

**Reprint
as at 27 October 1955**



**Mary Bryant Trust Board Enabling
Act 1955**

Private Act 1955 No 4
Date of assent 26 October 1955
Commencement 26 October 1955

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An Act to enlarge or extend the powers of the Mary Bryant Trust Board and to grant that Board authority to dispose of surplus income

Preamble

Whereas by deed of trust bearing date 19 November 1947
Mary Bouchier Bryant, of Hamilton, married woman,

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.

expressed her desire to give and present certain land in Hamilton to the Trustees named in the said deed of trust for the purpose of a home for children:

And whereas by memorandum of transfer bearing date the said 19 November 1947 the said Mary Bouchier Bryant, in pursuance of her said desire, transferred unto the said Trustees all that piece or parcel of land in the Provincial District of Auckland containing 1 rood and 24 perches, more or less, being Lots 1 and 2 on a plan deposited in the Land Registry Office at Auckland as Number 26527, being portion of Allotment 328 of the Town of Hamilton West, and being all the land in certificate of title, Volume 680, folio 26, Auckland Registry:

And whereas the said deed of trust declared that the said land should be held in perpetuity upon trust for the purposes of a home for children, and directed that the Trustees should make application for incorporation under the Religious, Charitable, and Educational Trusts Act 1908 of a Trust Board to be known as the Mary Bryant Trust Board:

And whereas the said Mary Bouchier Bryant died on or about 7 December 1947:

And whereas on 19 May 1948 the said Trustees were duly incorporated under the said Act under the name or title of the Mary Bryant Trust Board:

And whereas, pursuant to the said deed of trust, the said land has now been transferred to and vested in the Mary Bryant Trust Board (hereinafter called the **Board**) for the purposes therein set out:

And whereas, following upon the passing of the Bryant House Trust Board Enabling Act 1948 and pursuant thereto, a certain farm property therein mentioned, together with live and dead stock thereon and the sum of 15,131 pounds 14 shillings and 10 pence, was transferred to and settled upon the said Board by the Bryant Trust Board, a body duly incorporated under the Religious, Charitable, and Educational Trusts Act 1908 and having its registered office at Hamilton for the purposes of establishing an endowment with which to carry out the trusts of the said deed of trust:

And whereas on 22 May 1949 the said Board opened up on the said land at Hamilton a home for the care of children who, through sickness or any other cause, find it necessary to be separated from their mothers, and the Board has continued to conduct the home since that date:

And whereas since the said settlement by the Bryant House Trust Board of the said assets the annual income therefrom has provided to the said Board sufficient funds not only to conduct the said home for children, but also to provide a reserve capital fund which, in the opinion of the Board, is adequate for the future requirements of the said home:

And whereas the powers vested in the Board under the said deed of trust restrict the Board to the provision and conduct of a home for children on the said land in perpetuity:

And whereas the Board desires that statutory authority be given for the establishment by the Board of further homes for children and to enable it to benefit other public charitable organizations formed for the protection, advancement, education, or benefit of children.

1 Short Title

This Act may be cited as the Mary Bryant Trust Board Enabling Act 1955.

2 Extension of powers of Trustees

(1) In addition to the powers and authorities reposed in them under the said deed of trust dated 19 November 1947, and otherwise by any enactment or law, the Trustees of the said Board may exercise all or any of the following powers and authorities, namely:

- (a) to establish, provide, and maintain homes, hostels, and other accommodation in the Waikato and elsewhere in New Zealand for the care and benefit of children:
- (b) to purchase and lease land and other assets for the purposes of establishing homes, hostels, and other accommodation for the benefit of children:
- (c) to support or assist, whether financially or otherwise, any object for the protection, advancement, education, or benefit of children or to make any payments for any

such object to any charitable or religious organization having any such objects as its sole object or as one of its objects, and the receipt of the secretary or treasurer or other proper officer of any organization so benefited shall be a sufficient discharge to the Board for the payment of any moneys:

provided that the Board shall not be concerned to trace the application of any moneys so granted.

- (2) The powers and authorities conferred on the said Trustees by this section may be exercised only out of funds derived from such of the income of the said Board as it deems from time to time to be surplus to the requirements of the object set out in the said deed of trust.

3 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 Mary Bryant Trust Board Enabling Act 1955. The reprint incorporates all the amendments to the Act as at 27 October 1955, 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)*
