

**Reprint
as at 1 June 2002**



**Wanganui Masonic Hall Trust
Board Act 1965**

Private Act 1965 No 2
Date of assent 22 October 1965
Commencement 22 October 1965

Contents

	Page
Title	2
Preamble	2
1 Short Title	3
2 Interpretation	3
3 Incorporation of Wanganui Masonic Hall Trust Board	4
4 Cesser of old trusts	4
5 Vesting of property in Trust Board	4
6 Registration of title to land, etc	4
7 Property to be subject to trusts set forth in this Act	5
8 Deed to refer to New Zealand	5
9 Powers of Board	5
10 Membership of Board	5
11 Appointment of members of Board	6
12 Vacation of office	6
13 Quorum	6
14 Report and accounts	7

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.

15	Appointment of secretary and provision of common seal	7
16	Minute book	7
17	Alteration of rules and regulations	7
18	Private Act	7
	Schedule 1	8
	Schedule 2	8

An Act to vary the trusts created by a certain deed of conveyance bearing date 20 June 1883, to constitute and incorporate the Wanganui Masonic Hall Trust Board, and to provide for various incidental matters

Preamble

Whereas by a certain deed of conveyance bearing date 20 June 1883 in pursuance of the Special Powers and Contract Act 1882 His Excellency Sir William Francis Drummond Jervois (Governor of the Colony of New Zealand) (hereinafter called the **Governor**) conveyed and assured unto William Hogg Watt, of Wanganui in New Zealand, merchant, Henry Nathan, of the same place, farmer, Benjamin Nicholas Manley, also of the same place, accountant, and George McCaul, also of the same place, law clerk (hereinafter called the **original trustees**) the land described in Schedule 1 upon trust *inter alia* from time to time and at all times thereafter to permit the said piece or parcel of land and appurtenances and any hall or other buildings which may for the time being be standing thereon or any part thereof respectively to be used by all Lodges of the Ancient Fraternity of Free and Accepted Masons holding charter under any 1 or more of the Grand Lodges of England, Scotland, or Ireland now or hereafter to be established in the Town or Borough of Wanganui aforesaid and upon such terms and conditions as the trustees or trustee shall in their discretion think expedient:

And whereas the land now the subject of the trust of the said deed of conveyance is described in Schedule 2:

And whereas by virtue of an order of the Supreme Court of New Zealand made on 28 February 1899 and by virtue of

certain deeds of appointment bearing date 21 August 1916 and 23 November 1951 the said land is now vested in Alexander Stewart Ballingall, of Wanganui, public accountant, Peter Lockhart Dickson, of the same place, solicitor, Claud William Horne, of the same place, company manager, Forbes Clingan Wight, of the same place, master builder, Walter Max Willis, of the same place, solicitor, and Roy Stuart Withers, of the same place, solicitor (hereinafter called the **present trustees**): And whereas at the date of the said deed of conveyance the only Lodges then existing in Wanganui were Tongariro Lodge number 705 holding charter under the United Grand Lodge of England and the Saint Andrew Kilwinning Lodge holding charter under the Grand Lodge of Scotland: And whereas in or about the year 1890 the Grand Lodge of New Zealand was constituted: And whereas the Saint Andrew Kilwinning Lodge now holds charter as number 79 under the said Grand Lodge of New Zealand: And whereas on or about 15 November 1920 Lodge Whanganui number 219 was constituted holding charter under the Grand Lodge of New Zealand: And whereas the said 3 Lodges are the only Lodges now using the hall built on the land described in Schedule 2: And whereas it is desirable that the terms of the trust created by the said deed of conveyance be varied to include Lodges holding charter under the Grand Lodge of New Zealand and that the land hitherto vested in or controlled by the trustees for the time being under the said deed of conveyance be vested in a Trust Board to be a body corporate and to be called Wanganui Masonic Hall Trust Board.

1 Short Title

This Act may be cited as the Wanganui Masonic Hall Trust Board Act 1965.

2 Interpretation

In this Act, except where a contrary intention appears,—

Board means the Wanganui Masonic Hall Trust Board constituted by the provisions of this Act

deed of conveyance means the deed of conveyance referred to in the preamble to this Act

hall means the hall for the time being situate on the land described in Schedule 1.

3 Incorporation of Wanganui Masonic Hall Trust Board

There is hereby established a body corporate to be called the Wanganui Masonic Hall Trust Board which shall have perpetual succession and a common seal and which shall have the constitution or powers and generally shall conduct its affairs in the manner set forth in this Act.

4 Cesser of old trusts

As from the passing of this Act the present trustees shall cease to hold office under the deed of conveyance.

5 Vesting of property in Trust Board

As from the date of the passing of this Act all real and personal property whatsoever held by the present trustees under the deed of conveyance shall be vested, without conveyance, transfer, or assignment, in the Board subject to all debts, liabilities, and charges (if any) affecting the same and the Board shall satisfy all debts and liabilities of the present trustees existing at the date of the passing of this Act.

6 Registration of title to land, etc

(1) Upon the passing of this Act all Registrars and all other persons having charge of any register showing the ownership of any property shall, on written application under the seal of the Board, register the Board as proprietor or owner of all lands or other property vested in the Board by virtue of this Act.

