

Hon. Mr Algie

ST. JOHN'S COLLEGE TRUST AMENDMENT

[PRIVATE]

ANALYSIS

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A BILL INTITULED

An Act to amend the St. John's College Trust Act 1923

WHEREAS the St. John's College Trust Board, incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act 1908 (hereinafter referred to as the Board),
5 is the trustee of the scholarship funds referred to in the St. John's College Trust Act 1923 (hereinafter referred to as the principal Act) and held by the Board upon the trusts in the said Act declared: And whereas St. John's College, Auckland,
10 for the general purposes of which the Board holds the said scholarship funds in trust is the theological college of the Church of the Province of New Zealand commonly called the Church of England (hereinafter referred to as the Church): And whereas the General Synod of the Church has
15 resolved that it is desirable that students of the College wishing to take a University degree or diploma should be maintained or supported at a University or University College in New Zealand so that St. John's College, Auckland, may be used solely as a theological college: And whereas it is neces-
20 sary or expedient in order to enable the Board to give effect to and carry out the said resolution that it should have the express power at its discretion from time to time to apply the whole or such portion of the income of the said scholarship funds referred to in the First Schedule of the principal

Act in or towards the maintenance and support of candidates for Holy Orders in the said Church while taking a course of studies for a degree or diploma at any University or University College within New Zealand approved by the Board: And whereas it appears that the Board cannot legally apply the said scholarship funds for the purpose last aforesaid without empowering legislation to that end: 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 St. John's College Trust Amendment Act 1957 and shall be read together with and deemed part of the St. John's College Trust Act 1923 (hereinafter referred to as the principal Act).

2. Variation of trusts affecting scholarship funds—Notwithstanding anything in the principal Act, it shall be lawful for the Board at its discretion from time to time to apply the whole or such portion as it thinks fit of the income from the scholarship funds referred to in the First Schedule of the principal Act in or towards the maintenance and support of candidates for Holy Orders of the Church of the Province of New Zealand commonly called the Church of England while taking a course of study for a degree or diploma at any University or University College within New Zealand approved by the Board. 15
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3. Validation of certain payments—All payments or applications of income from the said scholarship funds which may have been made by the Board since the first day of February nineteen hundred and fifty-seven which would have been valid payments or applications if made after the commencement of this Act are hereby validated. 30

4. New power to be additional to existing powers and discretions of Board—The powers and discretions vested in the Board by this Act shall be in addition to and not in substitution for the powers and discretions vested in the Board by the principal Act or otherwise howsoever. 35

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