

[AS REPORTED FROM THE COMMITTEE ON THE BILL]

*House of Representatives, 26 November 1970.*

Words struck out by the Committee are shown in italics within bold round brackets; words inserted are shown in roman underlined with a double rule.

*Right Hon. Mr Marshall*

## PRESBYTERIAN CHURCH PROPERTY AMENDMENT

[PRIVATE]

### ANALYSIS

Title	3. Property held by Trustees of Saint Paul's Presbyterian Church (Christchurch) vested in Presbyterian Church Property Trustees
Preamble	4. Trustees of Saint Paul's Presbyterian Church, Christchurch, dissolved
1. Short Title	5. Repeals
2. Number of Trustees	6. Private Act Schedule

### A BILL INTITULED

An Act to amend the Presbyterian Church Property Act 1885, to vest the property now held by the Trustees constituted a body corporate by section 3 of the Saint Paul's Presbyterian Church (Christchurch) Trustees Incorporation Act 1881 in the Presbyterian Church Property Trustees, and to dissolve the body corporate constituted by that section

WHEREAS by section 6 of the Presbyterian Church Property Act 1885 it is provided that the General Assembly of the Presbyterian Church of New Zealand shall elect not less than 7 nor more than 13 persons to be the Presbyterian Church Property Trustees constituted a body corporate under that

No. 87—2

*Price 5c*

Act: And whereas it is desirable that the maximum number of trustees be increased to 20: And whereas by the Saint Paul's Presbyterian Church (Christchurch) Trustees Incorporation Act 1881 the Trustees of the Saint Paul's Presbyterian Church in Cashel Street, in the City of Christchurch, were incorporated to enable them to hold and manage the property of the said Church: And whereas *(it is desirable that these functions)* the only surviving Trustees have agreed that the functions of those Trustees be undertaken by the Presbyterian Church Property Trustees, that all property vested in the Trustees of the Saint Paul's Presbyterian Church in Cashel Street, in the City of Christchurch, immediately before the date of the passing of this Act should vest in the Presbyterian Church Property Trustees, that the Saint Paul's Presbyterian Church (Christchurch) Trustees Incorporation Act 1881 be repealed, and the body corporate constituted by section 3 of that Act dissolved:

BE IT THEREFORE 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 Presbyterian Church Property Amendment Act 1970, and shall be read together with and deemed part of the Presbyterian Church Property Act 1885 (hereinafter referred to as the principal Act).

**2. Number of Trustees**—Section 6 of the principal Act is hereby amended by omitting the word “thirteen”, and substituting the word “twenty”.

**3. Property held by Trustees of Saint Paul's Presbyterian Church (Christchurch) vested in Presbyterian Church Property Trustees**—(1) The land described in the Schedule to this Act is hereby vested in the Presbyterian Church Property Trustees for an estate in fee simple for the purposes of the Congregation of Saint Paul's Presbyterian Church, Christchurch, subject to all trusts, encumbrances, liens, and easements affecting that land.

(2) All other real and personal property whatsoever (including money and any equitable or similar interests and the benefit of any contracts and all rights and powers pertaining to any such interests or contracts) held by the Trustees of the Saint Paul's Presbyterian Church in Cashel Street, in the

City of Christchurch, or belonging to that Church is hereby vested in the Presbyterian Church Property Trustees for the purposes of the congregation of Saint Paul's Presbyterian Church, Christchurch, but subject to the trusts, liabilities, 5 charges, and encumbrances affecting the same.

**4. Trustees of Saint Paul's Presbyterian Church, Christchurch, dissolved**—The body corporate constituted by section 3 of the Saint Paul's Presbyterian Church (Christchurch) Incorporation Act 1881 is hereby dissolved; and all debts and 10 other liabilities lawfully incurred by that body corporate and existing on the passing of this Act shall be debts and liabilities of the Presbyterian Church Property Trustees.

**5. Repeals**—The Saint Paul's Presbyterian Church (Christchurch) Trustees Incorporation Act 1881 and the last para- 15 graph of subsection (2) of section 15 of the principal Act are hereby repealed.

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

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SCHEDULE

Section 3 (1)

ALL (*that piece*) those pieces of land situated in the City of Christchurch containing 3 roods, more or less, being Town Sections 925, 927, and 928, and more particularly described in conveyances, Registered (*No.*) Numbers 17395 (33/208), 34105 (56/378), and 39836 (67/249), and being all the land comprised and described in certificate of title, Volume 366, folio 247 (Canterbury Registry) limited as to parcels.