangi in the Bay of Islands in 1840.

3

THE GOVERNMENT IN ACTION

New Zealand is a monarchical State; it is also a constituent member of the Commonwealth. It is in this context that the preamble to the Royal Titles Act 1953 is significant ".....whereas it is expedient that the style and titles at present appertaining to the Crown should be altered so as to reflect more clearly the existing relationships of the members of the Commonwealth to one another and their recognition of the Crown as the Symbol of their free association and of the Sovereign as the Head of the Commonwealth..."

Constitutional elements besides that of the titular head, the Monarch, can be reviewed under the categories of legislative authority, the executive and administrative structure, and the judiciary. This division is a convenient one, even though there is no absolute line of demarcation between the three phases (e.g., legislation may and often does arise through the day-to-day experience of those responsible for administration and execution of policy, or through difficulties or anomalies made explicit in the course of dispensing justice or interpreting law). Conversely, in the exercise of the powers and functions of industrial and other tribunals, commissions, authorities, etc., both administrative and judicial elements may be discerned.

THE MONARCH

The New Zealand Parliament in the Royal Titles Act 1953 gave its assent to the use of the Royal style and titles as follows :

Elizabeth the Second, by the Grace of God of the United Kingdom, New Zealand, and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

While the seat of the Monarch is normally in the United Kingdom, the Queen is represented in New Zealand by the Governor-General appointed by the Crown on the advice of Her New Zealand Ministers. The Governor-General has, however, an official existence, even in the country to which he has been appointed, only in the absence of the Queen from that country. In the Island territories the Crown is represented by the Resident Commissioner or Resident Agent. These officials carry out the constitutional functions of the Crown, but they also possess in varying degrees certain executive and legislative powers, being responsible to the New Zealand Government for the administration and good government of the islands concerned.

Many powers held by the Monarch (or her representative) comprise but the means of giving effect to the public will. In New Zealand the Governor-General acts on the advice of the Ministers, which cannot constitutionally be ignored. Despite the long-term trend for powers to be assigned directly to Ministers without any necessity for vice-regal consultation, there are still many phases of Government which required Royal participation.

The Queen (in her absence the Governor-General) gives consent or approval prior to a minister taking office or the formation of a Ministry, summons, prorogues, and dissolves Parliament; delivers the Speech from the Throne at the opening of a session; gives the Royal Assent to measures which have passed all stages in the House of Representatives, without which they have not the force of laws; makes appointments to most important State offices; confers knighthoods and other honours, etc.; and also provides that background of stability, continuity, and experience in many facets of government which is so desirable whenever there are sweeping changes in the dominance of political parties.

Besides those duties associated with the constitutional role, the Royal personage or representative makes an important contribution to the ceremonial life of the nation. This was particularly well illustrated during the sojourn of the Royal visitors in New Zealand in 1953-54 and in 1963. Both as the symbol of the nation and in virtue of her identification with the life and interests of her people, the Queen becomes the focus for all State occasions, as does the Governor-General in her absence.

LEGISLATIVE AUTHORITY

The supreme law-making body with power to legislate for the whole country is the General Assembly, which now consists of the Governor-General and the House of Representatives, the former Legislative Council having been abolished since the close of 1950.

The powers of Parliament to make laws are legally untrammelled. This was not always so, for prior to the adoption by New Zealand to the Statute of Westminster in 1947 there was incapacity to make laws on certain matters which conflicted with United Kingdom statutes extending to New Zealand. There was also some doubt as to New Zealand's power to make laws possessing extra-territorial effect.

Although they do not limit the legal powers of Parliament as stated earlier, the provisions of the Electoral Act 1956 creating reserved sections in that Act are of great constitutional significance. The Act provides that certain of its sections may not be repealed except by a 75 percent majority of the House of Representative or following a referendum. These sections are those relating to:

- (a) The constitution and order of reference of the Representation Commission.
- (b) The number of European electoral districts and the basing of their boundaries on the total population.
- (c) The fixing of the tolerance within which the Commission must work at 5 percent.
- (d) The age of voting.
- (e) The secret ballot.
- (f) The duration of Parliament.

This innovation is not legally effective in the sense that it does not prevent a subsequent Parliament from repealing it, since one Parliament cannot bind its successors. It should not be thought, however, that the provision is a mere gesture. It records the unanimous agreement of both parties represented in Parliament that certain provisions have a fundamental character in the system of Government and should not be altered at the whim of a bare majority. Considered in this light the provision creating reserved sections introduces something in the nature of a formal convention which could not constitutionally be ignored,

While the law-making function is the prerogative of Parliament, it must be remembered that, as in most democracies, laws are passed because of their acceptability to the majority party in Parliament i. e., the Government party. Furthermore the initial acceptance will have probably been made in the deliberations of Cabinet.

With the increasing range and complexity of the statutory field, the multifarious concerns of a modern twentieth century government, and the necessity of conserving time for consideration of more important issues, much of the detailed procedural steps and other amplifying matter must become the subject of regulations made by Order in Council under the authority of some statute, rather than being incorporated in the statute itself. The power to make such regulations lies with the Executive Council which comprises those senior members of the majority party in Parliament who are appointed thereto, together with the Governor-General. Regulations, though originating in Cabinet and becoming effective in the formal proceedings of the Executive Council, rest fundamentally on the will of Parliament as a whole and are now subject to its supervisory jurisdiction. A general provision contained in the Regulations Amendment Act 1962 requires all such regulations to be laid before Parliament, though most empowering Acts contained a similar provision prior to that date. An amendment to the Standing Orders of the House of Representatives, also passed in 1962, enables the House or any member thereof to refer any regulation to the Statutes Revision Committee, a Select Committee of the House, which is empowered to consider the regulation and to determine whether the special attention of the House should be drawn to it on any of the following grounds: (a) That it trespasses unduly on personal rights and liberties; (b) That it appears to make some unusual or unexpected use of the powers conferred by the statute under which it is made; (c) That for any special reason its form or purport calls for elucidation,

Meeting of Parliament

Parliament is summoned, prorogued, or dissolved by Proclamation issued by the Governor-General. A session is that period between the summoning of Parliament and its prorogation. Its length varies, but it usually occupies the months from June to November. When Parliament is prorogued all the business on hand lapses, and if this is to be proceeded with in the next session it must be re-introduced.

The course of a session may be interrupted by an adjournment.

Parliamentary Privileges

While in session these include freedom of speech and freedom from arrest in civil cases, and also the right to engage in secret debate, if required, etc.

The Party System

The two main political parties represented in Parliament are National and Labour. A third party-Social Credit - obtained a seat for the first time at the 1966 General Election. At any general election these parties, together with any other political parties which may be desirous of so doing and also those candidates standing as independents, state their respective policies before the electors. Each party normally puts forward one candidate for each of the 84 electorates into which the country is divided. The party which wins the majority of seats, although not necessarily the majority of votes, at the general election forms the Government. The leader of the elected members of the majority party becomes the Prime Minister, who makes Ministerial appointments from elected members of his party. The leader of the minority party in Parliament becomes the Leader of the Opposition. The effectiveness of the party system relies largely on the general agreement that the majority party is to govern and the minority is to criticise - so that there is ample time allocated for debate on Government measures in Parliament. While party control is exercised by

national and local organisations outside Parliament, within the latter it is maintained by the respective party Whips.

Parliamentary Procedure

The House of Representatives has its Standing Orders, which govern its procedure and which are administered by Mr. Speaker in the exercise of his control of the House. Mr. Speaker's rulings on interpretation of the Standing Orders are followed in a similar manner to judicial decisions in the ordinary Courts of law. The main means by which Parliament does its work is through the system of debate and committees. The election of a Speaker is the first business of a new House after the members have been sworn. A Chairman of Committees is elected as soon afterwards as is convenient. Twenty members, inclusive of the Speaker, constitute a quorum.

Parliamentary Functions and Control

The Parliament controls the Government in power in the last resort by its power to pass a resolution of no confidence in the Government, or to reject a proposal which the Government considers so necessary that it is made a matter of confidence, and thus force the Government to resign.

Financial control is exercised by the fact that expenditure of public money must be authorised by the House of Representatives in the form of an Appropriation Act, which authorises or grants money to the Government for the purposes approved. The authority for the raising of revenue by taxation or borrowing must also be given by Parliament. The functions of Parliament are, of course, the passing of legislation and taking action to make available finance or funds as required for State expenditure, while it also controls the Government. Legislation can be initiated by any member of Parliament, but in practice almost all Bills are introduced by the Government in power as a result of policy taken in Cabinet, sometimes at the investigation of those Government Departments which will be responsible for their administration when the Bills become law. The chief

exceptions are private Bills, which are designed for the particular interest or benefit of a person or body of persons, whether incorporated or not, and local Bills which relate largely to matters of local (as distinct from central) Government business. The process of passing a Public Bill is as follows: it receives a formal first reading on introduction, is then printed, and after some time it is given a second reading as a result of a debate on its general merits or principles. It may then be referred to one of the Select Committees, for consideration in the closest detail, before being considered by the whole House sitting in Committee. During these stages members have opportunities to suggest amendments which may be incorporated in the Bill if the majority so decide. The Bill is then reported to the House, and later read a third time; debate rarely occurs at these stages. The final stage is to send the Bill to the Governor-General for the Royal Assent and, unless provision is made for commencement on another date, it then becomes law. Bills providing for receipt of moneys, such as the Finance Bill, and expenditure of moneys, such as the Appropriation Bill, are introduced only by a Minister of the Crown, normally the Minister of Finance. No Bill involving an appropriation of public moneys or affecting the rights of the Crown can be passed without the recommendation of the Crown, which is given by Message for the Governor-General.

Duration of Parliaments

Quinquennial Parliaments, instituted under the Constitution Act, were abolished by the Triennial Parliaments Act 1879, which fixed the term at three years. General elections have been held at three-yearly intervals since 1881, with a few exceptions. The term of the nineteenth Parliament was during the First World War extended to five years by special legislation, and that of the twenty-fourth (1931-35) and subsequent Parliaments to four years under the Electoral Amendment Act 1934. By the Electoral Amendment Act 1937 the three-year term was restored, but on account of war, conditions the term of the twenty-sixth Parliament was extended to four years by the

Prolongation of Parliament Act 1941. The Prolongation of Parliament Act 1942 extended the term still further to one year from the termination of the war, but with a proviso for a motion to be moved in the House of Representatives each year after the year 1942 either approving the continuation of the House or fixing an earlier date for its expiry. During the 1943 session a motion in favour of dissolution was carried, and Parliament was dissolved on 30 August 1943. Since then the duration of Parliaments has been of three years, with the exception that the twenty-ninth Parliament was dissolved after the expiration of approximately 20 months. The three-year limit was re-enacted in the Electoral Act 1956, this being one of the reserved provisions referred to earlier. A referendum on 23 September 1967 favoured the continuation of terms of three years.

Number of Representatives

From the next election there will be 84 electorates (80 European and four Maori) returning members to the House of Representatives. The number was originally fixed by the Constitution Act as not more than 42 and not less than 24, and the first Parliament called together in 1854 consisted of 40 members. Legislation passed in 1858 fixed the number of European members at 41; in 1860, at 53; in 1862, at 57; in 1865, at 70; in 1867, at 72; in 1870, at 74; in 1875, at 84; in 1881, at 91; in 1887, at 70; in 1900, at 76; and in 1969 at 80. Since 1867 there have been four Maori representatives, and provision for this number was retained in the Electoral Act 1956. In 1954 the boundaries of the Maori electoral districts, which had remained unaltered since 1867, were changed by Proclamation so as to give a greater degree of equality of population among the four districts (in effect the Southern Maori Electoral District now includes a considerable area of the North Island). The Electoral Amendment Act 1965 fixed the number of European electorates in the South Island at 25 (an increase of one) and provided that the number of European electorates in

the North Island shall be ascertained by the Representation Commission after each quinquennial census of population on the basis of the quota fixed for the South Island. In 1967 the Commission considered the results of the 1966 census and fixed the number of electorates in the North Island at 55 (an increase of three). Thus there were 84 electorates for the general election in 1969.

