

Boy Scouts Association (New Zealand Branch) Incorporation Act 1941

Private Act 1941 No 1
Date of assent 28 March 1941

Contents

	Page
Title	1
Preamble.	
1 Short Title.	3
2 Interpretation.	3
3 Incorporation of Boy Scouts Association (New Zealand Branch).	3
4 Powers of Corporation.	3
5 Amendments to the constitution and by-laws.	4
6 Transfer of property to Corporation.	4
7 Provisions of Incorporated Societies Act, 1908, to apply.	4
8 Registration of constitution and by-laws.	4
9 Private Act.	4

An Act to incorporate the Council of the Boy Scouts Association of New Zealand.

Preamble.

WHEREAS there was incorporated in Great Britain by Royal Charter dated the fourth day of January, nineteen hundred and twelve, a body corporate known as the Boy Scouts Association: And whereas the Boy Scouts Association was the outcome of the movement initiated in Great Britain by the late Lord Baden Powell, of Gilwell, O.M., G.C.M.G., G.C.V.O., K.C.B., for the special training and instruction of boys in accordance with the principles and under the organization from time to time laid down in the constitution and in the Policy Organization and Rules of the Boy Scouts Association: And whereas the aforesaid movement has spread throughout the British

**Boy Scouts Association (New Zealand Branch)
Incorporation Act 1941**

Preamble.

1941 No 1

Commonwealth of Nations and elsewhere, and there has for many years past existed in the Dominion of New Zealand an unincorporated organization for the training of boys on the lines and in harmony with the principles of the aforementioned constitution and the Policy Organization and Rules of the Boy Scouts Association and working as a branch of and in close co-operation with the Boy Scouts Association and calling itself the Boy Scouts Association (New Zealand Branch): And whereas the Boy Scouts Association (New Zealand Branch) is governed by a Dominion Council and has its affairs conducted and managed by a Dominion Executive Committee in accordance with the constitution and by-laws adopted by resolution passed at a meeting of the Dominion Council on the fifteenth day of July, nineteen hundred and forty, which constitution and by-laws have been approved by the Boy Scouts Association in Great Britain under the common seal thereof: And whereas Marshal of the Royal Air Force Sir Cyril Newall, G.C.B., O.M., G.C.M.G., C.B.E., A.M.; Sir Robert Anderson, C.M.G.; Brigadier-General A. W. Andrew, C.M.G.; Reverend J. K. Archer; Messieurs H. Amos, H. E. Anderson, A. E. Ansell, W. Appleton; Brigadier F. T. Bowerbank, O.B.E., E.D.; Doctor A. G. Butchers; Messieurs C. R. Bach, J. S. Barnett, G. W. Bishop, C. M. Bowden, D. Boyle, T. C. Brash; Air-Marshal Sir Robert Clark-Hall, K.B.E., C.M.G., D.S.O.; the Right Reverend Monseigneur T. F. Connolly, V.F.; Brigadier Cunningham, C.B.E., D.S.O., V.D.; Lieutenant-Colonel F. B. Cresswell; Messieurs H. Christie, Ian T. Cook, E. Dixon, W. Dyer, D. A. Ewen; Colonel P. Clennel-Fenwick, C.M.G., V.D.; Sir James Grose; Messieurs H. S. J. Goodman, J. N. Greenland; the Right Reverend the Lord Bishop of Wellington, H. St. Barbe Holland; Miss R. Herrick; Messieurs E. W. Hunt, J. M. A. Ilott; Major N. S. Johnson; Major P. H. Johnson; Doctor Marshall Macdonald; Messieurs G. A. Martin, J. T. Martin, J. Todd McCaw, C. G. McKellar; Reverend G. M. McKenzie; Messieurs W. F. Meek, D. R. Menzies, J. R. Middleton, F. Milner, C.M.G., W. H. Montgomery, C.B.E., R. Nelson, W. H. Nichols; Reverend W. H. Orbell; Messieurs J. L. Passmore, Gordon J. Reid, D. H. Riddiford, E. Riddiford, W. G. Rodger; Sir Joseph Smith, C.I.E.; Major F. W. Sandford, V.D.; Messieurs A. Service, P. A. Smithells, F. G. Southon; Major C. T. Tatum; Mister H. G. Teagle; the Most Reverend the Archbishop of New Zealand, Doctor C. West-Watson; Miss N. Wilson; Messieurs A. B. Williams, H. B. Williams, A. F. A. Woollams; the Honorary Secretary and Honorary Treasurer, and all Commissioners of the movement in New Zealand are the present members of the said Dominion Council of the Boy Scouts Association (New Zealand Branch): And whereas in the course of its existence the Boy Scouts Association (New Zealand Branch) has acquired real and personal property in New Zealand and gifts, grants, and contributions have been received by it or have been vested in trustees for the benefit of or for the use of the said Boy Scouts Association (New Zealand Branch) generally or for the benefit of some particular Scout Troop, Cub Pack, or other local unit within the organization of the Boy Scouts Association (New Zealand Branch): And whereas it is desirable that the Dominion Council of the Boy Scouts Association (New Zealand Branch) should be incorporated so that the organization in New Zealand can function on similar lines to the Boy Scouts Association in Great Britain, and be thereby enabled to hold and deal effectively with

