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## CHRIST'S COLLEGE, CANTERBURY

[PRIVATE]

### ANALYSIS

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### A BILL INTITULED

#### An Act to—

- (a) Abolish the Offices of Sub-Warden and Visitor of Christ's College, Canterbury; and
- 5 (b) Remove the requirement of a minimum number of Fellows of the College; and
- (c) Repeal the Christ's College Ordinance Amendment Act 1918

#### WHEREAS—

- 10 A. The Church Property Trustees founded Christ's College, Canterbury by Deed of Foundation dated 21 May 1855:
- B. The Deed—
  - 15 (a) Provides for the College to be constituted by a Warden, Sub-Warden, and Fellows; and
  - (b) Appoints the Metropolitan Bishop of the Church of England for the time being of the ecclesiastical province, within which the College is situated, as Visitor; and
  - 20 (c) Provides that the governing body of the College consists of the Warden, Sub-Warden, and Fellows; and
  - (d) Provides that the College should be governed by the statutes set out in the Second Schedule of the Deed or

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such other statutes as are made pursuant to that Schedule:

- C. The governing body of the College was incorporated under the Christ's College Ordinance 1855 with the name "Christ's College, Canterbury": 5
- D. The Deed originally provided for not less than 6 nor more than 25 Fellows:
- E. The Christ's College Ordinance Amendment Act 1918—
- (a) Altered the membership of the governing body so as to comprise a Warden and 18 or such greater number of Fellows as may be provided for under the statutes; and 10
- (b) Provided for the election of 1 of the Fellows as Sub-Warden; and
- (c) Directed the governing body to amend or replace the statutes so as to provide for the election of the Fellows, the term for which the Fellows hold office, the filling of casual vacancies, increases in the number of Fellows, and the election of the Sub-Warden: 15
- F. The governing body of the College wishes to have the power to alter the number of Fellows to be appointed to less than 18 if that is necessary for the proper management and administration of the College: 20
- G. The governing body also wishes to abolish the office of Sub-Warden and the office of Visitor: 25
- H. The objects of this Act cannot be attained otherwise than by legislation:

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows:

**1. Short Title and commencement**—(1) This Act may be cited as the Christ's College, Canterbury Act 1998. 30

(2) This Act comes into force on the day on which it receives the Royal assent.

**2. Interpretation**—In this Act, unless the context otherwise requires,— 35

"College" means Christ's College, Canterbury founded under the Deed of Foundation:

"Deed of Foundation" means the Deed of Foundation of Christ's College, Canterbury executed on 21 May 1855 founding Christ's College, Canterbury, as set out in the Schedule of the Christ's College Ordinance 1855: 40

“Governing body” means the governing body of the College constituted a body corporate and politic under the Christ’s College Ordinance 1855:

5 “Statutes” means the statutes set out in the Second Schedule of the Deed of Foundation; and includes those statutes as altered, amended, or replaced from time to time.

10 **3. Composition of governing body**—(1) The governing body of the College consists of the Warden and such number of Fellows as is provided for and elected under the statutes.

(2) The governing body of the College consisting of the Warden and the Fellows elected from time to time is the same body corporate and politic as that constituted by the Christ’s College Ordinance 1855.

15 **4. Election of Fellows and other matters**—(1) The statutes must provide for the following matters:

20 (a) The election of such number of Fellows of the College and their successors as the governing body considers necessary for the proper management and administration of the College; including the persons, bodies, associations, or institutions that must elect them and the manner of election:

25 (b) The period for which the Fellows hold office (including provision for retirement by ballot, rotation, or otherwise), any other circumstances in which they cease to hold office, and for removal from office:

(c) The manner in which casual vacancies in the office of a Fellow must be filled:

30 (d) Any other matters or things that may be necessary or desirable to give effect to this Act.

(2) The statutes must not provide for a Fellow to hold office for life.

35 **5. Offices of Sub-Warden and Visitor abolished**—The offices of Sub-Warden and Visitor of the College, as instituted by the Deed of Foundation, are abolished.

**6. Deed of Foundation to be read subject to this Act**—The Deed of Foundation must be read subject to this Act.

**7. Repeal**—The Christ’s College Ordinance Amendment Act 1918 is repealed.

**8. Saving**—Subject to this Act, the governing body as constituted under this Act has the powers conferred on it by the Christ's College Ordinance 1855, the Deed of Foundation, and the statutes as altered, amended, or replaced from time to time.

**9. Private Act**—This Act is a private Act.