Qualifications of Members

Under the Electoral Act 1956 every registered elector of either sex, but no other persons, is qualified to be a parliamentary candidate. It is provided, however, that a person shall not be so elected who is disqualified as an elector under any of the provisions of the Act (see under "Franchise" later); or is an undischarged bankrupt; or is a contractor to the Public Service of New Zealand to whom any public money above the sum of \$400 is payable, directly or indirectly (but not as a member of a registered company or incorporated body), in any one financial year. Although women have had the vote since 1893, they were not eligible as parliamentary candidates until the passing of the Women's Parliamentary Rights Act 1919. Prior to 1936 a public servant was prohibited from being elected, but this prohibition was removed by the Political Disabilities Removal Act 1936. The present law is that if a public servant is elected to Parliament he vacates his office forthwith and he cannot resume employment in the Public Service within 12 months of ceasing to be a member of Parliament unless he had previously been a public servant for at least five years.

Salaries, etc.

Section 27 of the Civil List Act 1950 provides that on the recommendation of a Royal Commission the Governor-General may from time to time by Order in Council, fix the salaries and allowances to be paid to the Prime Minister and other Ministers of the Crown or members of the Executive Council, to Parliamentary Under-Secretaries, and to the Speaker and Chairman of Committees and other members of the House of

Representatives, and that a Royal Commission shall be appointed for this purpose within three months after the date of every general election of members of Parliament.

In accordance with the recommendations contained in the report (issued in 1968) of the Royal Commission upon Parliamentary Salaries and Allowances, the Prime Minister's salary, as from 1 April 1968 was increased to \$12,400 with a tax-free allowance of \$3,500 for the expenses of his office and a Ministerial residence. In addition, while travelling on official business he receives \$12 per day to meet expenses, and by virtue of his office is entitled to free cars, secretarial assistance, and free postage. The Deputy Prime Minister's salary is \$9,150 with a tax-free expense allowance of \$1,400. The salary of each other Minister holding a portfolio is \$8,600 with a tax-free expense allowance of \$1,300 and that of each Minister without portfolio \$7,000 with \$1,100 tax-free allowance. Where the office of Minister of External Affairs is held by a Minister other than the Prime Minister the expense allowance is increased by \$450. Any Minister not occupying a Ministerial residence receives an allowance in lieu at the rate of \$600 a year. This allowance, or the assessed value of the residence where one is provided, is subject to income tax. Ministers also receive an allowance of \$12 per day when travelling on official business within New Zealand, and in addition are entitled to free cars, secretarial assistance, and free postage. For Parliamentary Under-Secretaries the rate of salary is \$6,450, with the same house provision or allowances, and travel allowance of \$1,100 is also payable. After the general election of November 1954 no appointments were made until 1960, when two Parliamentary Under-Secretaries appointed. In 1967 there was only one Parliamentary Under-Secretary.

The basic salary paid to members of the House of Representatives is now \$4,650 a year. Members are also paid an allowance to provide for expenses incurred in connection with parliamentary duties ranging from \$1,000 to \$2,000 a year

subject to the classification of their electorates by the Representation Commission into the five classes of (a) a wholly urban electorate, or (b) a substantially urban electorate, or (c) a partially urban and partially rural electorate, or (d) an ordinarily rural electorate, or (e) a predominantly rural electorate. An additional expense allowance of \$300 a year is paid to the member for Southern Maori, and an allowance of \$150 to the members representing the other three Maori Electorates. A sessional accommodation allowance is paid at the rate of \$2.25 for each day and \$6 for each night on which a member is in Wellington and attends the sittings of Parliament, or of a Select Committee of Parliament of which he is a member. The sessional accommodation allowance is not payable to any member representing a Wellington urban electorate. (For full details see Parliamentary Salaries and Allowances Order 1968) In addition to the salary and allowances, members are entitled to certain privileges in respect of air and other forms of travel, a stamp allowance of \$14 a month, and certain other concessions regarding telegrams and telephone services. If a member is defeated at an election he continues to receive salary to the end of the month following the month in which the election took place. A similar payment is made in the case of the death of a member leaving a widow or dependent children.

Both the Speaker and Chairman of Committees hold office until a dissolution and receive payment until the first meeting of a new Parliament. The Speaker's remuneration is \$7,350 a year, in addition to which he receives an expense allowance of \$1,000 plus normal member's allowance a year and residential quarters in Parliament House; he is entitled to the free use of an official car in Wellington. The salary of the Chairman of Committees is \$5,950 a year. In addition, he receives the electoral and sessional allowances appropriate to his electorate, increased by the sum of \$600, and is provided with sessional accommodation.

The Leader of the Opposition is paid a salary of \$7,350 a year with an expense allowance of \$1,300 a year. In addition,

a secretary, an assistant secretary, and a typist are provided by the State, and an allowance of \$1,100 is payable for travel outside his electorate; he also receives a car allowance not exceeding \$1,000 a year for travel outside Wellington and is entitled to the free use of an official car in Wellington. His stamp allowance is \$35 per month. In addition, the Leader of the Opposition is entitled to an official residence on the same basis as a Minister, or to an allowance of \$600 a year in lieu thereof. The Deputy Leader of the Opposition receives a salary of \$5,200 a year in addition to his appropriate electorate allowance and the sessional accommodation allowance where this is payable.

The Chief Whip of each party receives a salary of \$5,050 a year, and the Junior Whip of each party receives a salary of \$4,850 a year, together with the appropriate expense allowance in each case in accordance with the classification of his electorate and where applicable accommodation allowance.

Former Prime Ministers receive an annual payment of \$400 for each full year in office, with a maximum of \$2,000 a year, after retirement, defeat at the polls, or when a member only. This is subject to a two-year minimum period having been served as Prime Minister.

Part V of the Superannuation Act 1947, as amended by the Superannuation Amendment Act 1955, consolidated in 1956 and amended in 1961, introduced a compulsory contributory superannuation scheme for members of the House of Representatives. The scheme now provides that a retiring allowance shall be payable to a member after nine year's service and the attainment of 50 years of age, and shall be calculated at the rate of one thirty-second of the basic salary for a member as at the date of his ceasing to be a member, for each year of service with a maximum of two-thirds of that basic salary, or alternatively the member may elect to take a variable retiring allowance so as to secure a level income, or he may elect to receive a refund of his contributions. The annual contribution is 10

percent of an ordinary member's salary, and the Government subsidises the fund by an equal amount. In the case of a male member dying and leaving a widow surviving she becomes entitled during her widowhood to receive an annuity of half of the retiring allowance to which her husband would have been entitled had he retired aged 50 years at the time of his death, or \$260 a year, whichever is the greater.

Administration and Executive Responsibility

After the election of a new Parliament, it is the responsibility of the leader of the party, which is most likely to secure and retain the support of the majority of members in the House, to form a Government. Although procedures for the selection of new Ministers have varied between the two principal parties, the Prime Minister has the final responsibility for allocating portfolios. A portfolio comprises a specific field of Government activity—for instance all matters relating to education will be allocated to one Minister who is henceforth known as the Minister of Education

He may also have other portfolios and the supervision of one or more Government Departments in which the activities carried out, though important, either do not rank as portfolios or are subsidiary aspects of the field—in these cases the Minister's responsibility will extend to being in charge of the named Department. One or other of the appointed Ministers in this way is responsible for the direction of activities and executive acts of each of the Government Departments and offices, etc., embracing the entire range of State activities. Occasionally a Minister is appointed without portfolio.

Executive Council:

In the legal sense those members of Parliament who have been appointed Ministers comprise the Executive Council. The Governor-General normally presides over meetings of the Council. The powers, duties, and responsibilities of the Governor-General and the Executive Council under the present

system of responsible government are set out in Royal Letters Patent and Instruction thereunder of 11 May 1917, published in the *New Zealand Gazette* of 24 April 1919. The Royal Powers Act 1953 provides that the statutory powers conferred on the Governor-General may be exercised either by Her Majesty the Queen in person or by the Governor-General. In the execution of the powers and authorities vested in him the Governor-General must be guided by the advice of the Executive Council; but, if in any case he sees sufficient cause to dissent from the opinion of the Council, he may act in the exercise of his powers and authorities in opposition to the opinion of the Council, reporting the matter to Her Majesty without delay, with the reasons for his so acting.

In any such case any member of the Executive Council may require that there be recorded in the minutes of the Council the grounds of any advice or opinion that he may give upon the question.

A point of interest is that the Civil List Act 1950, in section 6, provided that no person shall be appointed a Minister or a member of the Executive Council unless he is a member of Parliament and that a person who ceases to be a member of Parliament cannot continue to be a Minister or a member of the Executive Council for more than 21 days. This gave statutory recognition for the first time to what had long been the convention.

At January 1970 the Executive Council consisted of 18 members. Two members, exclusive of His Excellency or the presiding member, constitute a quorum.

Under the Civil List Act 1950 and its amendments, His Excellency the Governor-General receives a salary of \$19,500, and an allowance of \$ 12,000 a year for the salaries and expenses of his personal establishment, plus all expenditure incurred in respect of the transport to and from New Zealand and the travel within or outside New Zealand of the Governor-General and his family and staff.

Cabinet

The membership of the Executive Council and Cabinet is identical but Cabinet, unlike the Executive Council, is not a body created by any legal document. The existence of Cabinet was not recognised by Statute until a passing reference was made in the Parliamentary Commissioner (Ombudsman) Act 1962.

The fact that the Juridical Acts to give legal force to certain of the decisions of Cabinet are taken by others - the Crown, the Executive Council, a Minister of the Crown or a Statutory Commission - does not diminish the power and authority of Cabinet. Cabinet is the top committee of the administrative system, with responsibility for co-ordinating the work of the various Ministers and taking those decisions which largely determine the nature of the legislation put before Parliament and the regulations which the Executive Council is asked so approve.

Cabinet discussions are informal and confidential, anonymity being maintained as to the individual advocacy or opposition to particular proposals. The Cabinet system enables general agreement to be reached on any line of action proposed by either an individual Minister or by the Government as a whole. As a result the Executive Council confirmation can proceed smoothly and expeditiously. In Parliament a Minister can be confident that his legislative or other proposals will have the unqualified support of the Government no matter what divergences of opinion may have been apparent before general agreement was reached in Cabinet. A consistent and agreed course of action on any particular issue can be determined. The work of Cabinet thus exemplifies the concept of the collective responsibility of the Government.

Certain questions are considered by Committee of Cabinet, the membership of which includes those Ministers primarily concerned with the subject matters. Authority to determine some issues may be delegated to a Cabinet committee by

Cabinet. In other cases a committee may be called upon to study a particular question and submit its recommendations to Cabinet for determination. Some Cabinet committees are established on a permanent basis for the consideration of matters arising in broad fields of Government policy. Examples are the Cabinet Economic Committee and the Cabinet Works Committee. Several of these committees are supported by inter-departmental committees of officials. Other committees are of a temporary nature; they are established to consider particular problems and after having studied the question in detail, normally, with appropriate officials advising, the committee reports back to Cabinet with its recommendations; and after the final decision has been made by Cabinet, the committee's work is completed.

The Cabinet Secretariat is responsible for the servicing of Cabinet and its committees to ensure their smooth functioning.

Government Departments

The Minister as the political head of a Department of State may in fact have several Department under his control. There are, however, some 43 different Departments with separate functions in New Zealand. Each of these have a permanent head who is responsible for the work and administration of the Department. He is of course responsible to the Minister in charge of the Department, while he also acts as adviser to the Minister on all matters within his appointed competence. Besides ensuring that the ministerial policy and directions communicated to him are effectively put into practice, his functions as the adviser include assessing the consequences of any executive action resulting from his departmental activity, evaluating the merits and demerits, whether political, social or financial, of various modes of action, and making suggestions for improvements and for new policy measures as derived from departmental experience in the day-to-day execution of policy.

