

**Reprint
as at 29 September 1969**



**Manawatu Patriotic Society Act
1969**

Private Act 1969 No 4
Date of assent 29 September 1969
Commencement 29 September 1969

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

An Act to amalgamate all the funds of the Manawatu Patriotic Society, to empower the society to sell certain land, to lend the whole or part of the proceeds of that sale to the Palmerston North Returned Services' Association (Incorporated) on the security of a second mortgage, and to provide for the dissolution of the society as from 1 January 1990 and for the vesting of its assets and funds in the Palmerston North Returned Services' Association (Incorporated) subject to certain trusts in respect thereof

Preamble

Whereas the Manawatu Patriotic Society a body corporate at Palmerston North (hereinafter called the **society**) was incorporated pursuant to section 12 of the War Funds Act 1915 by an Order in Council dated 28 August 1916 and published in the *Gazette* of 31 August:

And whereas the society maintains firstly an Anzac Fund comprising certain money, Government stock, and the land described in the Schedule (hereinafter called the **said land**) and secondly a Sick and Wounded Fund consisting of certain money, investments, and other assets:

And whereas the assets of the said Anzac Fund represent donations for the erection and maintenance of a club building for returned servicemen:

And whereas a building was erected on the said land in 1917 and has since been used as a club by the Palmerston North Returned Services' Association (Incorporated) a duly incorporated society at Palmerston North (hereinafter called the **association**):

And whereas the Sick and Wounded Fund has been used and applied by the society in making grants and donations for relief and other charitable purposes to officers and men who enlisted in Palmerston North and the County of Kairanga and served in the 1914–1919 war and to dependants of such officers and men (hereinafter called the **said charitable purposes**):

And whereas the association has now acquired premises of its own and it is considered expedient to sell the said land, but doubts have arisen as to the authority of the society to do so:

And whereas for some considerable time the functions of the society have been limited to the making of grants and donations for the said charitable purposes:

And whereas the society desires that all its funds be amalgamated and held by it as a war fund for the purpose of making grants and donations for the said charitable purposes:

And whereas the society further desires to lend the whole or part of the proceeds of the sale of the said land to the association on the security of a second mortgage over land owned by the association, but has no authority to do so:

And whereas the society considers that by 1 January 1990 there will be few if any persons living who will then qualify for grants and donations from the funds of the society:

And whereas the society proposes that it then be dissolved and its assets and funds vested in the association subject to the association for a period of 20 years thereafter continuing to make grants and donations for the said charitable purposes:

And whereas the association agrees with this proposal:

And whereas effect cannot be given to the proposal unless it is implemented by legislation.

1 Short Title

This Act may be cited as the Manawatu Patriotic Society Act 1969.

2 Interpretation

In this Act, unless the context otherwise requires,—

association means the Palmerston North Returned Services' Association (Incorporated) a society duly incorporated under the Incorporated Societies Act 1908

society means the Manawatu Patriotic Society incorporated as described in the Preamble.

3 Funds of the society amalgamated

From the commencement of this Act until the expiration of 1 January 1990 all the assets and funds of the society shall be held by the society as a war fund which shall be deemed to have been specifically constituted for the purpose of making grants and donations for relief and other charitable purposes

to officers and men who enlisted in Palmerston North and the County of Kairanga and served in the 1914–1919 war and to dependants of such officers and men.

4 Sale of land authorised

The society is hereby authorised to sell the land described in the Schedule in such manner and on such terms and conditions as it thinks fit.

5 Loan on second mortgage

The society is hereby authorised to lend the whole or any part of the money received by the society from the sale of the land described in the Schedule to the association upon the security of a second mortgage of an estate in fee simple in land owned by the association upon such terms and at such rate of interest (being not less than 5% per annum) as the society determines.

6 Dissolution of society

- (1) As from 1 January 1990—
- (a) the society shall be deemed to have been dissolved:
 - (b) all real and personal property then held by the society shall cease to form part of a war fund and shall become vested in the association subject to—
 - (i) all liabilities, charges, and encumbrances affecting the same:
 - (ii) the payment thereof by the association of all debts and other liabilities lawfully incurred by the society and existing immediately before its dissolution.
- (2) For the purposes of subparagraph (ii) of paragraph (b) of subsection (1) the debts and liabilities of the society shall be debts and liabilities of the association and the association, to the extent of the property vested in it by paragraph (b) of that subsection, shall be liable accordingly.

7 Obligations of association

The real and personal property that becomes vested in the association under paragraph (b) of subsection (1) of section 6 shall,

subject to the provisions of subparagraphs (i) and (ii) of that paragraph, be held by the association for a period of 20 years from 1 January 1990 upon trust for the purpose mentioned in section 3 but, on the expiration of that period, the residue of that property shall be freed and discharged from the trust and may thereafter be used and applied by the association for any of the purposes for which the association is for the time being incorporated.

8 Private Act

This Act is hereby declared to be a private Act.

Schedule

All that parcel of land containing 12.03 perches, more or less, being part Section 330, Town of Palmerston North, being Lots 9 and 10 and part Lot 8 on Deposited Plan 155 and being all the land comprised in certificate of title, Volume 250, folio 69 (Wellington Registry).

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Notes

1 *General*

This is a reprint of the Manawatu Patriotic Society Act 1969. The reprint incorporates all the amendments to the Act as at 29 September 1969, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
