



Charitable Trusts Amendment Act 2010

Public Act 2010 No 51
Date of assent 6 July 2010
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Charitable Trusts Amendment Act 2010.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Charitable Trusts Act 1957.

4 New sections 26 and 26A substituted

Section 26 is repealed and the following sections are substituted:

“26 Dissolution by Registrar

- “(1) The Registrar may make a declaration (a **declaration of dissolution**) that a Board is dissolved, if the Registrar is satisfied that the Board—
- “(a) is no longer carrying on its operations; or
 - “(b) has been registered because of a mistake of fact or law.
- “(2) The Registrar must ensure that, as soon as practicable after it is made, the declaration of dissolution is—
- “(a) recorded in the register; and
 - “(b) published—
 - “(i) in the *Gazette*; and
 - “(ii) on an Internet site maintained by, or on behalf of, the Registrar, at all reasonable times, for a period of not less than 20 working days.
- “(3) A society is dissolved at the time the declaration of dissolution is recorded in the register, with effect from the date of the declaration.
- “(4) If the Registrar is satisfied that a declaration of dissolution was made in error and should be revoked, the Registrar may make a declaration (a **declaration of revocation**) that the declaration of dissolution is revoked.
- “(5) The Registrar must ensure that, as soon as practicable after it is made, the declaration of revocation is—
- “(a) recorded in the register; and
 - “(b) published—
 - “(i) in the *Gazette*; and
 - “(ii) on an Internet site maintained by, or on behalf of, the Registrar, at all reasonable times, for a period of not less than 20 working days.
- “(6) At the time the declaration of revocation is recorded in the register the society is revived, as if no dissolution had taken place, with effect from the time that the society was dissolved.

“26A Registrar may inquire whether Board still carrying on operations

- “(1) It is sufficient to satisfy the Registrar, for the purposes of section 26(1), that a Board is no longer carrying on its operations if—
- “(a) the Registrar sends a registered letter to the Board, addressed to the Board at its registered office, inquiring whether it is still carrying on its operations; and
 - “(b) either—
 - “(i) the Registrar does not receive a reply to the registered letter within 6 months after the date that the letter is posted; or
 - “(ii) the letter is not delivered and is returned to the Registrar.”
- “(2) Nothing in this section prevents the Registrar from satisfying himself or herself in any other manner that the Board is no longer carrying on its operations.”

5 Register of Boards and seal of Registrar

Section 28 is amended by inserting the following subsection after subsection (1):

- “(1A) The register may be kept in any manner that the Registrar thinks fit, including, either wholly or partly, by means of a device or facility—
- “(a) that records or stores information electronically or by other means; and
 - “(b) that permits the information so recorded or stored to be readily inspected or reproduced in usable form.”
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Legislative history

29 June 2010	Divided from Statutes Amendment Bill by committee of the whole House, third reading
6 July 2010	Royal assent

This Act is administered by the Ministry of Economic Development.