Departments can be broadly classified according to the administrative or regulatory, developmental, or social nature of their activities. Within the first group are the servicing subgroup, such as the Legislative, Prime-Minister's, Ministry of

Foreign Affairs, Printing Office, Law Drafting, Valuation, Statistics, and Audit; the finance subgroup - Treasury, Customs, Inland Revenue; the regulatory subgroup - State Service Commission, Internal Affairs, Labour, Marine; the defence and law and order subgroup - Minister of Defence Justice, Crown Law, and Police; the publicity and research subgroup - Tourist and Publicity, Scientific and Industrial Research.

In the second group are the transport and communications subgroup, such as Ministry of Transport, Post Office, and Railways; the developmental - Ministry of Works, Agriculture, Lands and Survey, Forest Service, Mines, Electricity, Maori and Island Affairs, and Industries and Commerce; the commercial - Public Trust, Government Life Insurance, State Advances Corporation and State Insurance.

The third group comprises the Education, Health and Social Security Departments.

This broad division serves merely to indicate the field of the dominant activity or purpose of the particular Department. Most Departments have servicing, informative, and regulatory functions, and many are equally regulatory and developmental nature.

In addition to the system of direct administration in the form of Government Departments, there are other activities over which the State exercises some ultimate measure of control or ownership, though divorced in varying degrees from immediate supervision. The Reserve Bank of New Zealand (the central bank), and one trading bank, are entirely State-owned, although the actual administration is quite independent, subject in the cases of the Reserve Bank to the proviso that it must give effect to the monetary policy of Government, as communicated to the bank by the Minister of Finance, and to any resolution of Parliament in respect of Government monetary policy.

Further instances of this principle are shown by the National Airways Corporation, which, although owned by the State,

is administratively self-contained, and by the Tourist Hotel Corporation. In certain other avenues the type of administration is in between the normal departmental form and that evident in the corporation type; of such is the National Roads Board, which though determining policy to a large degree, yet makes use of departmental administrative structures for implementation of policy.

Some administrative organisations have also quasi-judicial functions. Examples of this class are the Price-Tribunal, Transport Charges Authority, Licensing Control Commission, and Local Government Commission.

JUDICIARY

The hierarchy of Courts in New Zealand comprises the Court of Appeal, the Supreme Court, and the Magistrate's Court. Apart from these Courts of general jurisdiction there are other Courts dealing with specific fields. In the latter category are the Court of Arbitration concerned with awards and general orders governing wage determination and conditions of employment in industry; the Compensation Court dealing with workers' compensation. For further details refer to Section 8 (Justice) of this issue.



4

ELECTORAL PROVISIONS AND FRANCHISE

The law on these matters is now contained in the Electoral Act 1956. Following each population census, which is normally taken every five years, the boundaries of European electorates are revised. In addition, there are four Maori electoral districts, three in the North Island and one covering a portion of the North Island together with the whole of the South Island, where the Maori population is comparatively small. The Governor-General may at any time by Proclamation alter the boundaries of the Maori

electoral districts, and, as in the case of European electoral districts, any alterations are to come into force at the expiry of the Parliament existing when the Proclamation is issued.

The Government Statistician is required to supply population figures to the Surveyor-General as soon as possible after the census. The population used as the basis in obtaining the quota for each European electoral district is defined in section 2 (1) of the Electoral Act 1956

The term "European Population" means total population with the following exceptions:

- (a) Maoris;
- (b) Persons residing on board ship, whether as passengers or members of the crew or otherwise;
- (c) Persons residing temporarily as guests in any licensed hotel;
- (d) Persons residing temporarily in any naval, military, or air force camp, station, or establishment;
- (e) Persons residing as patients and inmates in any hospital;
- (f) Persons in respect of whom reception orders under the Mental Health Act 1911 are in force;
- (g) Persons detained pursuant to convictions in any penal institution.

After the population figures are supplied by the Government Statistician it is then the responsibility of the Representation Commission to define new electoral districts for Europeans. The Commission is constituted by virtue of section 15 of the Electoral Act 1956 and comprises seven members. Four of these, the Surveyor-General, the Government Statistician, the Chief Electoral Officer, and the Director-General of the Post Office, are official members. Two are unofficial members, being persons nominated by the House of Representatives, one nominated to represent the Government, and one to represent the Opposition.

The seventh member is appointed, on the nomination of the official and unofficial members of the Commission or a majority of them, to be the Chairman of the Commission. The Chairman and unofficial members cease to be members on the date on which the first periodical census is taken after the date of their appointment.

The European population of the South Island is divided by 25 and the quotient so obtained is the quota for the South Island. Then the European population of the North Island is divided by the quota for the South Island, and the quotient so obtained is the number of European electoral districts in the North Island. The quota for North Island is obtained by dividing the European population of that Island by the number of electoral districts in that Island. In applying the quota the Commission may make an allowance by way of addition or subtraction of 5 percent of the quota to enable districts to be adjusted to meet considerations of topography, community of interest, communications, and existing electoral boundaries.

When the boundaries have been provisionally determined, maps are prepared illustrating the proposed electoral districts, and descriptions of each electoral district are published in the *New Zealand Gazette*. A time limit of one month is given thereafter in which objections to the proposed boundaries may be lodged. These objections are then considered by the Representation Commission and a final decision reached on boundaries which then become the new electoral districts.

In addition to determining new European electoral districts the Representation Commission is also charged with the responsibility of classifying them for the purpose of allowances as provided by the current Parliamentary Salaries and Allowances Order. Under this order provision is made for an allowance based on the size, topography, and transport facilities of the electorate, the nature of its roads, the distribution of its population, and all other consideration that the Commission deems relevant.

The Act provides that all general elections and by-elections shall be held on a Saturday and for both European and Maori elections to be held on the same day. Polling hours in all electorates are from 9 a.m. to 7 p.m.

The Act provides that, if at any time Parliament is dissolved before it has been two years in existence, the main and supplementary rolls used in the previous general election, together with a further supplementary roll, may be used if in the opinion of the Chief Electoral Officer it is impracticable to print new main rolls. The same rolls, together with a further supplementary roll, are to be used for any by-election occurring before the next following general election.

Provision is made for the voting at elections and licensing polls by servicemen serving overseas, who are or will be of, or over the age of, 20 years before the date of the election or poll, whether or not registered as electors of any electoral district. Each such serviceman shall be qualified to vote as an elector of the electoral district in which he last resided before he left New Zealand.

Franchise

Since the abolition of plural voting in 1889 and the introduction of women's suffrage in 1893, every person 21 years of age or over (with certain obvious exceptions) has had the right to exercise one vote and one vote only in the election of members of the House of Representatives. Some of the more important provisions of the Electoral Act 1956 are now given. The Electoral Amendment Act 1969 reduced the age of voting to 20 years.

Qualification for Registration as Elector

To be qualified for registration as a parliamentary elector in New Zealand a person must have attained the age of 20 years and must (a) be a British subject or Irish citizen, (b) be ordinarily resident in New Zealand, (c) at some period have resided continuously in New Zealand for at least a year, and (d) except in special cases have resided continuously for three

months or more in the electoral district in respect of which application for registration is made, and not have subsequently resided for three months or more in any other electoral district.

The Act defines what is meant by the term "ordinarily resident". To be ordinarily resident in New Zealand, a person must be or have been actually resident in New Zealand with the intention of residing there indefinitely. If he is absent from New Zealand he must have had, even since he left New Zealand, an intention to return to reside there indefinitely, and (except in the case of a public servant or the wife or husband of a public servant) must not have been absent from New Zealand for more than three years. Broadly speaking, the qualifications restrict the right to vote to permanent residents, the test laid down being similar to the legal concept of domicile.

The following persons are disqualified from registration as electors : (a) Those in respect of whom reception orders under the Mental Health Act 1911 are in force, (b) those detained pursuant to a conviction in any penal institution, and (c) those whose names are on the Corrupt Practices List for any district.

These qualifications and disqualifications apply alike to Maoris and Europeans.

Registration of Electors

A system of compulsory registration of electors has been in operation in respect of Europeans since 1924 and was introduced in respect of Maoris in 1948. Every person qualified to be registered as an elector of any district must, if he is in New Zealand, apply for registration within one month after the date on which he first becomes qualified to be registered as an elector. He must also apply for registration within three months after the issue of every Proclamation proclaiming the names and boundaries of electoral districts or within such later

period as may be provided by Order in Council. Qualified electors who are outside New Zealand may apply for registration if they wish.

A European is not entitled to be registered as an elector of a Maori district and Maori (other than a half-caste) is not entitled to be registered as an elector of a European district. A half caste Maori choose to be registered either for a Maori or European district, and special rules are laid down to govern a change from one to the other.

Voting at Elections

Voting at parliamentary elections is by secret ballot, a method which was first introduced in New Zealand in 1870. Recognition of the fundamental character which the secret ballot has attained in New Zealand was given in the Electoral Act 1956, which included the section providing for this method of voting among the reserved sections which may be repealed only by a 75 percent majority vote of all the members of the House of Representatives or following a referendum.

In general, only those persons whose names are lawfully on the main and supplementary rolls of electors compiled prior to an election may vote at that election. The following classes of persons whose names are not on the roll are, however, entitled to vote :

- (a) Those who have applied for registration between writ day and polling day and have satisfied the Registrar that they became qualified for registration not earlier than one month before writ day.
- (b) Those who are qualified for registration and were at the last preceding election registered in that district or, where boundary changes have intervened, in some other district in which their then residence within the first-mentioned district was then situated.
- (c) Those who are qualified for registration and have since the last election and before writ day

applied for registration in that district, or where boundary changes have intervened, in some other district in which their then residence within the first-mentioned district was then situated.

- (d) Servicemen outside New Zealand, if they are or will be 20 years of age or more on polling day and their place of residence before they left New Zealand is within the district.

Special Voters

A vote is normally cast by the elector at a polling booth within his district. An elector may, however, vote as a "special voter", either at a polling booth outside his district or by post, in the following cases :

- (a) If his name does not appear on the main roll, or any supplementary roll for the district, or has been wrongly deleted from the roll.
- (b) If he will be outside New Zealand on polling day.
- (c) If he is or will be absent from the district on polling day.
- (d) If he will not be within 2 miles by the nearest practicable route of any polling place in the district during the hours of polling.
- (e) If he will be travelling during the hours of polling under conditions which will preclude him from voting at a polling place in the district.
- (f) If he is ill or infirm.
- (g) If in the case of a woman, she is precluded from attending at a polling place by reason of approaching or recent maternity.
- (h) If he is a lighthouse keeper or a member of a lighthouse keeper's staff, or if she is the wife of a lighthouse keeper or of one of his staff.

- (i) If he has a religious objection to voting on the day of the day of the week on which polling day falls.
- (j) If he satisfies the Returning Officer or Deputy Returning Officer that on any other ground he cannot vote at a polling place in the district without hardship or undue inconvenience.

These latter conditions replace the former classes of absentee, postal, and declaration voters, including servicemen outside New Zealand.

5

LOCAL GOVERNMENT

In 1876, following the abolition of the provinces, local government assumed the form it still basically retains. The Counties Act of 1876 divided the country into 63 counties, with provision for administration by elective councils having powers considerably less than those enjoyed by the Provincial Councils. In the same year the Municipal Corporations Act provided for the incorporation of the 36 boroughs then in existence and for the creation of new boroughs.

A description of the development of counties, boroughs, and town districts follows.

Counties

Counties are now constituted under the Counties Act 1956, which consolidated legislation relating to counties and road districts. In general, the county organisation makes provision for the primary needs of a scattered population within a large area. With increasing settlement the original 63 counties were gradually subdivided until in 1920 the maximum of 129 was reached, although the number of councils formed and actively functioning never exceeded 126. The number of counties has been reduced by amalgamations and mergers by the Local Government Commission. At October 1969 there were 107 counties constituted, of which 106 were actively functioning. Fiord being a sparsely populated county in which the Counties Act is not wholly in force. The Local Government Commission operates under the Local Government Commission Act 1967.

