

**Reprint  
as at 23 September 2015**

**Winton Racecourse Reserve Management Ordinance  
1873 (O)**

Provincial Act    411  
Date of assent    7 October 1873

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**In the 37th year of the reign of Her Majesty Queen Victoria**

**An Ordinance to provide for the management of the racecourse reserve at Winton in the Province of Otago.**

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

## Preamble

The Preamble was repealed by section 2 Statutes Repeal Act 1907.

### 1 Short Title

This Ordinance may be cited and referred to as the Winton Racecourse Reserve Management Ordinance 1873 (O).

### 2 Trustees of the Winton Racecourse incorporated

John Thomson the elder of Winton, settler, Thomas McWilliam of Winton, settler, and Frederick Richard White of Winton, hotel-keeper, and all such other persons as shall be hereafter appointed trustees under the provisions of this Ordinance and their successors shall be and they are hereby constituted a corporate body in fact and in law by the name and style of the Trustees of the Winton Racecourse and by that name they and their successors shall have perpetual succession and a common seal with full power and authority by the same name and style to sue and be sued, plead and be impleaded, defend and be defended in all Courts and in all causes and suits at law or in equity whatsoever with power to take, purchase, and hold to them and to their successors all goods, chattels, and personal property whatsoever and also all such lands and hereditaments and possessions as may be transferred to and vested in them as a site for a racecourse or for any other purposes in connection therewith and also to do all other matters and things incidental to or appertaining to a corporate body subject nevertheless to any provisions in this Ordinance contained affecting such powers.

### 3 Power to appoint and remove trustees

- (1) The Minister of Conservation must appoint, by notice in the *Gazette*, not fewer than 3 but no more than 5 persons as trustees of the Winton Racecourse.
- (2) A trustee—
  - (a) must be appointed for a term not exceeding 3 years; and
  - (b) may be reappointed any number of times; and
  - (c) may be removed from office by the Minister, by written notice, for inability to perform the functions of office, legal incapacity, neglect of duty, or misconduct, proved to the satisfaction of the Minister; and
  - (d) may at any time resign office by written notice to the Minister; and
  - (e) remains in office, despite the expiry of his or her term of office, until a successor is appointed (unless he or she resigns or is removed from office).

Section 3: replaced, on 23 September 2015, by section 43 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

**4 Land in Schedule vested in Trust**

The parcel of land described in the Schedule hereto shall be transferred to and vested in and held by the Trustees of the Winton Racecourse and their successors in trust for the purposes of a racecourse subject to the powers, provisions, and conditions herein expressed and declared.

Section 4 was amended by section 2 Statutes Repeal Act 1907 by omitting the word "said".

**5 *[Repealed]***

Section 5 was repealed by section 2 Statutes Repeal Act 1907.

**6 Trust may set apart portion of said land as a racecourse**

It shall be lawful for the Trustees of the Winton Racecourse hereinafter referred to as the Trust to set apart a sufficient portion of the said parcel of land as and for the purposes of a racecourse and from time to time to vary and alter the portion which may for the time being be set apart and to set apart another portion of the said parcel of land as a racecourse in lieu thereof.

**7 Trust may lease surplus land**

It shall be lawful for the Trust by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable the whole or any part of the said parcel of land specified in the said Schedule hereto not required for the purposes of a racecourse for any term or terms of years not exceeding 7 years at any one time.

**8 Application of money**

All money received by the Trust for the rents, issues, and profits of the said parcel of land shall after deducting therefrom all necessary expenses incurred in the management thereof be applied in and towards the cultivation and improvement of the said parcel of land and in rendering any part thereof that may be set apart as a racecourse suitable for that purpose and in and towards providing prizes for races to be run on the said racecourse and generally in and towards the encouragement of the breeding of horses and for such other purposes as the Trust may from time to time determine to apply the same.

**9 Trust to keep accounts and furnish balance sheets to be audited**

The Trust shall keep accurate accounts of all sums of money received for rents, issues, and profits on account of the said parcel of land and of all costs, charges, expenses, and disbursements in connection with the management and maintenance thereof and on the 31st day of March in every year or within one week thereafter the Trust shall prepare accounts and a balance sheet showing the receipts and disbursements of the Trust during the previous year and the actual financial state of the Trust on the 31st day of March in that year and such accounts and balance sheet shall be forwarded in duplicate to the Superintendent who shall cause the same to be forwarded for examination by the Provincial

Auditor in manner described by the Provincial Audit Act 1866 and the Provincial Auditor is hereby required and empowered to examine and audit such accounts and balance sheet and such balance sheet shall be published in the Government *Gazette* of the Province immediately after the same shall have been so audited.

#### **10 Trust may make rules**

It shall be lawful for the Trust and they are hereby authorised and empowered from time to time to make and alter rules for regulating their own proceedings, for prescribing the conditions on which the public shall be permitted to have access to the said racecourse upon any day when the same shall be used for racing purposes, for regulating the price for admission on such occasions, for excluding the public from such parts of the said parcel of land as it may be found necessary or desirable to improve or lay down in artificial grasses, for regulating the charges that may be made for the occupation of any portion of the said racecourse, for the erection of booths or stalls for the sale of refreshments, merchandise, goods or chattels, and for the admission of horses and vehicles to the said racecourse.

### **Schedule**

All that area in the Province of Otago containing by admeasurement 215 acres 3 roods and 22 perches more or less being Sections numbered respectively 2 and 3 Block IV on the Map of Winton Hundred as the same are more particularly described in the Crown Grant therefor bearing date the 31st day of January 1870.

## **Reserves and Other Lands Disposal Act 2015**

Public Act	2015 No 84
Date of assent	22 September 2015
Commencement	see section 2

### **1 Title**

This Act is the Reserves and Other Lands Disposal Act 2015.

### **2 Commencement**

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

## **Part 2** **Land dealings**

### *Winton Racecourse*

#### **44 Transitional provision**

- (1) This section applies to a person who is a trustee of the Winton Racecourse immediately before the commencement of this Act.
- (2) As from the commencement of this Act, the person must be treated as if he or she were appointed as a trustee under section 3 of the Winton Racecourse Reserve Management Ordinance 1873 (as amended by section 43 of this Act) as from that commencement date.

**Eprint notes****1    *General***

This is an eprint of the Winton Racecourse Reserve Management Ordinance 1873 (O) that incorporates all the amendments to that ordinance as at the date of the last amendment to it.

**2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

**3    *Amendments incorporated in this eprint***

Reserves and Other Lands Disposal Act 2015 (2015 No 84): section 43