

**Reprint
as at 30 January 2021**

Trustee Amendment Act 2005

Public Act 2005 No 23
Date of assent 24 March 2005

Trustee Amendment Act 2005: repealed, on 30 January 2021, pursuant to section 162(a) of the Trusts Act 2019 (2019 No 38).

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Trustee Amendment Act 2005.
- (2) In this Act, the Trustee Act 1956 is called “the principal Act”.

2 Commencement

This Act comes into force on 26 April 2005.

Note

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

This Act is administered by the Ministry of Justice.

3 Application

- (1) The amendments made to section 40(2) of the principal Act by section 4 apply in respect of any accumulated residue referred to in section 40 of the principal Act, even if the accumulation was made before the commencement of this Act.
- (2) The amendments made to section 42(1)(b) of the principal Act by section 5 apply in respect of any trust coming into operation under section 42 of the principal Act, even if the trust came into operation before the commencement of this Act.

4 Power to apply income for maintenance, etc, and to accumulate surplus income during a minority

- (1) The principal Act is amended by inserting in section 40(2)(a)(i), after the word “marries”, the words “or enters into a civil union”.
- (2) The principal Act is amended by omitting from section 40(2)(a)(i) the words “his marriage” and substituting the words “he or she marries or enters into a civil union”.
- (3) The principal Act is amended by omitting from section 40(2)(a) the word “marriage” in the second and third places where it appears and substituting in each case the words “marrying or entering into a civil union”.

5 Protective trusts

- (1) The principal Act is amended by omitting from section 42(1)(b)(i) the words “or husband”, and substituting the words “, husband, civil union partner, or de facto partner”.
- (2) The principal Act is amended by inserting in section 42(1)(b)(ii), after the word “husband”, the words “or civil union partner or de facto partner”.

Reprint notes

1 General

This is a reprint of the Trustee Amendment Act 2005 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 About this reprint

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

3 Amendments incorporated in this reprint

Trusts Act 2019 (2019 No 38): section 162(a)