(2) The lands which by virtue of this Act are vested in the Board are more particularly described in Schedule 2.

Section 6(1): amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

7 Property to be subject to trusts set forth in this Act

The real and personal property vested in the Board by virtue of this Act shall be held by the Board upon the trusts and with the powers set out in the deed of conveyance as varied or added to by this Act.

8 Deed to refer to New Zealand

The deed of conveyance shall be deemed from the date of the passing of this Act to have the words “New Zealand” inserted after the word “Scotland”.

9 Powers of Board

Subject to the consent of a majority of the Lodges for the time being using the hall, the Board shall have in addition to any other powers by the said deed of conveyance or otherwise vested in it the following powers and authorities,—

- (a) to sell, exchange, partition, lease, or otherwise dispose of the same:
- (b) to borrow money on mortgage of the property or any part thereof for the purpose of erecting buildings on the said land and for any other purpose which may to the said Board appear desirable:
- (c) to apply the proceeds of any lands and premises sold, exchanged, or leased in or towards the purchase of other lands and premises, and such lands and premises so purchased shall be subject to the like trusts as the property sold:
- (d) to purchase and from time to time sell or exchange such plant and equipment as may be reasonably necessary in connection with the use of the said land and the buildings erected thereon.

10 Membership of Board

The Board shall comprise 2 members appointed by each Lodge for the time being holding its regular meetings in the hall. At its first regular meeting after the passing of this Act each of such Lodges shall appoint 2 of its members to be members of the Board and the members so appointed shall hold office

until the following 31 August or until their successors are duly appointed.

11 Appointment of members of Board

Each Lodge for the time being holding its regular meetings in the hall shall at its regular meeting in the month of August in each year appoint 2 of its members to be members of the Board, and such members shall take office on 1 September following their appointment and shall continue as members until 31 August in the following year or until their successors are duly appointed. Any casual vacancy in the membership of the Board shall be filled by the Lodge whose appointee shall have ceased to be a member of the Board.

12 Vacation of office

- (1) A member shall cease to be a member of the Board in each of the following cases in addition to death, that is to say if he—
- (a) by notice in writing to the Trust Board resigns his office:
 - (b) refuses to act further:
 - (c) becomes of unsound mind or becomes a person subject to a property order:
 - (d) becomes bankrupt or enters into a composition with or assignment for the benefit of his creditors:
 - (e) is absent without leave for 3 consecutive meetings of the Trust Board:
 - (f) is removed from office by a resolution duly carried by the Lodge by which he was appointed.
- (2) A member shall also cease to be a member of the Board if the Lodge appointing him ceases to hold its regular meetings in the hall.

Section 12(1)(c): amended, on 1 October 1988, pursuant to section 117(3) of the Protection of Personal and Property Rights Act 1988 (1988 No 4).

13 Quorum

The quorum shall be not less than two-thirds of the members for the time being constituting the Board but otherwise the Board shall regulate its own procedure.

14 Report and accounts

The financial year of the Board shall end on 31 March in each year or at such other time as the Board may determine. The Board shall cause proper books of account to be kept for all matters relating to its affairs, and at the end of each financial year shall cause to be prepared a report and financial statement showing the assets and liabilities of the Board and receipts and payments of the Board and an income and expenditure account for the financial year. A copy of such report and financial statement shall be forwarded to each Lodge for the time being represented on the Board.

15 Appointment of secretary and provision of common seal

The Board shall appoint a secretary and shall provide a common seal and arrange for its custody. The common seal shall not be affixed to any document except with the authority of a resolution of the Board and shall be affixed only in the presence of 3 members of the Board or of 2 members and the secretary who shall affix their signatures to every document so sealed.

16 Minute book

The Board shall provide a minute book, and a record of all proceedings of the Board shall be entered therein. The minute book shall be open for inspection by any member of the Board at any time.

17 Alteration of rules and regulations

The Board may from time to time make, amend, alter, and rescind the rules and regulations for the use of the hall by the Lodges represented on the Board and for the management of the affairs of the Board, but such rules and regulations shall not be inconsistent with this Act or the deed of conveyance.

18 Private Act

This Act is hereby declared to be a private Act.

Schedule 1

All that piece or parcel of land in the Provincial District of Wellington in the Colony of New Zealand containing by admeasurement 1 rood 2 perches, more or less, being part of the Reserve marked E on the plan of the Town of Wanganui, bounded towards the north-east by other part of the said Reserve 203 links, towards the north-east by Harrison Place 123 links, towards the south-east by other part of the said Reserve 165 links, and towards the south-west by Reserve marked K 170 links, be all the aforesaid linkages, more or less, as the same is delineated on the plan in the Office of the Chief Surveyor at Wellington.

Schedule 2

All that piece of land situate in the City of Wanganui containing 38·59 perches, more or less, being part of Reserve E, Town of Wanganui, and being the whole of the land in certificate of title, Volume 427, folio 135, Wellington Registry, limited as to parcels.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Wanganui Masonic Hall Trust Board Act 1965. The reprint incorporates all the amendments to the Act as at 1 June 2002, 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)***

Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11): section 38(2)

Protection of Personal and Property Rights Act 1988 (1988 No 4): section 117(3)