its property, maintain its organization, and generally promote and further the interests of the Boy Scout movement in New Zealand:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

This Act may be cited as the Boy Scouts Association (New Zealand Branch) Incorporation Act, 1941.

2 Interpretation.

In this Act, unless the context requires a different construction,—

“The Association” means the Boy Scouts Association incorporated in the United Kingdom by Royal Charter dated the fourth day of January, nineteen hundred and twelve:

“Constitution and by-laws” means the constitution and by-laws of the Boy Scouts Association (New Zealand Branch):

“The Corporation” means the body incorporated by this Act:

“Group” means a unit of the Scout movement in New Zealand composed of one or more of the following: a Wolf Cub Pack, Boy Scout Troop, Rover Scout Crew:

“New Zealand Branch” means the Boy Scouts Association (New Zealand Branch).

3 Incorporation of Boy Scouts Association (New Zealand Branch).

The persons aforesaid who on the passing of this Act are members of the Dominion Council of the Boy Scouts Association (New Zealand Branch) in accordance with the constitution and by-laws and all other persons who shall in accordance with the constitution and by-laws become members of the Council shall henceforth be one body corporate by the name of “The Boy Scouts Association (New Zealand Branch), Incorporated”, having perpetual succession and a common seal, and shall be capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer.

4 Powers of Corporation.

The control of the Boy Scout movement in all its activities in New Zealand shall be vested in the Corporation, which, subject to the constitution and by-laws, shall have power to provide and maintain such organization in New Zealand as the Corporation deems necessary or desirable to perform and exercise all such duties or powers as may be delegated to it by the Association under the provisions of the Royal Charter and generally to do all things which the Corporation may in its discretion consider necessary or desirable for promoting the welfare of the New Zealand Branch.

5 Amendments to the constitution and by-laws.

The Corporation may from time to time alter and amend the constitution and by-laws and may thereby delegate the administration of any matter within the powers of the Corporation to the Executive Committee of the Corporation appointed according to the constitution and by-laws or to such other body as the Corporation shall think fit, and the Executive Committee or such other body shall in respect of any matter so delegated have all the powers of the Corporation.

6 Transfer of property to Corporation.

The Corporation shall have power to require that all real and personal property, stock, funds, securities, and other assets of every description belonging to the New Zealand Branch or any group or held in trust for or for the use of the same shall be transferred to or otherwise vested in the Corporation by any person holding the same, and on any such transfer or vesting the Corporation shall thereafter execute and perform any trust or conditions affecting any of such assets and shall defray or provide for any debts or liabilities to the discharge of which the said assets or any of them shall at the time of transfer or vesting be applicable and shall give any trustees in whom any such assets may be vested a valid receipt, discharge, and indemnity for and in respect of the transfer or vesting of the same in the Corporation. The rights of the Corporation under this section may be enforced by action in any Court of competent jurisdiction.

7 Provisions of Incorporated Societies Act, 1908, to apply.

Sections thirteen to eighteen of the Incorporated Societies Act, 1908, shall apply to the Corporation in all respects as if it were a society incorporated under that Act.

8 Registration of constitution and by-laws.

- (1) As soon as practicable after the commencement of this Act a copy of the Royal Charter of the fourth day of January, nineteen hundred and twelve, and a copy of the constitution and by-laws each sealed with the seal of the Corporation shall be delivered to the Registrar of Incorporated Societies under the Incorporated Societies Act, 1908, accompanied by a statutory declaration made by an officer of the Corporation that such copies are true copies.
- (2) True copies of any amendments or alterations that may be made in the constitution and by-laws shall in like manner be delivered to the Registrar verified as aforesaid.

9 Private Act.

This Act is hereby declared to be a private Act.