County councils may, under the provisions of the Counties Act 1956, declare areas within counties to be county towns. To qualify, the areas concerned must have a population of at least 200, with an average density of not less than one person to the acre or not less than 60 houses to three acres. After the constitution of a county town the county council is required to appoint a county town committee of not less than three nor more than seven members, to advise it on the administration of the county town. Membership is restricted to electors having a ratepayer's or residential qualification in respect of property or an address within the county town, or members of the council for the riding in which the county town is sited.

The Counties Amendment Act 1968 contains provision for county councils to declare an existing county town, or a borough or town district which is abolished and added to a county, to be a county borough. The minimum population stipulated for a county borough is 1,500.

Boroughs

Dealing with the needs of a concentrated population, the borough organisation is concerned with a wide range of functions of a purely local nature. With the growth and centralisation of population the number of boroughs, despite numerous amalgamations of adjacent boroughs, steadily increased until 1955 when the total was 146. In October 1969 the total was 138.

Under the Municipal Corporations Act 1954 for the constitution of a borough there must be a population of at least 1,500 with an average density of population of at least one person per acre. A borough containing a population of 20,000 or more may be proclaimed a city, although the corporation remains unaltered.

Town Districts

The town district represents a form of local government intermediate between the county and the borough. It implies a certain concentration of population and the presence of interests which, from their purely local nature, cannot be satisfactorily met by the county organisation. In its early stages a town district usually remained subject to county control, although such control was practically confined to the main and county roads in the town district; in such circumstances it was known as a dependent town district. The Town Board Amendment Act 1908 enabled town districts on reaching a population of more than 500 to become independent. On attaining its independence a town district becomes in all respects a separate entity, and, apart from its smaller population, is not essentially different from a borough. The constitution and powers of town districts have been brought into closer relationship to boroughs over the years, and independent town districts are now constituted under the Municipal Corporations Act 1954. The Act required that the area should not be more than 2 square miles, within which no two points are more than 4 miles distant and with a density of population of not less than

one person to the acre. No new dependent town districts can be constituted. The number of town districts in October 1969 was 16 (10 independent and 6 dependent).

General Powers

Local authorities in New Zealand derive their powers from the Acts under which they are constituted, and also from special empowering Acts. In addition to legislation providing for particular types of local authority or for individual local authorities, there are several statutory measures which are more or less applicable to all local authorities, such as the Local Elections and Polls Act 1966 and the Local Authorities Loans Act 1956. For most harbour boards, there is in addition to the General Harbours Act a special Act for each board, which is subordinate to the general Act. Certain types of local authority—urban drainage boards, transport boards, the Auckland Regional Authority, the Auckland Harbour Bridge Authority—derive their principal powers from special constituting Acts.

Local authorities have general powers of entering into contracts for any of the purposes for which they are constituted; of selling and leasing land; and of taking or purchasing any land which may be necessary or convenient for any public work.

Number of Local Authorities

The number of local authorities actively functioning at 12 October 1969 was 657 made up as follows: County councils, 106; borough (including city) councils, 138; town councils (independent), 10; town councils (dependent), 6; road board, 1; regional authority, 1; river boards (2 boards also have the power of land-drainage board), 8; catchment boards, 13; catchment commissions, 3; land-drainage boards, 57; electric power boards, 39; water-supply boards, 2; urban drainage boards, 4; transport board, 1; local railway board, 1; electric power and gas boards, 2; nassella tussock boards, 2; harbour bridge autho-

rity, 1; road tunnel authority 1; valley authority, 1; plantation board, 1; underground water authorities, 3; pest destruction boards (separately elected), 168; independent fire boards, 60; independent harbour boards, 17; and hospital boards 31. Borough and county councils also function as fire authorities in 197 cases, as harbour boards in 8 cases, as underground water authorities in 2 cases and as county pest destruction boards in 39 cases. In addition, there were 22 district councils of the National Roads Board constituted under the National Roads Act 1954. Although these district roads councils are not local authorities in the strict sense of the term they are intimately connected with certain aspects of local government providing an advisory service to the National Roads Board concerning the roading needs and the allocation of national roading funds within their respective districts.

Administratively, boroughs and independent town districts, which are contained within the areas of the several counties, are regarded as separate entities. From an administrative point of view, therefore, the fundamental districts are counties, boroughs and independent town districts. Upon this foundation a considerable superstructure of districts of other types has been erected. These overlapping districts may be divided into two broad classes, viz: (1) District formed from parts of counties, e.g., road districts; and (2) those which are composed of a group of adjacent districts of other types united for a common purpose, e.g., electric power districts.

Local Government Commission

The Local Government Commission Act 1967, which replaced the Local Government Commission Act 1961, set up a revised Local Government Commission which is a permanent institution deemed to be a Commission of Inquiry under the Commissions of Inquiry Act 1906.

The Act provides that the Commission shall consist of a Chairman with knowledge of local Government, one member

with a special knowledge of finance and economics, and another member with a special knowledge of administration.

The functions of the Commission are to carry out investigations, prepare reorganisation schemes, and make recommendations and reports for the purpose of ensuring that the system of local government in any locality will best provide for the needs and continued development of the locality, that local authorities have such district boundaries and such functions and powers as will enable them to provide most effectively and economically essential or desirable local government services and facilities, that local authorities shall have such resources as will enable them to engage adequate services and to obtain and operate adequate technical facilities, plant, and equipment, and that districts shall be of such size and nature as will promote efficient local government and avoid the necessity of uneconomic expenditure.

The Commission has a duty to prepare local government area schemes to cover the whole of New Zealand by 31 December 1972. These schemes are to come into force as final schemes after the hearing of objections to publicly notified provisional schemes. These schemes will have no immediate effect on the local authorities in the local government area, but will set the general pattern to which individual local schemes will be required to conform.

Franchise :

Under the local Elections and Polls Act 1966, elections are held on the second Saturday in October every third year. Enrolment of residential electors is compulsory. On any proposal relating to loans or rates a rate paying or a freehold qualification is necessary. Details of the franchise as it affects each type of local district are now given.

Counties—Any person of 20 years of age and over who possesses either of the following qualifications is entitled to be enrolled on the country electors roll :

- (1) Rating qualification, which may be held by any person whose name appears in the valuation roll as the occupier of any rateable property within a riding of the county. One vote is allowed where the rateable value does not exceed \$2,000, two votes where the value is greater than \$2,000 but not in excess of \$4,000 and three votes where the value exceeds \$4,000.
- (2) Residential qualification, which may be held by a person who is or has the status of a British subject or is an Irish citizen, and who has resided for one year in New Zealand and has had permanent residence of not less than three months in the riding of the country to which the roll relates.

Boroughs—Any person of 20 years of age and over who possesses any of the following qualifications is entitled to enrolment:

- (1) Freehold qualification—meaning the beneficial and duly registered ownership of a freehold estate in land of a capital value of not less than \$50 situated in the borough, notwithstanding that any other person is the occupier thereof.
- (2) Rating qualification, which may be held by any person whose name appears in the valuation roll as the occupier of any rateable property within the borough.
- (3) Residential qualification, which may be held by a person who is or has the status of a British subject or is an Irish citizen, and who has resided for one year in New Zealand and who has had permanent residence during the last three months in the borough to which the roll relates.

Town Districts—The franchise is the same as for boroughs, except that for county electoral purposes in dependent town districts the county qualification is necessary

Pest Destructions—Where the rates of the district are based on the acreage and rateable value of land occupied by the rate payer, the franchise is the same as that exercised for county council elections. Where the franchise is based on stock ownership, from one to five votes are allowed according to the number of stock units owned. In the case of county pest destruction districts, no separate elections are held as the county council is also the board.

Land Drainage Districts—Where the rates of the district are based on the average of land occupied by the ratepayer, the franchise is one vote where the area of rateable property does not exceed 50 acres, two votes where it exceeds 50 acres but does not exceed 100 acres and three votes where it exceeds 100 acres. Where the rates are based on rateable value of the land, the franchise is the same as that derived from a rating qualification in a county.

Other Districts—Road districts, river districts, water-supply districts, and the local railway district all have a franchise similar to that of counties except that the residential qualification applies to road districts only.

Districts composed of a grouping of districts of other types united for a common purpose have a franchise as for the component districts. Such districts are urban drainage districts, electric power districts, hospital districts, urban transport districts, and catchment districts. In some cases - e.g., the Auckland Metropolitan and Hutt Valley Drainage Boards - the members are appointed or elected by the territorial local authorities included in the district.

6

TOWN AND COUNTRY PLANNING

The Town and Country Planning Act 1953 provides for the making and enforcement of regional and district planning schemes, and the detailed procedure to be followed in each case is amplified by the Town and Country Planning Regulations 1960. The Government administers the Act through the Minister of Works who may delegate his authority to the Commissioner of Works.

Regional Planning

Regional Planning Authorities may be established

under provisions of the Town and Country Planning Act 1953. As provided in the Act the authorities consist of representatives of the several councils whose districts are wholly or partly within the region. Every local authority within the region, other than the constituent councils, is entitled to be represented by at least one associate member. The Regional Planning Authority may also appoint any person who may be possessed of special knowledge, or representatives of any Department of State, to be associate members. Authorities are now operating in the four main centres and in Northland and Marlborough.

Finance for administration purposes is provided for by way of a maximum rate of one-sixtieth of a cent in the dollar on the rateable capital value of those portions of the councils' territories inside the regional area. The Act also makes provision whereby any of the constituent councils may enter into and carry out agreements for the execution of combined works.

Regional planning schemes must be preceded by a comprehensive survey of the natural resources of the areas concerned, and of the present and potential uses and values of all lands in relation to public utilities or amenities. Regional schemes envisage the conservation and economic development of natural resources by classification of lands according to their best uses and by the co-ordination of all such public improvements, utilities, and amenities as are not limited to the territory of any one local authority. Every regional planning scheme is intended to be a guide to councils engaged in the preparation of district planning schemes and to public authorities and all persons in relation to conservation and development within the region. Regional schemes are required to be reviewed at intervals of not more than 10 years.

District Planning

Every district scheme is required to have for its general purpose the development of the area to which it relates (including where necessary the replanning and reconstruction of an area already built on) in such a way as will most effectively

tend to promote and safeguard the health, safety and convenience, the economic and general welfare of its inhabitants, and the amenities of every part of the area. The council of every city, borough, county, and independent town district must provide and maintain a district scheme whether or not a regional planning scheme including its district has been prepared or become operative.

While a district scheme is being prepared a council may refuse its consent to the carrying out of any development that would be in contravention of the scheme and falls within the definition of a "detrimental work", but the owner or occupier affected may appeal against such a decision to the Town and Country Planning Appeal Board. The Minister can require the council to exercise these powers where the development would or might adversely affect Government works or the public interest, and local authorities have similar rights in respect of their works. Any appeal proceedings lie against the Minister or the local authority concerned.

In the period before a district scheme becomes operative, any change of use of land that detracts or is likely to detract from the amenities of the neighbourhood is required to have the prior consent of the council. Where an application is made to the council for consent, the applicant and every person who claims to be affected by the proposed use has a right to be heard by the council and may appeal to the Appeal Board against the council's decision.

When completed and recommended by the council, copies of a district scheme are submitted to the Minister of Works and to adjoining councils and to local authorities within the area covered by the scheme for consideration, particularly in relation to their public works. When the Minister and each local authority is satisfied that all their respective public works have been properly provided for in the scheme and have certified accordingly, the district scheme is publicly notified for inspection for three months. Any owner or occupier of

land affected may object to any provision of the scheme, and the Minister, other local authorities, professional, business, sporting or other such organizations, may also object to the scheme on grounds of public interest. In the event of an objection not being sustained by the council the objector may appeal to the Appeal Board whose decision is final.

