

**Reprint
as at 12 November 2018**



**Christian Churches New Zealand Property Trust Board
Empowering Act 2016**

Private Act 2016 No 1
Date of assent 13 April 2016
Commencement see section 2

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

Preamble

Whereas it is intended that—

- (a) all of the existing property, rights, powers, and obligations of the Associated Churches of Christ Church Extension and Property Trust Board be transferred to the Christian Churches New Zealand Property Trust Board; and
- (b) the Associated Churches of Christ Church Extension and Property Trust Board be dissolved and that it be removed from the register of charitable trust boards under the Charitable Trusts Act 1957; and
- (c) the Associated Churches of Christ Church Property Act 1929 be repealed:

The Parliament of New Zealand therefore enacts as follows:

1 Title

This Act is the Christian Churches New Zealand Property Trust Board Empowering Act 2016.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

Part 1 Preliminary provisions

3 Interpretation

In this Act, unless the context otherwise requires,—

new board means the Christian Churches New Zealand Property Trust Board incorporated as a board under Part 2 of the Charitable Trusts Act 1957

old board means the Associated Churches of Christ Church Extension and Property Trust Board

property—

- (a) means every type of property; and
- (b) includes—
 - (i) every type of estate and interest in property; and
 - (ii) money; and
 - (iii) all land registered in the name of the old board under the Land Transfer Act 2017.

Section 3 **property** paragraph (b)(iii): amended, on 12 November 2018, by section 250 of the Land Transfer Act 2017 (2017 No 30).

4 Purpose

The purpose of this Act is to—

- (a) transfer all of the existing property, interests, powers, and obligations of the old board to the new board; and
- (b) dissolve the old board and remove it from the register of charitable trust boards under the Charitable Trusts Act 1957; and
- (c) repeal the Associated Churches of Christ Church Property Act 1929.

Part 2

Transfer of property, rights, and obligations from old board to new board

5 Transfer of property, rights, and obligations

- (1) On and from the commencement of this Act, the property, rights, and obligations of the old board are vested in the new board.
- (2) Proceedings that could have been commenced or continued by or against the old board before the commencement of this Act may be commenced or continued by or against the new board on and from the commencement of this Act.

6 Matters not affected by transfer of property, rights, and obligations

The dissolution of the old board and the transfer of its property, rights, and obligations to the new board—

- (a) are not to be treated as placing a person in breach of, or default under, any contract, or in breach of trust, or in breach of confidence, or as otherwise making the person guilty of a civil wrong; and
- (b) are not to be treated as entitling a person to—
 - (i) terminate or cancel or modify a contract, an agreement, or an arrangement; or
 - (ii) enforce or accelerate the performance of an obligation; or
 - (iii) require the performance of an obligation not otherwise arising for performance; and
- (c) do not release any surety wholly or in part from all or any obligation; and
- (d) do not invalidate or discharge any contract or security.

7 Dissolution of old board

- (1) On the commencement of this Act, the old board is dissolved.
- (2) The Registrar of Incorporated Societies must, as soon as practicable after the commencement of this Act, remove the name of the old board from the register kept under Part 2 of the Charitable Trusts Act 1957.

8 Reference in documents

On and from the commencement of this Act, references to the old board in any contract, lease, notice, order, proceedings, or other document have effect as if they were references to the new board.

9 Records and registers

- (1) Neither the Registrar-General of Land nor any other person charged with the keeping of any records or registers is obliged solely by reason of any provision of this Part to change any name in those records or registers or in any document.
- (2) In the absence of evidence to the contrary, an instrument (whether or not it is an instrument of transfer) is sufficient proof, when presented to the Registrar-General of Land or other person referred to in subsection (1), that any property, rights, or obligations have, under this Act, become the property, rights, or obligations of the new board if the following requirements are met:
 - (a) the instrument has been, or purports to have been, executed by the new board; and
 - (b) the property, rights, or obligations in question were the property, rights, or obligations of the old board immediately before the commencement of this Act; and
 - (c) the instrument states that the property, rights, or obligations in question have become the property, rights, or obligations of the new board under this Act.

10 Repeal

The Associated Churches of Christ Church Property Act 1929 (1929 No 3) is repealed.

Reprints notes

1 *General*

This is a reprint of the Christian Churches New Zealand Property Trust Board Empowering Act 2016 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Land Transfer Act 2017 (2017 No 30): section 250