

**Reprint  
as at 21 October 1949**



**George and Annie Troup Trust Act  
1949**

Private Act 1949 No 3  
Date of assent 20 October 1949  
Commencement 20 October 1949

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**An Act to vary the terms of the trusts created by the late Sir George Alexander Troup, of Wellington, and Dame Annie Mary Troup, his wife, by extending the period within which certain conditions attaching to a gift for the building and establishing of an institute for the organisation known as the Young Men's Bible**

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**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.

**Class of the St John's Presbyterian Church, Wellington, may be performed****Preamble**

Whereas by declaration of trust dated 24 May 1935 and made between George Alexander Troup, retired civil servant, and Annie Mary Troup, his wife, both of the City of Wellington, of the one part, and Julian Ralph Blanchard and others therein named and described (hereinafter referred to as the **original trustees**), of the other part, it was declared, inter alia, that the said Annie Mary Troup would henceforth hold the land comprised and described in certificate of title, Volume 359, folio 125 (Wellington Registry), upon trust to permit the original trustees to sell the same and to pay the net proceeds of the sale to the original trustees to be held by them upon, inter alia, the following trusts:

- (a) to invest the proceeds upon certain specified investments and to hold such proceeds and the investments representing the same and the accumulations of income therefrom until 31 May 1938:
- (b) on the said 31 May 1938, to transfer and hand over the said investments, proceeds of sale, and accumulations of income (hereinafter referred to as the **trust funds**) to the Presbyterian Church Property Trustees, a body corporate constituted under the Presbyterian Church Property Act 1885:

And whereas the said declaration of trust further provided, inter alia, that the Presbyterian Church Property Trustees should hold the trust funds upon trust to invest the same and to accumulate the income therefrom and in due course to convert the same into money and to expend the trust funds for the purposes of building and establishing an institute for the organisation known as the Young Men's Bible Class of the St John's Presbyterian Church, Wellington:

And whereas the said declaration of trust further provided, inter alia, that if such an institute should not be built and established on or before 31 May 1950, then the Presbyterian Church Property Trustees should hold the said trust funds and the accumulated income therefrom upon trust for the

Wellington Boys' Institute and S. A. Rhodes Home For Boys (Incorporated) absolutely:

And whereas the said land was duly sold and the net proceeds thereof invested by the original trustees and the income therefrom accumulated until the said 31 May 1938:

And whereas on the said 11 August 1938 the trust funds were transferred and handed over to the Presbyterian Church Property Trustees:

And whereas the estimated value of the trust funds and the accumulated income therefrom was as at 31 March 1949 the sum of 1,500 pounds (£1,500) or thereabouts:

And whereas the conditions resulting from the existence of a state of war from 3 September 1939 down to the cessation of hostilities on 25 August 1945 gave rise to the imposition of severe restrictions upon the use of building materials and the erection and construction of buildings generally, as well as greatly increasing the cost of the same, and such conditions have made it impracticable for the Presbyterian Church Property Trustees to proceed with the building and establishment of an institute:

And whereas similar conditions and restrictions exist at the present time, and are likely to exist for a considerable period in the future:

And whereas it is desired by the Presbyterian Church Property Trustees to obtain a variation of the trusts created by the said declaration of trust to provide that the gift-over of the trust funds and the accumulated income therefrom to the said Wellington Boys' Institute and the S. A. Rhodes Home for Boys (Incorporated) shall take effect if, but only if, the said institute is not built and established on or before 31 May 1956 and such variation is not attainable otherwise than by legislation.

**1 Short Title**

This Act may be cited as the George and Annie Troup Trust Act 1949.

**2 Interpretation**

In this Act, if not inconsistent with the context,—

**declaration of trust** means the said declaration of trust of 24 May 1935

**institute** means an institute for the Young Men's Bible Class of the St John's Presbyterian Church in the City of Wellington as specified in the declaration of trust

**trust funds** means and includes the proceeds of the sale of the land of the said Annie Mary Troup described in the declaration of trust, together with the accumulated income therefrom and the investments for the time being representing the same at present in the hands of or under the control of the trustees

**trustees** means the Presbyterian Church Property Trustees.

**3 Variation of declaration of trust**

Notwithstanding anything to the contrary in the declaration of trust, the trustees shall hold the trust funds upon trust for the Wellington Boys' Institute and S. A. Rhodes Home for Boys (Incorporated) if, but only if, the institute shall not be built and established on or before 31 May 1956.

**4 Private Act**

This Act is hereby declared to be a private Act.

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## **Notes**

### **1 *General***

This is a reprint of the George and Annie Troup Trust Act 1949. The reprint incorporates all the amendments to the Act at 21 October 1949, 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)*

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