Where any council has not an operative district scheme for its district by 1 January 1971, the Minister of Works is empowered to take such steps as he may consider necessary to have such a district scheme made operative as quickly as possible. The costs and expenses incurred by the Minister are recoverable from the local authority, or they may be deducted from any moneys payable to the local authority by the Crown.

When a district scheme has finally approved and made operative the council and all local authorities having jurisdiction in the district are bound to observe, and enforce observance of, the requirements of the scheme. The provisions of an operative regional planning scheme are also obligatory, but a constituent council has a right of appeal to the Town and Country Planning Appeal Board where a provision of a proposed or operative district scheme conflicts with the regional scheme; the Minister has, incidentally, a similar right of appeal so far as the regional scheme conflicts with the public interest.

Operative district schemes may be changed at any time, and must be reviewed when any part of the scheme has been operative for a period of five years. In preparing, recommending, and approving a change or a review of a district scheme the proposed change or review is publicly notified for inspection by owners and occupiers of property and simultaneously submitted to the Minister, to the Regional Planning Authority, and to the local authorities within the district for their consideration and objection where necessary in the light of their respective public works and other responsibilities.

Once a district scheme has been made operative it cannot be cancelled unless it is replaced at the same time by another

operative district scheme. Furthermore, once a proposed change to an operative district scheme has been publicly notified for inspection and objection by owners and occupiers of property, no development work, subdivision, or change of use of land or buildings that would conflict with the proposed change may be carried out without permission by order of the Appeal Board.

Where a district scheme is operative the local authority may take, under the Public Works Act 1928, any land in its district if in accordance with the scheme it considers it is necessary or expedient to do so for the proper development or use of the land, or for the provision or preservation of the amenities, or for the improvement of areas that are too closely subdivided or are occupied by decadent buildings.

7

NEW ZEALAND IN INTERNATIONAL AFFAIRS

GENERAL AIMS

It is clear that, as New Zealand has assumed the international responsibilities appropriate to an independent country, its foreign policy has changed in emphasis and scope. The foundations fo New Zealand's pre-war position in international affairs-its identification with Britain and its membership of the Commonwealth-have been modified and extended to meet the demands of an international situation greatly changed from

that of 1939. As a country of predominantly European settlement, New Zealand retains its traditional loyalties to the United Kingdom and a sense of identity with Europe and of involvement in its destiny. As a Pacific power, it has sought security in friendship and formal defensive arrangements with Australia and the United States of America. New Zealand's growing involvement in the problems of the South Pacific region and its close ties with the island people are giving rise to a new recognition of the importance of the role it will have to play in this area in the future. New Zealand is in a unique position to encourage the growth of a regional consciousness in the South Pacific which is essential if the problems of the area are to be seen and tackled as a whole. At the same time it has recognised the importance of regional developments in Asia and the future security of that region, and has sought to develop its associations with Asian countries. As a country concerned with the preservation of world peace and the organisation of defence against aggression it has placed prime importance upon development of the United Nations as an agency for peaceful settlement of international disputes and for the achievement of collective security. Pending the establishment of a broadly based United Nations security system, however, New Zealand has been prepared, in respect of South-East Asia, to participate in a protective grouping concerned with the defence of a single area. Moreover, while it sees aggressive Communism as the greatest threat to individual liberty at the present time, it is well aware of the powerful stirrings of other forces—the yearning for political emancipation, the antagonism to systems of racial discrimination the demand of underprivileged countries for a greater share of the world's prosperity, or social advancement and opportunity. New Zealand's action in the international field are designed to take account of these forces, and, where possible, to assist the people of other countries in their striving for a better life. The limits of what it is able to do are those imposed by its size and capacity; its disposition is towards peaceful and friendly relations with

all nations and (whatever the modifications which the needs of national security may impose) it is to that ultimate goal that its foreign policy is directed.

NEW ZEALAND'S INTERNATIONAL ACTIVITIES

Though in the nineteenth century Sir Julius Vogel and the Right Hon. R.J. Seddon had original views about the policy which Britain and New Zealand should pursue in the Pacific area—views which they announced with vigour—New Zealand did not acquire the right to conduct an independent foreign policy until the end of the First World War when the full nationhood of the “Dominions” was recognised. For some years after this, however, successive New Zealand Governments chose not to exercise this right and (pursuing a passive role in the League of Nations and refraining from establishing diplomatic relations with foreign Governments, or with other members of the Commonwealth apart from Britain) preferred to make known any views of matters of foreign affairs only to the British Government and through the confidential channels of intra-Commonwealth consultation.

Few pressures existed in the 1920s and early 1930s to impel New Zealand towards enunciating an independent foreign policy. The population was mainly British in composition and comparatively few were concerned to distinguish between New Zealand's interests and those of Britain. Nor had they much cause to do so: New Zealand had established a fruitful economic partnership with Britain, upon which country nearly all her material and cultural links were centred; and New Zealand's surest protector against dangers which it was incapable of meeting alone was the Royal Navy. It was, moreover, realised that New Zealand in her own right could make little impact on world affairs, whereas Britain was a great power capable of affecting the pattern of world events. New Zealand “foreign policy” therefore consisted chiefly in seeking to modify British policy in those few cases where New

Zealand had a strong interest or a viewpoint rather different from that of Britain.

The emergence of an independent New Zealand foreign policy is usually held to date from 1935. Some Ministers in the New Government were deeply interested in world affairs in general, and the Government's approach was influenced by theory and principle. In particular, they held strong views on the principle of collective security and upon the League of Nations as the embodiment of that principle. In its method of championing the principles of collective security, pressing for the restoration of the authority of the League of Nations, and, at a time when the United Kingdom Government was pursuing the policy which came to be known as appeasement, urging positive League action over Abyssinia, Spain, and China, the Government came to depart from the pattern of the previous 16 years: for, in addition to making its views known in confidential communications to the United Kingdom Government, it also stated them with vigour in the international forum of the Council and the Assembly of the League of Nations.

There was nevertheless, no fundamental departure from the traditional policy of association with Britain. Moreover, the course that would be followed in the event of war was never in doubt. As early as 16 May 1938 a leading member of the Government had said, "If the Old Country is attacked, we are too... .. we will assist her to the fullest extent possible". When war broke out the Prime Minister, the Right Hon. M. J. Savage, expressed New Zealand's position in terms that were as true in 1939 as they would have been in 1914:

"Behind the sure shield of Britain we have enjoyed and cherished freedom and self-government. Both with gratitude for the past, and with confidence in the future, we range ourselves without fear behind Britain. Where she goes, we go. Where she stands, we stand."

But the Second World War changed the pattern of power in the world and made it necessary for New Zealand gradually to revise its foreign policy and its method of implementing that policy. Even though the basic attachment of New Zealanders to Britain was little affected, the fact became manifest that Britain was no longer a power able to determine events on a world scale and that, since New Zealand interests could no longer be protected by British actions alone, it did not suffice to confine New Zealand foreign policy to occasional attempts to persuade the British Government to take note of New Zealand views. Japanese aggression and, later, the rise of Communist China forced New Zealand to face the reality of its geographical location with respect to Asia and the Pacific and to develop an additional relationship with the only other friendly power capable of protecting New Zealand—the United States of America—with the least possible prejudice to its association with the United Kingdom.

During the war years New Zealand was admitted to the councils of the Allies and was expected to advance informed views. The Government honoured its responsibility and, having established in wartime the habit of participating in the making of international decisions, accepted it as natural that New Zealand should continue to participate in the development of a post-war world order and in subsequent international consultations. To this end New Zealand established (in effect from 1943) a professional Department of External Affairs and a career foreign service, and proceeded slowly to establish diplomatic missions in countries where New Zealand's interests merited protection. In particular, New Zealand sought increasingly to make its individual contribution to fostering good relationships with its neighbours in the Pacific and Asia and to increasing the measure of security and welfare in these areas.

To be woven into any post-war policy was the now traditional New Zealand belief in the principle of collective security and international justice, especially as symbolised by

the United Nations. This was by no means an easy task in a world where the divisions of the cold war were reflected in competing regional alliances. There had to be a place, too, for belief in the ability of international co-operation to control armaments and to eliminate poverty, disease, and other economic and social causes of international tension.

The threat to New Zealand's security, posed by the entry of Japan into the war at a time when the United Kingdom was fully committed in Europe, brought New Zealand into the closest relations with two of her neighbours on the borders of the Pacific—Australia and the United States. Recognition of the need for a greater measure of collaboration with Australia resulted in the signing in 1944 of the Canberra Pact which provided machinery for continuing consultation between the two Governments. Upon the entry of Japan into the war, both New Zealand and Australia had looked principally to the United States for protection. Relations among the three countries thus entered a new phase. The close association of wartime found expression in peacetime in the Anzus Treaty, in which, for the first time, New Zealand and Australia entered into a treaty of alliance and mutual defence with a foreign country and achieved the aim of both countries to enter into a close relationship with the major Pacific power. The Anzus Treaty, which came into force in April 1952, gives an assurance of United States support in the event of an armed attack from any quarter in the Pacific and so constitutes New Zealand's major safeguard from aggression in the area.

The establishment of SEATO, like the formation of the ANZUS alliance, took place against a background of continuing insecurity and of danger in the Far East. In 1950 New Zealand had participated in collective action by the United Nations in Korea. In 1954, following the Indo-China crisis and the Geneva Accords, a broader collective defence treaty covering South-East Asia and the South West Pacific, known as the Manila Treaty, was signed by New Zealand and Australia,

France, Pakistan, the Philippines, Thailand, the United Kingdom, and the United States. The parties agreed that in the event of armed attack on the parties or on a "protocol" State (Laos, Cambodia, and South Vietnam) they would act to meet the common danger. The parties established the South East Asia Treaty Organisation (SEATO) in Bangkok. In furtherance of its obligations under the Manila Treaty, New Zealand sent forces to Thailand for some months in 1962 and to South Vietnam in 1965. In 1955 New Zealand had transferred its war-time commitment from the Middle East to South-East Asia and agreed to contribute forces to a Commonwealth Far East Strategic Reserve. These forces participated in the Malayan Emergency and in the defence of Malaysia and Singapore against Indonesian confrontation. New Zealand, with Australia, became associated with the Anglo-Malayan Defence Agreement concluded in 1957, which subsequently became the Anglo-Malaysian Defence Agreement upon the formation of Malaysia in 1963. More recently New Zealand has participated in defence talks with Britain, Malaysia, Singapore, and Australia in the implication of the British decision to withdraw its forces from South-East Asia by the end of 1971.

These developments reflected a new awareness of the international and strategic implications of New Zealand's position. In 1955 the Minister of External Affairs, the Hon. T. L. Mac Donald, discussing New Zealand's foreign policy, said that the only possible threat to New Zealand's security could come from Asia and in particular from the spread of Communist power in South-East Asia. "New Zealand foreign policy grows", he said, "from the need to reconcile geography and history, economic fact and strategic fact. In practical terms at present this seems that without weakening the many links which bind us to Britain and the whole Atlantic Community we must increase our concern with South-East Asia."

This concern was already being expressed in social and economic terms as well as in defence. In 1950, New Zealand,

along with a group of other Commonwealth countries, had become a member of the Colombo Plan established to assist the countries of South-East Asia to improve their standards of living. To New Zealand, a pioneer in the field of social legislation and a country with a high standard of living fairly evenly shared, the Colombo Plan has a special significance. Contribution, large by New Zealand standards (if small when measured against the potential need), have been made to it. The scope of New Zealand's presence in Asia widened considerably in the years following signature of the Manila Treaty—diplomatic relations were established with a growing number of countries in the area, and increased activity in other fields of co-operation besides that of defence followed the extension of this network of diplomatic posts. By the mid 1960s New Zealand had more complete representation in Asia than in Western Europe. Subsequent accession to regional membership of ECAFE, the Asian Development Bank and ASPAC (the Council for Asian and Pacific Co-operation) is further demonstration of this country's acceptance that it has a role to play in the Asian area.

