



ANALYSIS

Title
1. Short Title

2. Additional powers of Bank of New Zealand
3. Amending provisions as to Board of Directors

1958, No. 84

An Act to amend the New Zealand Bank Act 1861

[2 October 1958]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the New Zealand Bank Amendment Act 1958, and shall be read together with and deemed part of the New Zealand Bank Act 1861 (hereinafter referred to as the principal Act).

2. Additional powers of Bank of New Zealand—The principal Act is hereby amended by inserting, after section four, the following section:

“4A. Notwithstanding anything to the contrary in the said Deed of Settlement or in this Act or any other Act, but without limiting any other powers of the said Corporation, it shall be lawful for the said Corporation, with the consent of the Minister of Finance,—

“(a) To purchase, subscribe for, take, or otherwise acquire, and hold, shares, stock, debentures, or other securities of or interests in any company or corporation,

whether constituted or established or proposed to be constituted or established in New Zealand or elsewhere, whose objects include the carrying on of all or any of the businesses in all or any of their respective branches of bankers, financiers, concessionaires, trustees, attorneys, agents, traders, and merchants, and to sell, transfer, assign, or otherwise dispose of any such shares, stock, debentures, securities, or interests, as occasion may require:

- “(b) To promote or establish or concur in promoting or establishing, in New Zealand or elsewhere, any company or corporation having objects altogether or in part similar to any of the objects mentioned in paragraph (a) of this section, and to place or guarantee the placing of, underwrite, subscribe for, or otherwise acquire all or any part of the shares, stock, debentures, or other securities of any such company or corporation:
- “(c) To acquire and undertake, whether in New Zealand or elsewhere, the whole or any part of the business, property, and liabilities of any person, company, or corporation carrying on or proposing to carry on any business of any of the kinds mentioned in paragraph (a) of this section, or possessed of property suitable for the purposes of the said Corporation or which can be carried on in conjunction therewith, or which is capable of being conducted so as directly or indirectly to benefit the said Corporation, and to sell, transfer, assign, or otherwise dispose of all or any part of the property, assets, or undertaking of any such business, as occasion may require:
- “(d) To sell, transfer, or otherwise dispose of, for such consideration and on such terms as the said Corporation may think fit, any part of the property, assets, or undertaking of the said Corporation in New Zealand or elsewhere which the said Corporation is not by this or any other Act or by law or by the said Deed of Settlement expressly or impliedly authorised or empowered to sell, transfer, or otherwise dispose of without the necessity of the consent of the Minister of Finance as aforesaid:
- “(e) To enter into any arrangements with any Governments or authorities, supreme, municipal, local, or otherwise, or any person, company, or corporation, that may seem conducive to the objects of the said

Corporation or any of them, and to obtain from that Government, authority, person, company, or corporation any rights, privileges, charters, contracts, licences, and concessions which the said Corporation may think it desirable to obtain, and to carry out, exercise, and comply with any such arrangements, rights, privileges, and concessions.”

3. Amending provisions as to Board of Directors—Section eleven of the Bank of New Zealand Act 1945 is hereby amended by adding the following subsections:

“(7) Notwithstanding anything to the contrary in this or any other Act or in the Deed of Settlement, a person shall not be or be deemed to be disqualified from holding office or rendered ineligible for appointment as a director of the Bank by reason only of the fact that he holds office as president, manager, inspector, attorney, or director of any other company or corporation carrying on or proposing to carry on in New Zealand or elsewhere any banking business, if the Bank, either itself or by its nominees, holds not less than twenty-five per cent of the issued share capital of that other company or corporation.

“(8) Notwithstanding anything to the contrary in any rule of law or in any enactment or in the Deed of Settlement, a director shall not be prohibited from voting in respect of any application for banking accommodation, contract, or arrangement in any way affecting any other company or corporation in which he holds office as president, manager, inspector, attorney, or director, if the Bank, either itself or by its nominees, holds not less than twenty-five per cent of the issued share capital of that other company or corporation.”
