

[AS REPORTED FROM THE JUSTICE AND LAW REFORM
COMMITTEE]

House of Representatives, 5 November 1985.

Words struck out are shown with black rule at beginning and after last line; words inserted are shown with single rule before first line and after last line.

Mr Woollaston

NELSON COLLEGE EMPOWERING

[PRIVATE]

ANALYSIS

Title	3. Power to sell land and disposal of proceeds
Preamble	4. Powers of District Land Registrar
1. Short Title	5. Private Act
2. Interpretation	Schedule

A BILL INTITULED

**An Act to authorise the sale of certain land owned by the
Council of Governors of Nelson College**

WHEREAS Nelson College is the owner of the land described
5 in the Schedule to this Act: And whereas that land is a school
site as defined in section 2 of the Education Lands Act 1949:
And whereas the Council of Governors of Nelson College wish
to dispose of that land and to apply the proceeds of the sale
towards the cost of building and equipping a new gymnasium
10 at Nelson College: And whereas under the Education Lands
Act 1949 the land must be sold by public auction, public tender,
or public application and ballot, and the proceeds from the
sale of the land are required to be paid into the Public Account:
And whereas the land was purchased by the Nelson College
15 Council of Governors in 1904 and has been used since that
date until 1953 for the purposes of a boarding hostel and since

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1953 by boarding staff as a staff hostel: And whereas as the land will no longer be required for boarding purposes and is unsuitable for use as playing fields it is appropriate to dispose of it: And whereas it is desired that the proceeds of the sale should be made available for use by Nelson College for the purposes of the gymnasium rather than paid into the Public Account as required by section 5 (4) of the Education Lands Act 1949: And whereas the objects of this Act cannot be achieved otherwise than by legislation: 5

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 10

1. Short Title—This Act may be cited as the Nelson College Empowering Act 1985.

2. Interpretation—In this Act, unless the context otherwise requires,— 15

“Council” means the Council of Governors of Nelson College:

“Land” means the land described in the Schedule to this Act. 20

Struck Out

3. Power to sell land and disposal of proceeds— Notwithstanding anything in the Education Lands Act 1949, the Council is hereby authorised—

- (a) To sell or otherwise dispose of the land by private treaty, public tender, or in such other manner as it thinks fit, on such terms and conditions as it thinks fit; and 25
- (b) To apply the proceeds of the sale or other disposal towards the costs of building and equipping a new gymnasium at Nelson College. 30

New

3. Power to sell land and disposal of proceeds— Notwithstanding anything in the Education Lands Act 1949, the Council—

- (a) Is hereby authorised to sell the land by private treaty or in any other manner set out in section 5 (1) of that Act; and 35
- (b) Shall apply the proceeds of the sale towards the costs of building and equipping a new gymnasium at Nelson College. 40

4. Powers of District Land Registrar—The District Land Registrar for the Nelson Land Registration District is hereby authorised and directed to register any transfer or other document lodged pursuant to a sale or other disposal pursuant to the powers conferred by this Act.

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

SCHEDULE

Section 2

1. ALL that piece of land situated in the City of Nelson containing 1770 square metres, more or less, being Lots 2 and 11, D.P. 110, being also part Section 916, City of Nelson, and being all of the land comprised and described in certificate of title, Volume 23, folio 115 (Nelson Land Registry).

2. ALL that piece of land situated in the City of Nelson containing 3945 square metres, more or less, being Lots 2, 12, and 13, D.P. 109, being also part Section 916, City of Nelson, and being all of the land comprised and described in certificate of title, Volume 23, folio 175 (Nelson Land Registry).