New Zealand's direct interest in political, social, and economic developments in the South Pacific is reflected not only in its membership of such regional organisations as the South Pacific Commission, but also in a wide and growing range of contacts with island people and an increased sense of involvement in their problems. The evolution of self-government and nationalism in the South Pacific reached a new stage when Western Samoa became the first independent Polynesian state on 1 January 1962. Three years later the Cook Islands achieved internal self-government. New Zealand's own colonial past, its liberal tradition of friendship for emergent peoples, and the fact that large numbers of Polynesian people have settled there, means that the islanders tend to look to New Zealand for leadership and encouragement. In particular, Western Samoa, Tonga, and Fiji already regard New Zealand as an important export market and as a source of administrative and technical

assistance. Inevitably, New Zealand is going to be increasingly involved in the South Pacific region.

These regional concerns have implied no weakening of the belief in the pre-eminent value of action organised on a world basis to deal with social and economic, as well as security problems. New Zealand has continued to place special importance upon its membership of the United Nations. It has been an active participant in the work of the General Assembly, has been a member of all Councils of the Organisation, has provided troops to the United Nations Force in Korea, and military observers in Palestine, Kashmir, and Lebanon, and has endeavoured to assist all efforts to attain the political and social objectives outlined in the Charter.

If, since the Second World War, the facts of geography have had an important influence on New Zealand's attitudes towards foreign affairs, history and tradition continue nevertheless to mould its outlook. The historic links with the United Kingdom and with Western Europe and North America remain as close as ever; and the economic links with the United Kingdom, New Zealand's best customer, remain strong. No situation is, however, constant. One of the key problems of external political and economic policy now presented to New Zealand arises out of the movement towards political and economic integration in Europe and the continuing possibility of Britain's membership of the European Economic Community. New Zealand must expand the volume and value of its exports of primary products if the standard of living of its rapidly growing population is to be maintained and improved. In recent years it has become increasingly apparent, however, that the United Kingdom market is capable of only a limited expansion. The development of new markets in Asia and other less developed countries has been slowed by low income levels as well as by consumption patterns in which the type of foodstuff exported by New Zealand has not figured prominently. New Zealand's foreign policy is likely to continue the endea-

your to reconcile geography and history, economic fact and strategic fact.

Ministry of Foreign Affairs:

The External Affairs Act 1943 made provision for the appointment of a Minister of External Affairs charged generally with the administration of external foreign affairs, including relations with other countries, communications with other Governments, representation abroad, and representation of other countries in New Zealand. The Act also authorised the appointment of a Secretary of External Affairs and (superseding the High Commissioner Act of 1908) dealt with the appointment of High Commissioners and of overseas representatives.

The functions of the Department were defined at its inception as follows:

- (1) To act as a channel of communication between the Government and other Commonwealth and foreign Governments on matters relating to external affairs.
- (2) To assist in negotiating treaties and international agreements.
- (3) To direct New Zealand's overseas diplomatic posts.
- (4) To deal with foreign diplomats, and to issue exequaturs to foreign consuls.

The Act thus established the Ministry of External Affairs as the normal channel of communication with the Governments of other countries. As, however, the new Department was in fact still a part of the Prime Minister's Department, no change in procedure, apart from the use of the changed nomenclature, was necessary. On 1 March 1970 the name of the department was changed to Ministry of Foreign Affairs.

Dealings with overseas Governments usually involve considerable interdepartmental co-ordination. Since the Prime Minister's Department has always been regarded primarily as a department of co-ordination, an intimate relationship

has existed between the two Departments. The Prime Minister has for three periods found it appropriate to assume the portfolio of External Affairs and the Departments have in any case been run as a unit. The staff is held in common and, though some officers are engaged on work peculiar to one Department, the work of the majority involves both Departments. The Secretary of Foreign Affairs is also Permanent Head of the Prime Minister's Department. For the first 23 years of the existence of the Department of External Affairs, until October 1966, the same person, Mr A. D. McIntosh, held the two posts. His successor, Mr G. R. Laking, also fills both positions. In defence matters the two Departments have been closely associated. During the war, the Permanent Head was also Secretary of the War Cabinet. In that period the responsibility of the Prime Minister's Department for defence co-ordination was extended and developed; in discharging this responsibility the Permanent Head was assisted by the Defence Secretariat of the Prime Minister's Department. The functions of the Secretariat have been taken over by the unified Ministry of Defence which was established by Act of Parliament in November 1964. A close relationship is still maintained between the Ministry of Defence and the Defence Division of the Ministry of Foreign Affairs, and the head of that Division is chairman of the body which co-ordinates military and civilian intelligence.

In the formulation and application of external affairs policy, close association with other Government Departments is necessary. Participation in the Colombo Plan entails close liaison with the Treasury and with the many Departments which supply experts and training facilities, consular questions with the Department of Labour, and legal questions with the Department of Justice. Moreover, the Ministry is a clearing house for a wide variety of material provided by overseas posts for other Departments. As well as fulfilling its major function of acting as a channel of communication with other Governments, the Ministry thus acts as a co-ordinating centre for other

Government Departments. The Ministry and its network of posts overseas also perform numerous services on behalf of Departments which are without overseas representatives of their own.

In the Official Section at the end of the Yearbook the diplomatic and other New Zealand representation overseas is listed.

New Zealand in the Commonwealth

Despite the emphasis in New Zealand's approach to international affairs resulting from the realities of its geographical position, membership of the Commonwealth remains a significant feature of its policy. In the past the Commonwealth, for New Zealand, has tended to be identified with Britain through special and historic ties. As these ties have loosened, with the growing orientation of Britain towards Europe, the Commonwealth has assumed a rather different perspective for New Zealand, Providing as it dose for contacts with a wide range of countries, and on a great variety of subjects, it is a ready-made forum for co-operative effort. Thus, although the Commonwealth ideal does not embody the identity of purpose formerly apparent among its members, it nevertheless has an important function, particularly for the smaller and more isolated members such as New Zealand.

Although one of the oldest members, New Zealand, unlike some of its members, did not seek to hasten the process of constitutional transition within the Commonwealth. At the Imperial Conference in 1930 the Prime Minister, the Right Hon. G.W. Forbes, stated that "We have felt that at all times within recent years we have had ample scope for our national aspirations and ample freedom to carry out in their entirety such measures as have seemed to us to be desirable". There was little interest in the adoption of the relevant provisions of the Statute of Westminster enacted in 1931 to give legal endorsement to the transformation that had taken place in

the relationship between Britain and the Dominions. It was not, in fact, until 1947 that the necessary formalities were completed in New Zealand by the passing of the Statute of the Westminster Adoption Act.

Since that time there have been many changes in the Commonwealth association both in constitutional respects and in numbers of members. Whereas at the beginning of the Second World War there were only five members, by the end of 1968 were 28, and this member seems likely to be augmented in the future when constitutional developments in the South Pacific will allow some island territories to seek full or associate membership according to their circumstances and needs. A development such as this would reinforce co-operation in a region of particular concern to New Zealand, as Commonwealth co-operation has done in Africa, Asia, and elsewhere. The Commonwealth has thus become an entity embracing several continents and its relationships have taken on a new scope and emphasis. New Zealand, itself a country where two races live side by side, sees in the Commonwealth a special opportunity for multi-racial co-operation and understanding.

The importance New Zealand attaches to the Commonwealth association has been given practical expression in its membership of a number of Commonwealth organisations. As well, New Zealand contributes to the budgets of the Commonwealth Secretariat and the Commonwealth Foundation, which were both established at the Commonwealth Prime Minister's meeting in 1965. The Commonwealth Foundation, an independent fund administered by a board of trustees consisting of representatives of "member nations", has contributed greatly to the growing areas of common endeavour. It has sponsored official and non-official Commonwealth organisations that provide links between administrators, engineers, lawyers, accountants, scientists, and private individuals in the different Commonwealth countries. Similarly, the Commonwealth Secretariat, under the leadership of its Secretary-General, has

provided a focus for Commonwealth activities, and a basis for extending co-operation between Commonwealth Governments.

New Zealand and The South Pacific:

The first areas of the world towards which New Zealanders developed a distinct and characteristic attitude was the South Pacific. This is New Zealand's immediate environment its Polynesian peoples close kin to the New Zealand Maori, its islands nearest and most important in the lines of communication which link New Zealand with America and Europe.

Within a decade of New Zealand's establishment as a British colony Bishop Selwyn had made it the base for Anglican missions in the South Pacific and Sir George Grey as Governor had begun to advocate a policy of expansion in the area. The increasing involvement of other powers and a desire to develop trade led Sir Julius Vogel in the 1870s to take up Grey's idea and to put forward various schemes for political and commercial expansion, which, however, found no favour in London. In the 1880s New Zealand joined the Australian colonies in an effort to preserve "Oceania for the Anglo-Saxons", and soon after the movement reached its peak in the robust opposition of Richard John Seddon to the bargaining away of Samoa in 1899.

The meagre fruit of half a century's agitation was the annexation in 1901 of the Cook Islands and their inclusion within the boundaries of New Zealand. Thereafter, New Zealand's interest in the South Pacific declined as its trade and its thoughts came to centre more and more on Great Britain. But though declining, the tradition was still strong enough to provide support for the Imperial Federation movement in the first decade of the twentieth century and more practically, to inspire New Zealand on the outbreak of war in 1914 to occupy Germany's colony of Western Samoa.

At the end of the war Western Samoa, like other former German possessions, was retained by the occupying power under a League of Nations Mandate. New Zealand embarked on its new responsibility with greater enthusiasm than it had

shown in the Cook Islands and much effort was devoted to solving the problems of the territory. The rate of change thus created, however, proved too rapid for the tradition-loving Samoans. In the late 1920s a series of unfortunate incidents occurred and, for sometime afterwards, the pace slackened. The opening up in the late 1930s of air routes across to Pacific led New Zealand, along with other countries, to take an increased interest in some of the more remote islands in the area, but it was the outbreak of the Second World War which forcibly reminded the country of its situation.

Overnight half-forgotten islands became strategic points for the defence of New Zealand and its allies, and New Zealanders again became aware of the need to prevent them from falling into unfriendly hands. Accordingly, New Zealand joined with Australia in seeking ways to guarantee the future security of the area, and there emerged first the Canberra Pact of 1944 and later the 1947 Agreement to establish the South Pacific Commission.

Through the Commission the Governments administering territories in the South Pacific—Britain, the United States, France, Australia, New Zealand, and (until 1962) the Netherlands have made a concerted effort to promote the economic and social development of the area and its peoples. In the 22 years of its existence the Commission has, within its budgetary limits (its budget for 1969, \$ 984,000), done much valuable work, particularly in bringing the islanders together and developing a sense of community amongst them. Originally laying much stress on research, the Commission has come to concentrate mainly on providing technical assistance and on pooling experience of handling common problems of development. Its membership has grown to include Western Samoa and Nauru. At the same time the importance of the South Pacific Conference has increased. The territorial representatives who attend the conference now have a decisive voice in determining the commission's work programme. Close working links are main-

tained with United Nations specialised agencies which take an active interest in the region.

But New Zealand has not been content with promoting progress in the economic and social spheres only. At the San Francisco Conference in 1954 it took a leading part in working out the trusteeship system embodied in the United Nations Charter, and subsequently the League of Nations Mandate for Western Samoa was replaced by a trusteeship agreement.

In accordance with the wishes of the Samoan people, a programme of political and constitutional development was launched which continued throughout the 1950s and which culminated in the establishment of the independent State of Western Samoa on 1st January 1962. The transfer of sovereignty did not, however, weaken the close and friendly relationship which had grown up between Western Samoa and New Zealand and this was confirmed in a Treaty of Friendship between the two countries signed in August 1962. In the educational as well as in other fields New Zealand assists Western Samoa.

