

Hon. S. J. Rodger

OTAGO FOUNDATION TRUST BOARD AMENDMENT

[PRIVATE]

ANALYSIS

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A BILL INTITULED

An Act to amend the Otago Foundation Trust Board Act 1962 by extending the Board's powers in respect of certain lands

- 5 WHEREAS the Otago Foundation Trust Board is presently incorporated under the provisions of the Otago Foundation Trust Board Act 1962: and whereas, by virtue of the second proviso to section 12 (a) of that Act, the Board has only a very restricted power to sell the lands described or referred to in
- 10 Schedules C, D, and E and the first part of Schedule A to that Act: And whereas, by virtue of the first proviso to that provision, those powers that the Board does have in respect of those lands may be exercised only with the consent of the Synod (being the Synod described in section 4 of that Act):
- 15 And whereas it has been agreed by and between the Board and the said Synod that the said restrictions on the Board's powers to sell the lands should in future apply only to the lands described or referred to in the said Schedule E: And whereas, by virtue of section 34 of that Act, the Board's powers
- 20 to grant a lease of any lands described or referred to in the

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said Schedule C may be exercised only at the request of the said Synod: And whereas it has been agreed by and between the Board and the said Synod that the Board should be empowered to grant a lease of the lands described or referred to in the first part of the said Schedule C of its own motion: 5
And whereas the objects of this Act cannot be attained otherwise than by legislation:

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 Otago Foundation Trust Board Amendment Act 1984, and shall be read together with and deemed part of the Otago Foundation Trust Board Act 1962* (hereinafter referred to as the principal Act). 15

*1962, No. 2(P)
Amendment: 1968, No. 5(P)

2. Powers of Board—Section 12 (a) of the principal Act is hereby amended by omitting from the second proviso the words “Schedules C, D, and E and the first part of Schedule A hereof respectively”, and substituting the words “Schedule E to this Act”. 20

3. Powers of Board in respect of Schedule C lands—Section 34 of the principal Act is hereby amended by inserting in the proviso, after the words “so described”, the words “in the second part of the said Schedule C”.

4. Powers of Board in respect of Schedule E lands— 25
(1) The principal Act is hereby amended by inserting, after section 39, the following section:

“39A. Subject as aforesaid, the Board shall have and may from time to time exercise in respect of all or any of the lands described in Schedule E to this Act all or any of the powers 30
conferred on the Board by section 12 of this Act.”

(2) Section 39 of the principal Act is hereby consequentially amended by omitting the words “and the lands described in Schedule E”.

5. Private Act—This Act is hereby declared to be a private 35
Act.