

RELIGIOUS, CHARITABLE, AND EDUCATIONAL TRUSTS  
AMENDMENT BILL

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EXPLANATORY NOTE

1. Section 15 of the Religious, Charitable, and Educational Trusts Act 1908, as amended in 1928, deals with the circumstances in which trusts for any charitable purpose may be varied under Part III of the Act.

2. The purpose of this Bill is to provide that, in future, the provisions of both the original section and the 1928 amendment are to apply to all trusts created either before or after the passing of the principal Act. The opportunity has been taken to simplify the wording of the section.

*Hon. Mr. Webb*

RELIGIOUS, CHARITABLE, AND EDUCATIONAL  
TRUSTS AMENDMENT

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ANALYSIS

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|-----------------|---|
| Title.          | 2. Property may be disposed of for other charitable purposes. |
| 1. Short Title. | Repeal.   |

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A BILL INTITULED

AN ACT to amend the Religious, Charitable, and Educational Trusts Act 1908. Title.

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

1. This Act may be cited as the Religious, Charitable, and Educational Trusts Amendment Act 1951, and shall be read together with and deemed part of the Religious, Charitable, and Educational Trusts Act 1908 (hereinafter referred to as the principal Act). Short Title.  
See Reprint of Statutes, Vol. I, p. 774

2. (1) The principal Act is hereby amended by repealing section fifteen, and substituting the following section:—

15 “ 15. In any case where property is held upon trust for a particular charitable purpose and it is impossible or impracticable or inexpedient to carry out that purpose, or the amount available is inadequate to carry out that purpose, or that purpose has been effected already, or that purpose is illegal or uncertain, then the

Property may be disposed of for other charitable purposes.

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property so held or any part or residue thereof may be disposed of for some other charitable purpose, or a combination of such purposes, in the manner and subject to the provisions hereinafter contained.”

(2) The provisions of the said section as so substituted shall apply with respect to trusts created before or after the passing of the principal Act. 5

Repeal.  
See Reprint  
of Statutes,  
Vol. I, p. 790

(3) Section four of the Religious, Charitable, and Educational Trusts Amendment Act 1928 is hereby consequentially repealed. 10