Whilst Western Samoa was moving towards independence, constitutional development was taking place in New Zealand's other island territories. Following expert surveys a programme of economic and social development for the Cook Islands was formulated in 1955 and legislative assemblies for the Cook Islands and for Niue were set up in 1957. In 1962 the New Zealand Government gave these bodies full responsibility for allocating the large subsidies granted by New Zealand. In the same year possible alternatives concerning constitutional development were submitted to the assemblies. Both chose full internal self-government together with a continued association with New Zealand. Events thereafter moved most rapidly in the Cook Islands. In 1963 a "Shadow" Cabinet was set up and a Leader of Government Business elected. The following year the New Zealand House of Representatives passed the Cook Islands Constitution Act, with provision for the Act itself to come into force after a General Election in the

Cook Islands. This election was held on 20 April 1965 and after the New Zealand Parliament had at the request of the Cook Islands Government made certain amendments to the Constitution Act, the new Constitution was brought into force on 4 August 1965 and the Cook Islands became a self-governing nation in free association with New Zealand. The Legislative Assembly, assured of New Zealand's financial assistance, is fully responsible for the internal affairs of the Cook Islands.

Progress in the constitutional fields has also been made in Niue and the Tokelau Islands, New Zealand's remaining dependent territories. On 1st November 1968, at the request of the Niue Assembly, a full member system of Government was introduced, giving the Executive Committee responsibility for the portfolios controlling all Government Departments. Responsibility for deciding priorities for government works and expenditure has been given by the Administrator to the Tokelau Islands Councils or Fonos which have also fully discussed their further development and have expressed the wish (as have the people of Niue) to retain their association with New Zealand. At the request of the Fonos, the New Zealand Government has instituted a pilot programme to assist Tokelau Islanders to resettle in New Zealand.

The independence of Western Samoa, self-government in the Cook Islands and the progress of the remaining New Zealand territories are indicative of broader changes in the South Pacific. Economic, social, and educational development has made the peoples of the area more self-conscious and desirous of managing their own affairs. New Zealand supports these changes, especially those which promote the development of regional co-operation amongst territories of the area and the Government's assistance is increasingly being directed to forms of aid of benefit to a wider group of territories; one recent example is the New Zealand Bursary Scheme under which students from certain English-speaking territories in the South Pacific will be able to undertake courses at the new University of the South Pacific in Fiji.

New Zealand in the United Nations:

For New Zealand, geographically isolated and with limited direct diplomatic relations, the United Nations is inevitably one of the most important forums available, not only to influence the course of international events, but also to secure the friendship and understanding of the world community. For any country, its international reputation is a valuable asset. If New Zealand is better known and commands more influence in international affairs than some other small States similarly situated, this is, in some measure at least, due to New Zealand's record of active participation in the United Nations.

New Zealand's share of the United Nation's regular budget is 0.36 percent in 1969 this meant a New Zealand contribution to the organisation of \$401,683.

United Nations Security and Peace-keeping Activities:

It has been noted earlier that the first significant expression of an independent New Zealand foreign policy occurred in the League of Nations and was directed to supporting the principle of collective security. Support for this principle later and through the United Nations has remained a cornerstone of New Zealand's foreign policy.

The purposes which motivated the policy in 1935 were strongly held beliefs, rather than principles developed for any careful assessment by a national foreign service. The beliefs were nevertheless a reflection of widely held concern over world events, a concern which the succeeding years were to reinforce. It was, therefore, perhaps understandable that at San Francisco in 1945 New Zealand should argue so forcibly, if unsuccessfully, to eliminate the veto and to strengthen the collective security provisions of the United Nations Charter.

Despite its physical isolation, New Zealand has felt unable to regard with unconcern the fate of other small countries helpless to defend themselves against a powerful aggressor and thus liable to be picked off one by one.

The United Nations does not, it is true, offer a complete guarantee of New Zealand's or any other small country's security against aggression. Nor has it yet achieved agreement on disarmament. But New Zealand Governments have acted upon the conviction that the United Nations, and it alone, contains the rudiments of a universal collective security system, and that it is through the United Nations, and not through its abandonment in favour of some alternative, that an effective and comprehensive collective security system may eventually be developed and agreement on disarmament achieved.

Within the United Nations the expression of this policy has taken several forms. New Zealand has sought to remove the causes which might produce the need for recourse to collective security action. Its representatives have urged that the Assembly be used as a place for harmonising relations between nations; they have voiced the need for restraint in the pursuit of national objectives; they have consistently sought and supported responsible action in aid of an effective international organisation; and they have reiterated the need for the early adoption of a broad programme of supervised disarmament.

New Zealand was elected to the Security Council, which is charged with the primary responsibility for the maintenance of international peace and security, for the years 1954 and 1955, and for a second term in 1966 when membership for the council was increased from 10 to 15.

New Zealand has also advocated adequate and timely preparations in case aggression should occur and has supported the fullest possible development of the United Nations' capacity for peacekeeping. New Zealand has been prepared to play its part: forces were supplied to the United Nations Force in Korea and military observers to the United Nations Observer Groups in Palestine, Kashmir, and Lebanon; a civilian police unit has served in Cyprus; and the Government has indicated to the Secretary-General its intention in principle to designate

a stand-by unit which would be available for properly instituted peace-keeping operations of the Organisation in the future.

In some respects, however, the United Nations has not lived up to the hopes placed in it. There has never been complete agreement in the United Nations itself on peace-keeping issues, and further practical developments to increase United Nations capability for peacekeeping are not likely to occur, due to the existing power conflicts in the world, or in view of the divergent interests of many of its present members. New Zealand has therefore recognised that the objective of developing the United Nations potential in security and peacekeeping is a long-term one, and that the United Nations in its present form must be buttressed by regional defensive alliances.

Economic and Social Activities:

Apart from this substantial and primary concern with international peace and security, other aspects of the work of the United Nations have increased greatly in importance in recent years. Article 55 of the United Nations Charter recognised that peaceful and friendly relations among nations depend largely on conditions of economic and social progress. Advancement in these latter fields absorbs annually more and more of the United Nations' resources, and represents at least one area in which international understanding and co-operation are reaping tangible rewards. The United Nations organ with primary responsibility in this vast field is the Economic and Social Council (or ECOSOC), an elective body of 27 members, which co-ordinates the activities of the wide variety of bodies with interests in these fields, ranging from the functional Commissions and Committees of the United Nations itself to the independent specialised agencies.

The biggest single task now facing ECOSOC is to promote and direct programmes for economic development in underdeveloped countries. New Zealand had always recognised the need for this type of development, and has been concerned

to ensure that the international programmes in this field should be effective and realistic. Its interest in social and economic questions is illustrated by its membership of ECOSOC from 1947-49, and 1959-61; and it is fully expected that a further term will be served in the years ahead. New Zealand in 1963 became a full regional member of the Economic Commission for Asia and the Far East (ECAFE), a body of which it had previously been a non-regional member. New Zealand has also served terms of office from time to time on the Status of Women Commission, the Technical Assistance Committee, and on the Statistical, Social, and Fiscal Commissions. It is currently serving on the Commission of Human Rights for a second consecutive term for the period 1969-71, and on the Population Commission for the period 1969-72.

In undertaking these responsibilities, New Zealand may to some extent be regarded as "taking its turn". It is, however, keenly aware of the advantages of doing so. It certainly shares with others an interest in ensuring that economic and social conditions are such as to permit ordered political progress. It is concerned to ensure that where political principles are at issue, the beliefs which New Zealanders hold as essential should be recognised and, if possible, accepted by the world community. Some times, too, there are strong reasons of self-interest; it is important that New Zealand's interests and its special problems be taken into account in the work of these bodies. Moreover, the international activities of the various agencies are nowadays on such a scale (the United Nations Development Programme, for example, spends almost \$200 million a year), that detailed knowledge of their work can provide mutually valuable opportunities for New Zealand to provide goods and expert services for their programmes.

Specialised Agencies

New Zealand is a member of all specialised agencies except the International Development Association, and is also a member of the International Atomic Energy (IAEA), which,

though not strictly a specialised agency, exists under the aegis of the United Nations. New Zealand's contributions to the regular budgets of the agencies, which are based for the most part on a scale of assessment similar to that used in the United Nations itself, range from \$2,600 to \$180,000 annually and totalled some \$675,000 in 1969. New Zealand has also subscribed capital to the financial agencies.

Convinced of the value of the form of international co-operation that the agencies represent, New Zealand participates actively in their work. In the case of the technical agencies, there are direct benefits to New Zealand in membership. Membership of the Universal Postal Union for example, is essential to facilitate the efficient international movement of mails to and from this country; and the International Telecommunication Union works to promote the most rational and efficient operation of world-wide telecommunications services. The World Meteorological Organisation is the medium for establishing a world-wide network for the rapid exchange of meteorological information, which is of particular value to remote areas like New Zealand. In other cases, New Zealand benefits by the free interchange of knowledge and experience, and from the endeavours of the agencies to establish world-wide standards of safety, to promote facilitation of international traffic, and to examine restrictive or discriminatory practices in these fields. Minimum standards of working and living conditions for wage-earners are the concern of the International Labour Organisation.

In addition to its contributions to the regular budgets of the agencies, New Zealand gives voluntary assistance in the form of further monetary grants, the service of experts to developing countries (for example in physiotherapy, police work, forestry and education), and donations of equipment or commodities.

Two major fields of this sort of additional assistance are the contributions made to the United Nations Development

Programme and to the World Food Programme. New Zealand has given annual contribution to UNDP (in 1969 we gave \$450,000), and in addition has sent experts abroad to work in the field on UNDP assignments. The WFP is a programme approved by the United Nations in 1961 and administered jointly by the United Nations and FAO. For the six years 1963-68, New Zealand made total grants of US \$1,250,000, of which US\$450,000 was in cash, and US\$800,000 in commodities. For 1969-70, New Zealand has pledged a further US \$420,000, of which US\$160,000 will be in cash and US\$260,000 in commodities. New Zealand is a member of the Inter-Governmental Committee which supervises the Programme.

New Zealand's accession to The International Bank for Reconstruction and Development, the International Monetary Fund, and the International Finance Corporation not only allows this country to participate in measures designed to increase the stability of international trade and promote the economic development of the underdeveloped areas of the world, but also serves to strengthen New Zealand's own economic position by providing access to more varied sources of capital for capital projects or for balance of payments purposes.

New Zealand is also a foundation member of the Asian Development Bank, established in 1967 under the auspices of ECAFE "to foster economic growth and co-operation in the ECAFE region".

New Zealand has strongly supported and expansion of agency activity which will help the social and economic development of the Pacific Islands for which it is directly responsible. WHO has assisted in the past in the eradication of yaws and tuberculosis; FAO is at present the executing agency for a UNDP project designed to control the rhinoceros beetle which ravages much of the islands' coconut crops; and expert services have supplied assistance in several smaller projects. Within the General Assembly of the United Nations and in specialised

forums, New Zealand will continue to draw attention to the needs of the South Pacific.

New Zealand has in the past served on the governing bodies of WHO, FAO, and UNESCO most recently and on the Executive Council of the UPU from 1964 to 1969. Although because of its size and limited scale of contributions, New Zealand is not likely to be elected frequently to the boards of at least the larger agencies, it can expect, over the years, to bear its share of administrative responsibility within them. In any case, by participation in the plenary sessions of the assemblies of the agencies, New Zealand is able to play some part in trying to ensure that the agencies do not duplicate activities with one another, that there is rational budgetary growth and that the rightful spheres of activity of the agencies are not unduly disrupted by the political conflicts that occur in the main United Nations forums.

