

**Reprint
as at 16 December 1983**



**Dilworth Trustees Empowering
Act 1983**

Private Act 1983 No 3
Date of assent 16 December 1983
Commencement 16 December 1983

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**An Act to enable the Dilworth Trust Board to enter into an
integration agreement under the Private Schools Conditional
Integration Act 1975**

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.

Preamble

Whereas the Dilworth Trust Board (hereinafter referred to as the Board) is incorporated as a Board pursuant to the provisions of the Charitable Trusts Act 1957 and is trustee of the Trust as defined in section 2 of the Dilworth Trustees Act 1967 and as varied first by that latter Act, and secondly, by the statutory provisions (as defined in section 2 of that latter Act) and thirdly by order of the High Court dated 20 March 1981 made pursuant to section 7 of that latter Act:

And whereas the Board in terms of the Trust administers the Dilworth Ulster Institute more commonly known as the Dilworth School situated at Great South Road, Auckland:

And whereas the said Board has entered into negotiations with the Minister of Education for the integration pursuant to the Private Schools Conditional Integration Act 1975 of part of the Institute:

And whereas the terms of the Trust provide generally for the provision of education at the Institute for orphans or children from poor families normally resident in the Auckland Provincial District or the Province of Ulster in Northern Ireland:

And whereas in terms of section 29(2) of the Private Schools Conditional Integration Act 1975 no prospective pupil shall be refused enrolment at an integrated school on the ground of the pupil's socio-economic background and the Board and the Minister of Education are thereby prevented from entering into an integration agreement, notwithstanding anything contained in section 7(3) of the Private Schools Conditional Integration Act 1975:

And whereas this matter can only be dealt with by legislation:

And whereas it is desirable that the Minister and the Board be empowered in terms that preserve the basis of selection of pupils as specified in the terms of the Trust to enter into an integration agreement:

And whereas although section 7(3) of the Private Schools Conditional Integration Act 1975 otherwise empowers the Board to enter into an integration agreement, it is desirable and expedient that the Board be so specifically empowered.

1 Short Title

This Act may be cited as the Dilworth Trustees Empowering Act 1983.

2 Interpretation

In this Act, unless the context otherwise requires,—

beneficiary of the Trust means a person who qualifies to be selected by the Board as a person who will benefit in terms of the Trust as a pupil and inmate of the Institute

Board means the Dilworth Trust Board deemed incorporated as a Board pursuant to the Charitable Trusts Act 1957

Institute means the Dilworth Ulster Institute; and includes any other school or institution established in the future by the Board in terms of the Trust

integrated school, in relation to an integration agreement, means any part of the Institute that forms an integrated school (as defined in the Private Schools Conditional Integration Act 1975) in terms of the integration agreement

integration agreement means any integration agreement as defined in the Private Schools Conditional Integration Act 1975 entered into between the Minister of Education and the Board

Trust means the Trust as defined by section 2 of the Dilworth Trustees Act 1967 and as varied first by that Act, secondly by the statutory provisions as defined in the said section 2, and thirdly by order of the High Court dated 20 March 1981 made pursuant to section 7 of the said Act.

3 Integration agreements between the Minister of Education and the Board

Notwithstanding anything to the contrary contained in the Private Schools Conditional Integration Act 1975 or the Education Act 1964, the provisions of section 29(2) of the Private Schools Conditional Integration Act 1975 shall apply to any integration agreement entered into between the Minister of Education and the Board and to the establishment and administration of an integrated school in terms of such agreement, except that any prospective pupil may be refused

enrolment at an integrated school on the ground that the socio-economic background of the pupil or the parent of the pupil is such that it does not qualify the pupil to be a beneficiary of the Trust.

4 Power to enter into integration agreements

Notwithstanding anything contained in the terms of the Trust, the Board shall have power to enter into an integration agreement in respect of such part or parts of the Institute as it thinks fit.

5 Private Act

This Act is hereby declared to be a private Act.

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Notes

1 *General*

This is a reprint of the Dilworth Trustees Empowering Act 1983. The reprint incorporates all the amendments to the Act as at 16 December 1983, 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)*
