

Mr Burdon

COLLEGE HOUSE

[PRIVATE]

ANALYSIS

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Preamble	4. Governing Body may determine alternative application of certain funds
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An Act to amend the objects of College House to permit the admission of women as well as men, and to authorise the variation of the trusts attaching to certain funds established for the purposes of College House

- 5 WHEREAS College House (formerly known as “Christchurch College”), a board duly incorporated under the Religious Charitable and Education Trusts Act 1908, owns and operates a Hall of Residence for young men attending the University of Canterbury: And whereas the Governing Body desires to
10 admit young women to the College, but for that purpose must first amend its statutes and objects: And whereas the Governing Body has no power to alter its objects, except by Act of Parliament: And whereas there are now diverse and sundry trust funds and properties held by the Governing Body of
15 College House for the education and training of young men: And whereas the application of certain of those trust funds is limited by the instruments creating the respective trusts to certain assets of College House closely tied to the training in Christchurch of young men for the Anglican Ministry: And
20 whereas it is now impossible, impracticable and inexpedient

to apply the said trust funds for those purposes and objects because in Christchurch there is no College for the training of young men for the Anglican Ministry: And whereas it is desirable that the purposes and objects for which the various trust funds are presently held be varied so as to enable the Governing Body of College House to apply surplus moneys not disbursed in accordance with the primary objects pursuant to each trust for the general purposes of College House as amended to include women: And whereas it is impracticable and inexpedient for the Governing Body to apply to the High Court of New Zealand for a variation of the purposes and objects of the funds as aforesaid: 5 10

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 15

1. Short Title—This Act may be cited as the College House Act 1984.

2. Interpretation—In this Act, “Governing Body” means the Governing Body of College House.

3. Extension of objects to include women— 20
Notwithstanding anything in the Statutes of College House comprised in the Third Schedule to the Deed of Foundation bearing date the 5th day of September 1957, the objects of College House shall be deemed to extend to the education and training of young women (as well as young men), whether for the duties of the Christian Ministry in the Communion of the Church, or for the learned professions, or for the general duties of life according to the highest attainable standard of religion, morals, and learning; and the said Statutes shall be construed accordingly. 25 30

4. Governing Body may determine alternative application of certain funds—(1) This section applies—

- (a) To the trust funds presently held by the Governing Body on sundry trusts for purposes relating to the education and training of young men being more particularly described in the Schedule to this Act; and 35
- (b) To any trust funds and properties that may hereafter be vested in the Governing Body for any of the purposes for which any of the said trust funds are presently held,— 40

and applies whether the instrument creating the relevant trust was executed before the passing of this Act, or is executed hereafter.

5 (2) The trusts to which this section applies shall henceforth be held by the Governing Body for the benefit of both young men and young women admitted to the College, and the trust instruments constituting or creating the said trusts shall henceforth be read accordingly.

10 (3) When, at any time after the application of the trust funds to which this section applies, there are surplus funds available, the Governing Body may by resolution approve the application of those surplus funds held subject to that trust, whether capital or income, for the general purposes of College House.

15 **5. Private Act**—This Act is hereby declared to be a private Act.

SCHEDULE

Section 3 (1) (a)

Buller and Raey Trust
Hulsean Chichéle Trust
Rowley Trust
Jackson Trust
George Weston Fund
Benjamin Woolley Dudley Trust