Conference on Trade and Development (UNCTAD) :

As a result of the United Nations Conference on Trade and Development held in Geneva in 1964, the General Assembly agreed to hold a triennial conference on Trade and Development with the objective of promoting international trade, particularly between countries at different stages of development, with a view to accelerating the economic growth of developing countries. UNCTAD held its second session in New Delhi early in 1968. UNCTAD is the United Nations body generally responsible for all matters relating to trade development. It is open to all United Nations members and other states members of the specialised agencies and the International Atomic Energy Agency. The conference has become a permanent organisation, with a Trade and Development Board which conducts the affairs of the organisation between plenary conferences. New Zealand commenced its second consecutive term on the Board in 1968. There are also within the organisation functional committees on commodities, manufacturers, financing of trade and shipping. New Zealand held a

seat on the Committee on commodities from 1967 to 1969, and is currently a member of the Committee on Shipping until 1971.

GATT:

New Zealand has been a contracting party to the General Agreement on Tariffs and Trade since its inception in 1947. Although not strictly a specialised agency, the GATT has assumed some of the characteristics of one, and its activities have extended into all aspects of international trade including, more recently, measures to liberalise non-tariff barriers to agricultural trade and to provide special export opportunities for the goods of the developing countries.

New Zealand Collective Security:

The defence of New Zealand has been judged successive governments to call for active support for the concept of collective security. New Zealand alone is unable to defend its considerable but very isolated territory against aggression by any militarily significant power. As a small country with limited resources, New Zealand is in no position to maintain the extensive defence efforts needed if all possible contingencies are to be met. As mentioned previously, it has therefore supported efforts to promote the effective implementation of the provisions of the United Nations Charter designed to establish a universal system of collective security and, until this goal is reached, has accepted that its defence efforts should be made in concert with like-minded countries in order to create a broader framework for security than its individual national effort could provide. This in turn involves the obligation to make credible and effective contributions to collective defence arrangements from New Zealand's own armed services.

Since the Second World War, New Zealand has contributed to collective security action on several occasions both within the United Nations and other arrangements. New Zealand's contribution to United Nations security and peace-

keeping operations has already been noted. From 1955, units from the three services were based in Malaya as part of the Commonwealth Strategic Reserve, where they took part in actions during the Emergency. During 1962, New Zealand took part in a development to Thailand by SEATO member countries. New Zealand forces supported Malaysia in its successful resistance to Indonesian Confrontation. In 1964, in accordance with the same principle of support for collective security, a New Zealand Army Engineer detachment was sent to South Vietnam. In 1965, this unit was replaced by an artillery battery, which has subsequently been joined by two infantry companies, service with 1 Australian Task Force.

ANZUS:

A basic expression of New Zealand's support for the principles of collective security is provided by the ANZUS Pact. This tripartite security treaty between Australia, New Zealand, and the United States was signed at San Francisco on 1 September 1951 and came into force on 29 April 1952. It assured New Zealand and Australia of American support in the event of aggression in the Pacific.

The main provision of the ANZUS Pact is that each party recognises "that an armed attack in the Pacific area on any of the Parties would be dangerous to its own peace and safety and declares that it will act to meet the common danger in accordance with its constitution processes." In the context of the agreement, an armed attack on any of the Parties is deemed to include "an armed attack on the metropolitan territory of any of the Parties or on the island territories under its Jurisdiction in the Pacific or on its armed forces, public vessels, or aircraft in the Pacific."

In keeping with the close ties between the three countries, the machinery for consultation has been kept as simple and flexible as possible. Meetings of a Council of Ministers are generally held once a year review situations affecting the treaty area.

SEATO:

The Geneva Agreements for Vietnam, Laos, and Cambodia, which were concluded on 21 July 1954, brought an end to the fighting in Indo-China, but they fell short of a fully guaranteed settlement of the security problems of the area. Eight governments—Australia, Britain, France, New Zealand, Pakistan, the Philippines, Thailand, and the United States—signed the South-East Asia Collective Defence Treaty, also known as the Manila Treaty, 8 September 1954. The Treaty came into force on 19 February 1955. Under its terms, each party recognised that aggression by means of armed attack in South-East Asia or the South-West Pacific against any of the Parties or against ‘a protocol state’ (Cambodia, Laos, and South Vietnam) would endanger its own peace and safety, and agreed that it would act to meet the common danger in accordance with its constitutional process. In the event of any other threat, the parties would consult on the measures to be taken for the common defence.

The South-East Asia Treaty Organisation (SEATO) established under the Treaty is headed by a Council, made up of the Foreign Ministers of the signatory governments, which meets annually in members’ capitals. Between meetings a body known as the Council Representatives provides continuity with representation generally provided by the heads of member countries’ diplomatic missions in Bangkok; New Zealand is thus represented by its Ambassador to Thailand. From time to time various expert committees and study groups are convened to give collective advice to Council Representatives. The Council also agreed in February 1955 that the Military Advisers to the Ministers should meet as a group to advise it on measures for common defence. The civil and military Secretariat has its headquarters at Bangkok.

The Manila Treaty has special significance because it is the only multilateral defence treaty applying to South-East Asia and the only treaty under which the United States has an

obligation towards mainland South-East Asia. It is also the only treaty under which Thailand has any security guarantee. Thus the treaty helps maintain the fabric of collective defence without which the region would become the target of intensified Communist pressure. It provides a backing for the efforts of those countries of the area striving, as the Manila Treaty states, "to uphold the principles of democracy, individual liberty and the rule of law." The military planning and exercises carried out under the Treaty are valuable in improving the capacity of the members to act together against aggression.

Neither in concept nor in structure is SEATO fitted for a major role in spheres other than defence. Nevertheless, the nature of the challenge in South-East Asia was recognised by making provision in the treaty for the parties, separately and jointly, to increase their capacity to counter subversion and to co-operate in economic measures to promote economic progress and social wellbeing. While most of this action is taken outside the framework of SEATO, the Organisation has a useful aid programme designed to meet particular needs of the members of the treaty area. Thus SEATO has sponsored wide-ranging research efforts in the field of tropical medicine, agriculture, and engineering. A number of special SEATO professorships, post and under-graduate scholarships, research fellowships and travelling lectureships have been established. The SEATO Graduate School of Engineering, established in Bangkok in September 1959, has now developed into an independent institution known as the Asian Institute of Technology. A programme to provide for a SEATO agricultural survey of the farming problems of the South-East Asian member governments has recently been initiated; New Zealand has contributed one expert to this programme. Seminars and study groups have been organised to consider particular problems. Cultural exchanges have been promote. The New Zealand Government has established a fund of \$20,000 from which to contribute to SEATO aid programmes.

Commonwealth Arrangements

The Commonwealth defence arrangement known as ANZAM has provided a further basis for co-operation in defence matters, between Britain, Australia, and New Zealand. Unlike SEATO or ANZUS, it is not an organisation established by a formal treaty but has gradually evolved from the practice of close defence co-ordination among the three countries. One of the main functions of the ANZAM machinery has been the preparation of a joint plans for the defence of the area as a whole, and the co-ordination of existing plans drawn up by the respective national authorities. The three Governments, however, retain full control over their individual defence policies. ANZAM meetings are usually held in Canberra.

In 1955, New Zealand transferred its wartime commitment from the Middle East to South-East Asia and agreed to contribute with Britain and Australia to a Commonwealth Strategic Reserve to be established in Malaya and Singapore.

Upon its accession to independence in 1957, the Federation of Malaya concluded the Anglo-Malaya Defence Agreement, which was subsequently extended to Malaysia on its formation in September 1963 and re-named the Anglo-Malaysian Defence Agreement. Under its provisions, the United Kingdom undertook to assist in the defence of Malaysia and was accorded the right to maintain such forces, including a Commonwealth Strategic Reserve, as are agreed to be necessary for the defence of Malaysia and for the fulfilment of Commonwealth and international obligations. The agreement has been accepted as applying generally to Singapore upon its accession to independence in August 1965. New Zealand, together with Australia, is associated with the Anglo-Malaysian Defence agreement by an exchange of letters placing on record the fact that the provisions of the Agreement applicable to the Commonwealth Strategic Reserve, in particular the provisions dealing with the status of forces, apply in respect of New Zealand forces in the

Reserve. In a statement made when tabling the relevant documents in Parliament on 20 September 1963, the Prime Minister noted that "New Zealand has always given cause to believe that she would not stand idly aside in the vent of an armed attack on Malaysia" and stated that "in the event of any armed threat against Malaysia the New Zealand Government would promptly consult with the Malaysia and other Governments concerned in the measures to be taken".

New Zealand's military contribution in the area of Malaysia and Singapore has varied according to the circumstances of the time. In general, however, New Zealand has in recent years maintained in the area one infantry battalion, one RNZN frigate and one squadron of RNZAF transport. These forces took part in the Malayan Emergency and in the defence of Malaysia and Singapore against Indonesian confrontation.

The British Government announced in January 1968 that its forces in South-East Asia would be withdrawn by the end of 1971. Ministers of the five Commonwealth countries concerned—Australia, Britain, Malaysia, New Zealand, and Singapore—met in Kuala Lumpur in June 1968 and in Canberra in June 1969 to discuss defence problems arising from this decision.

At these meetings, the five powers reaffirmed their continuing interest in the peace and stability of the area and declared their intention to maintain close co-operation among themselves. Malaysia and Singapore declared that the defence of the two countries was indivisible; they said that they were resolved to do their utmost for their own defence and they have made substantial progress in improving the defence capability, and that they would welcome the co-operation and assistance of the other three governments. Britain has outlined the form its continuing interest will take after 1971, including its significant capability to assist in the event of a threat to peace and its plans to continue exercises and training in the area. New Zealand and Australia announced in February 1969 their decision to maintain their forces in the area at about existing

levels after the British withdrawal. Discussions on the practical arrangements needed to implement these decisions by the five Commonwealth countries are continuing. In addition to normal intergovernmental consultations, the work of advising working groups in which officers of the five countries participate has been important. On the basis of the report of these groups, specific decisions have been taken on some of the practical defence problems resulting from the British rundown, notably the establishment of an integrated air defence system, naval co-operation, joint exercises, and the establishment of a Commonwealth Jungle Warfare Centre.

The concept of collective security continues to underlie the New Zealand approach to the new situation that will be created by British withdrawal. New Zealand forces are designed as a contribution to the security of South-East Asia as a whole and will have a particular function of assistance to Malaysia and Singapore. They will be maintained only so long as their presence has the consent and encouragement of the Governments of Malaysia and Singapore and is seen by them as a contribution to security. They will not be involved in internal security problems and their development on active operations will require the express consent of the New Zealand Government.

New Zealand Aid

New Zealand's aid to developing countries takes many forms—capital aid (cash grants and equipment), technical assistance (the provision of experts and student training), food aid and loans. It is channelled through a number of diverse programmes; multilateral, bilateral and non-governmental.

New Zealand has for many years played an active role in multilateral programmes initiated by the United Nations and its specialised agencies, e.g., the United Nations Development Programme, the World Food Programme, and the programmes of aid to refugees.

The largest individual bilateral programme is the Colombo Plan, the main vehicle for New Zealand civil aid to South and South-East Asia. Other bilateral programmes undertaken by New Zealand include those involving the Cook Islands, Niue Island, the Tokelau Islands and Western Samoa.

New Zealand and the Colombo Plan

New Zealand was a foundation member of the Colombo Plan which had its origin in, and takes its name from, a meeting of Commonwealth Foreign Minister held in January 1950 in Colombo to exchange views on world problems, particularly on the economic needs of the countries of South and South-East Asia. The Colombo Plan is not a single plan but rather the aggregation of a series of separate plans drawn up and administered by each country in the region: the external assistance required and made available to help implement these plans is negotiated on bilateral basis. What was once a Commonwealth idea has grown into a truly international co-operative effort with 24 members countries.

Up to 31 March 1969, New Zealand has made available under the Colombo Plan capital aid and technical assistance amounting to \$ 34,847,086.

Volunteer Service Abroad:

The Council for Volunteer Service Abroad, although a non-governmental organisation, receives Government assistance in carrying out its programme of dispatching volunteer workers for assignments in many Asian and Pacific countries.
