

Church of England Trusts Amendment Act 1960

Private Act 1960 No 2
Date of assent 2 September 1960

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An Act to amend the Church of England Trusts Act 1913

WHEREAS it is desirable that Diocesan Boards of Trustees, to whom lands have been directly conveyed or given by donors or vendors, shall have the same powers of sale, exchange, mortgage, and lease of such lands as they already have under sections 8 and 9 of the Church of England Trusts Act 1913, as amended by section 2 of the Church of England Trusts Amendment Act 1937, and by section 2 of the Church of England Trusts Amendment Act 1945, in respect of lands which have been or may hereafter be conveyed or given to trustees for any religious, charitable, educational, or other purpose in connection with the Church of the Province of New Zealand, commonly called the Church of England, and which have become or may hereafter become vested in a duly incorporated Diocesan Board of Trustees: And whereas it is also desirable that the power of appointing new trustees of the Wellington Diocesan Maori Endowment Trust Board shall be exercisable by the Standing Committee of the Diocese of Wellington when the Synod of that Diocese is not in session:

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 Church of England Trusts Amendment Act 1960, and shall be read together with and deemed part of the Church of England Trusts Act 1913 (hereinafter referred to as the principal Act).

2 Section 8 of principal Act amended

- (1) The principal Act is hereby amended by repealing section 8 thereof, as amended by section 2 of the Church of England Trusts Amendment Act 1937, and substituting the following:

“8 Where any lands situate in any Diocese of the said Church have become or shall hereafter become vested for any religious, charitable, educational, or other purpose in the Diocesan Board of Trustees for such Diocese duly incorporated or now deemed to be incorporated under the Charitable Trusts Act 1957 or any Act amending or in substitution for the same, such Board shall have in relation to such lands respectively, or to any part or parts thereof respectively, the powers set out in the Schedule hereto, but so that the powers of selling, exchanging, and mortgaging shall be exercised only by authority of the Diocesan Synod, or, if the Diocesan Synod be not in session, of the Standing Committee of such Diocese, given in the case of each sale, exchange, or mortgage:

“Provided always that this section shall not be deemed to take away any powers affecting the said lands, nor shall it apply to the granted hereditaments as defined in this Act or to any lands referred to in section 7 of this Act.”

- (2) Section 2 of the Church of England Trusts Amendment Act 1937 is hereby repealed.

3 Mode of appointment of trustees of the Wellington Diocesan Maori Endowment Trust Board

The Synod of the Diocese of Wellington shall have power to appoint new or additional trustees of hereditaments held by the Wellington Diocesan Maori Endowment Trust Board, now deemed to be incorporated under the Charitable Trusts Act 1957, and the Standing Committee of the said Diocese shall have the like power when the said Synod is not in session.

4 Private Act

This Act is hereby declared to be a private Act.