

**Reprint
as at 4 October 1952**



**Social Service Council of the
Diocese of Christchurch Act 1952**

Private Act 1952 No 1
Date of assent 3 October 1952
Commencement see section 3

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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.

An Act to constitute and incorporate the Social Service Council of the Diocese of Christchurch, and to dissolve certain Boards in order that their functions may be taken over and their property vested in the Social Service Council of the Diocese of Christchurch, and to provide for trusts and incidental matters

Preamble

Whereas on 7 October 1892 St. Saviour's Guild was incorporated under the Religious, Charitable, and Educational Trust Boards Incorporation Act 1884:

And whereas on 14 June 1922 St. Anne's Guild Society was incorporated under the Religious, Charitable, and Educational Trusts Act 1908:

And whereas on 9 July 1947 the Anglican Society of the Friends of the Aged Trust Board was incorporated under the Religious, Charitable, and Educational Trusts Act 1908:

And whereas the above-mentioned organizations were incorporated to perform in the Diocese of Christchurch in the Church of the Province of New Zealand, commonly called the Church of England, various types of social work as set out in their respective constitutions or rules:

And whereas the Synod of the said Diocese in 1950 appointed a commission to inquire into the advisability of co-ordinating and extending the social work of the Diocese:

And whereas the commission duly reported to the said Synod in 1951 and recommended, inter alia, that "the amalgamation of all existing organizations doing social work into a new organization be the urgent objective of the Diocese":

And whereas the said Synod in 1951 approved the said recommendation and instructed the Standing Committee to submit to Parliament a private Bill to carry out the following:

- (a) the dissolution of not less than 2 of the following organizations—St. Saviour's Guild Society or Trust Board, St. Anne's Guild Society, and the Anglican Society of the Friends of the Aged Trust Board:

- (b) the establishment of a society to be known as the Anglican Society of Social Work or such other name as the Standing Committee should approve:
- (c) the transfer of all assets belonging to the organizations dissolved by the Bill to the society so to be established:

And whereas the said Synod recommended the insertion in the Bill of certain provisions concerning trusts and the initial working of the Society established by the Bill, which recommendations are incorporated in this Act:

And whereas the said Standing Committee has approved the name the Social Service Council of the Diocese of Christchurch:

And whereas the said Synod resolved that no such Bill be submitted to Parliament until 2 or more of the above-mentioned organizations had given their unconditional assent to dissolution and the Standing Committee had approved the draft:

And whereas all of the above-mentioned organizations have given their unconditional assent to dissolution by resolutions passed at meetings duly called in accordance with their respective constitutions or rules, and the Standing Committee has approved the draft of this Act.

1 Short Title

This Act may be cited as the Social Service Council of the Diocese of Christchurch Act 1952.

2 Interpretation

The Diocese means the Diocese of the Church of the Province of New Zealand, commonly called the Church of England, of which the City of Christchurch is the Bishop's see

St. Saviour's Guild means St. Saviour's Guild, a society incorporated under the Religious, Charitable, and Educational Trust Boards Incorporation Act 1884, and commonly called St. Saviour's Guild Society or Trust Board.

3 Commencement

Sections 1 to 3 and 8 shall come into force on the passing of this Act. The other sections of this Act shall come into

force on the day after the date of the meeting of the Standing Committee of the Diocese at which subsections (1) and (2) of the said section 8 are complied with. A certificate by the Bishop of the Diocese that the said meeting has been held shall be conclusive evidence that such meeting has been held and of the date thereof.

4 Social Service Council of the Diocese of Christchurch established

- (1) There is hereby established a body corporate to be called the Social Service Council of the Diocese of Christchurch (hereinafter referred to as the **Council**), which shall have perpetual succession and a common seal, and shall be deemed to have been duly incorporated under and to be a trust Board for the purposes of the Religious, Charitable, and Educational Trusts Act 1908.
- (2) The objects of the Council shall be to perform the work hitherto performed by the Boards dissolved by this Act and in addition any such other charitable work as may come within the scope of the objects of the Council as set out in the rules of the Council.
- (3) The Council shall consist of the persons who are for the time being members thereof pursuant to the rules of the Council.

5 Dissolution of certain Boards

St. Saviour's Guild, incorporated on 7 October 1892 under the Religious, Charitable, and Educational Trust Boards Incorporation Act 1884, St. Anne's Guild Society, incorporated on 14 June 1922 under the Religious, Charitable, and Educational Trusts Act 1908, and the Anglican Society of the Friends of the Aged Trust Board, incorporated on 9 July 1947 under the Religious, Charitable, and Educational Trusts Act 1908 (hereinafter referred to as the **former Boards**) are hereby dissolved.

