

**Reprint
as at 23 October 1948**



**Bryant House Trust Board
Enabling Act 1948**

Private Act 1948 No 2
Date of assent 22 October 1948
Commencement 22 October 1948

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An Act to empower the Bryant House Trust Board to transfer to the Mary Bryant Trust Board certain of its assets for the purpose

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**of providing funds for the establishment and maintenance of a
home for children in the city of Hamilton****Preamble**

Whereas by a certain deed of trust dated 17 November 1924 Daniel Vickery Bryant, of Te Rapa, near Hamilton, farmer, expressed his desire to give and present certain lands at Raglan, together with certain stock and implements, to the trustees named in the aforesaid deed of trust and also to provide money and funds for the erection of a convalescent home for children on the said lands and for the maintenance and upkeep thereof:

And whereas by memorandum of transfer dated 17 November 1924 the said lands were duly transferred and the said stock and implements were duly handed over to the said trustees:

And whereas the aforesaid deed of trust declared that the said lands and chattels and moneys (together with the increase and proceeds of the said stock and implements and the said moneys) should be held by the trustees and their successors in perpetuity upon trust for the purposes of a convalescent home for children:

And whereas by a supplemental deed bearing date 4 February 1929 the trustees were given the further power to purchase any freehold or leasehold lands and to purchase any livestock, chattels, choses-in-action, or personal property:

And whereas, in pursuance of the said power, the trustees purchased a freehold farm property near Te Kuiti, together with certain livestock and implements:

And whereas the said trustees were on 7 June 1946 duly incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act 1908 as a Trust Board with the name or title of the Bryant House Trust Board:

And whereas by a certain memorandum of transfer dated 19 November 1947 Mary Bouchier Bryant, of Hamilton, wife of the said Daniel Vickery Bryant, transferred her house property in Hamilton, described as Lots 1 and 2 on a plan deposited in the Land Registry Office at Auckland as Number 26527, and being all the land in certificate of title, Volume 680, folio 26, Auckland Registry, to certain

trustees, and contemporaneously by deed of trust bearing date 19 November 1947 declared that the said property should be held by the Mary Bryant trustees upon trust for the purpose of a home for children:

And whereas the Mary Bryant trustees have become incorporated as a Trust Board under the provisions of the Religious, Charitable, and Educational Trusts Act 1908 with the name or title of the Mary Bryant Trust Board:

And whereas the Bryant House Trust Board is desirous of transferring to the Mary Bryant Trust Board the aforesaid farm property near Te Kuiti, together with all live and dead stock on the said farm property as at 30 April 1948 and all moneys standing to the credit of the Bryant House Trust Board in its Bryant House Te Kuiti Account in the Bank of New South Wales at Hamilton as on 30 April 1948 for the purpose of providing a fund for the establishment and maintenance of the said home for children in the City of Hamilton:

And whereas the Bryant House Trust Board, under the aforesaid deed of trust dated 17 November 1924, has no power to dispose of the said assets in the manner aforesaid and is desirous that statutory authority should be given to empower the Bryant House Trust Board to make such transfer:

And whereas the Bryant House Trust Board will, after transferring the above-described Te Kuiti assets and the Bryant House Te Kuiti Account in the Bank of New South Wales at Hamilton, have sufficient assets remaining to carry on the original trusts declared and imposed by the said deed of trust dated 17 November 1924.

1 Short Title

This Act may be cited as the Bryant House Trust Board Enabling Act 1948.

2 Power to transfer certain assets to Mary Bryant Trust Board

The Bryant House Trust Board is hereby empowered and authorised to give and transfer to the Mary Bryant Trust Board all its Te Kuiti assets and all moneys standing to the credit of the Bryant House Te Kuiti Account in the Bank of New

South Wales at Hamilton, as more particularly described in the Schedule.

3 Transferred assets to be held on new trusts

The aforesaid assets and moneys shall henceforth be held by the Mary Bryant Trust Board upon the trusts reposed in it by virtue of the aforesaid deed of trust dated 19 November 1947 and freed and discharged from the trusts heretofore affecting them.

4 Private Act

This Act is hereby declared to be a private Act.

Schedule Land

- (a) All that parcel of land in the Provincial District of Auckland, containing 313 acres 3 roods 17.6 perches, more or less, being part of the block situated in Block XV of the Orahiri Survey District and Block III of the Otanake Survey District called Tapuiwahine 1C 2C, and being the residue of the land in certificate of title, Volume 674, folio 53, Auckland Registry, subject to the restrictions imposed by section 248 of the Maori Land Act 1931.
- (b) All that parcel of land in the said provincial district, containing 42 acres 1 rood and 20 perches, more or less, being the block situated in Block III of the Otanake Survey District called Tapuiwahine 1C 2A, and being the whole of the land comprised in certificate of title, Volume 683, folio 182, Auckland Registry, subject to the restrictions imposed by section 248 of the Maori Land Act 1931.
- (c) All that parcel of land in the said provincial district, containing 457 acres, more or less, being the block situated in Block XV of the Orahiri Survey District and Block III of the Otanake Survey District called Tapuiwahine No 1C, Section 1, and being the whole of the land comprised in certificate of title, Volume 666, folio 287, Auckland Registry, subject to the restrictions imposed by section 248 of the Maori Land Act 1931.
- (d) All that parcel of land in the said provincial district, containing 48 acres 2 roods 13 perches, more or less, being the block situated in Block III of the Otanake Survey District called Tapuiwahine 1C 2B, and being the whole of the land comprised in certificate of title, Volume 674, folio 228, Auckland Registry, subject to the restrictions imposed by section 248 of the Maori Land Act 1931.
- (e) All that parcel of land in the said provincial district, containing 47 acres 1 rood 11.5 perches, more or less, being part of the block situated in the Orahiri Survey District called Te Kumi Number 3B, Number 3, originally acquired by Te Niko Mauritu and others on 23 March 1899, and being the residue of the land comprised in certificate of title, Volume 215, folio 274, Auckland Registry, subject to the restrictions imposed by Part 13 of the Land Act 1908.

- (f) All those parcels of land, containing together 11 acres 2 roods 10 perches, more or less, being the block situated in Block XV of the Orahiri Survey District called Te Kumi A2 (being formerly parts of Te Kumi 3B 1B and Te Kumi 3B 2 Blocks), and being all the land comprised in certificate of title, Volume 691, folio 60, Auckland Registry, subject to the restrictions imposed by section 248 of the Maori Land Act 1931.

Stock and plant as at 30 April 1948

3 000 mixed breeding ewes
80 rams
240 fattening lambs
168 Romney ewe hoggets
40 Southdown ram hoggets
267 run cattle
6 horses
Harnesses
Plant

Cash

	£	s	d
Moneys standing to the credit of the Bryant House Trust Board in the Bryant House Te Kuiti Account at the Bank of New South Wales, Hamilton, as at 30 April 1948	14,941	14	10
Sundry debtors as at 30 April 1948	190	0	0
	15,131	14	10

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Notes

1 *General*

This is a reprint of the Bryant House Trust Board Enabling Act 1948. The reprint incorporates all the amendments to the Act as at 23 October 1948, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
