

[AS REPORTED FROM THE THOMAS CAWTHRON TRUST AMENDMENT BILL COMMITTEE]

House of Representatives, 13 October 1981.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

Mr Courtney

THOMAS CAWTHRON TRUST AMENDMENT

[PRIVATE]

ANALYSIS

Title	2. Additional powers of Board
Preamble	3. Constitution of Board
1. Short Title	4. Private Act

A BILL INTITULED

An Act to amend the Thomas Cawthron Trust Act 1924

WHEREAS under the will of the late Thomas Cawthron and the Thomas Cawthron Trust Act 1924 (hereinafter referred to as the principal Act) The Cawthron Institute Trust Board holds certain money and investments upon trust for the purchase of land and erection and maintenance of an industrial and technical school institute and museum called The Cawthron Institute (*hereinafter referred to as "the Institute"*):
5
10 And whereas it is desired to widen the Board's powers (*in relation to the work of the Institute and to amend the provisions relating to the constitution of the Board: And whereas it appears necessary that these objects be attained by the enactment of legislation:*) relative to the work of the Institute
15 and alter the constitution of the Board:

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

20 **1. Short Title**—This Act may be cited as the Thomas Cawthron Trust Amendment Act 1981, and shall be read together with and deemed part of the principal Act.

No. 66—2

2. **Additional Powers of Board**—Section 12 (1) of the principal Act (as amended by section 2 of the Thomas Cawthron Trust Amendment Act 1979) is hereby amended by adding the following paragraph:

“(j) For the purposes of the trusts under the said will to carry on such activities and provide such services 5

Struck Out

as the Board may determine are necessary or desirable to fulfil properly the functions and scope of the Institute and in particular and without limiting the generality of the foregoing: 10

New

as the Board thinks necessary or desirable to enable the work of the Institute to be properly performed, and in particular, without limiting the generality of the foregoing,— 15

“(i) To carry on any business undertaking;

“(ii) To enter into any joint venture or partnership arrangement;

Struck Out

(iii) To set up or take shares in any company or other organisation or body;

(iv) To invest any of the Board's money or investments in any activity or service carried on or provided by the Board or in any such business undertaking joint venture or partnership arrangement or company or other organisation or body; 25

(v) To borrow money;

(vi) To lend money and to give guarantees;

(vii) To do all other things incidental to or consistent with the above.” 30

New

“(iii) To subscribe for or otherwise acquire shares in any company or other organisation or body: 35

“(iv) To invest any of the Board's money in any activity or service carried on or provided by the Institute or in any such business undertaking, joint venture, partnership arrangement, company, or other organisation or body: 40

“(v) To borrow money:

“(vi) To lend money:

“(vii) To give guarantees.”

Struck Out

3. **Constitution of Board**—The principal Act is hereby amended by repealing subsections (1) (c) and (4) of section 3 of the principal Act (as amended by section 2 of the Thomas Cawthron Trust Amendment Act 1966) and substituting the following subsections:

“(1) (c) Two members to be appointed by the Governor-General in Council at least one of whom shall be a person resident in the Provincial District of Nelson.

“(4) A member appointed by the Governor-General in Council shall vacate office if he ceases to reside permanently within the Provincial District of Nelson and if the other member appointed by the Governor-General in Council does not then reside permanently in such District.”

New

3. **Constitution of Board**—(1) Subsection (1) of section 3 of the principal Act (as substituted by section 2 of the Thomas Cawthron Trust Amendment Act 1966) is hereby amended by repealing paragraph (c), and substituting the following paragraph:

“(c) Two members, to be appointed by the Governor-General in Council, at least one of whom resides in the Provincial District of Nelson.”

(2) The said section 3 is hereby further amended by repealing subsection (4), and substituting the following subsection:

“(4) Where a member appointed by the Governor-General who resides in the Provincial District of Nelson ceases so to reside, he shall thereupon vacate office unless another member so appointed then so resides.”

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