6 Vesting of property in Council, subject to trusts

- (1) All real and personal property whatsoever held by the former Boards or any of them is hereby vested without conveyance, transfer, or assignment in the Council, subject to all debts, liabilities, encumbrances, charges, liens, and interests (if any)

affecting the same; and the Council shall take over and satisfy all debts and liabilities of the former Boards existing immediately before the commencement of this section and shall hold the said real and personal property for the same estate or interest and upon the same trusts and with the same functions, rights, powers, duties, and obligations as the former Boards held such property immediately before the commencement of this section; and all documents executed, all engagements entered into, or liabilities assumed or payments made or other acts of authority which have been made, performed, or done, by any of the former Boards shall be deemed to be made, performed, or done by the Council, and shall be binding upon the Council.

- (2) The Council is hereby empowered to accept, at the request of the Standing Committee of the Diocese, and to administer any charitable trust for social work in the Diocese, other than those imposed upon it by virtue of subsection (1).
- (3) Any real or personal property which would hereafter, but for the passing of this Act, become vested in any of the former Boards shall become vested in the Council, and any will, deed, conveyance, transfer, assignment, or other instrument whereby any real or personal property is transferred, given, devised, bequeathed, or otherwise disposed of to or for the benefit of any of the former Boards shall be read and construed as if the name of the Council were substituted therein for the name of the Board; but the Council shall hold the said property on the same trusts, with the same functions, rights, powers, duties, and obligations, as those upon which that Board would have held the same.
- (4) Any real or personal property which becomes vested in the Council otherwise than by virtue of subsections (1) and (3) shall, in the absence of any effective stipulation to the contrary in any will, deed, conveyance, transfer, assignment, or other instrument, be held by the Council upon trust for the objects of the Council and in accordance with the rules of the Council.

7 Entries in registers relating to property

Every District Land Registrar, and every other person having charge of the register showing the ownership of any property,

shall, on written application under the seal of the Council, and upon payment of such fee as may be prescribed in that behalf by any enactment relating to the register, register the Council as proprietor of all estates or interests in land registered under the Land Transfer Act 1915, or, as the case may require, of any other property, vested in the Society by virtue of this Act.

8 Constitution of Council

- (1) Upon the passing of this Act the Standing Committee of the Diocese shall as soon as practicable appoint not less than 12 persons (of whom one shall be designated Chairman by the said Standing Committee) to administer provisionally the affairs of the Council as its Provisional Executive (hereinafter referred to as the **Provisional Executive**). Of such persons not less than 6 shall be members of the Council of St. Saviour's Guild, not less than 5 shall be members of the Committee of the Anglican Society of the Friends of the Aged Trust Board, and not less than 1 shall be a member of the Council of St. Anne's Guild Society.
- (2) The said Standing Committee shall prescribe rules for the Council providing for qualifications for membership, the method of appointment, and terms of office of members of the Committee of the Council, the regulation of the proceedings of the Council and of the Committee, the acquisition and alienation of property, the winding up of the Council, and such other matters as may be necessary for the administration of its affairs and for giving effect to this Act.
- (3) The said rules shall remain the rules of the Council until duly altered in such manner as may be therein provided.
- (4) The Provisional Executive shall be bound by the said rules.
- (5) The said Standing Committee shall instruct the Provisional Executive to call a general meeting of persons qualifying for membership of the Council under the said rules within 3 months after the whole of this Act shall come into force for the purpose of electing officers in accordance with the said rules and considering such other business as the Provisional Executive shall consider necessary. If the Provisional Executive fails to call such a general meeting, the said Standing

Committee shall have power to do so at any time after the expiration of the said period of 3 months.

9 Receipts by authorized officer to be valid discharge

The receipt in writing of any Secretary, Treasurer, or Agent of the Council duly authorized in that behalf by the Provisional Executive of the Committee of the Council shall be a good and effectual discharge for all moneys paid to him on behalf of the Council and shall exonerate the person or persons paying such money from seeing to the application thereof.

10 Protection of persons dealing with Board

It shall not be necessary for any purchaser or any person to or with whom any sale, exchange, or lease shall be made or other transaction entered into under the powers conferred by this Act to inquire into the necessity therefor or the propriety thereof.

11 Costs and charges of Act, how to be paid

All costs, charges, disbursements, and expenses of and incidental to the preparing for, obtaining, and passing of this Act or otherwise in relation thereto shall be defrayed out of and shall be a charge upon the property vested in the Council by virtue of subsection (1) of section 6 in the following proportions:

Upon property formerly held by St. Saviour's Guild, one-half:

Upon property formerly held by St. Anne's Guild Society, one-twelfth:

Upon property formerly held by the Anglican Society of the Friends of the Aged Trust Board, five-twelfths.

12 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 Social Service Council of the Diocese of Christchurch Act 1952. The reprint incorporates all the amendments to the Act as at 4 October 1952, 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)*
