



ANALYSIS

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1960, No. 3—*Private*

An Act to empower the Bryant House Trust Board to transfer all its assets to the D. V. Bryant Trust Board, a newly constituted Trust Board set up to take over the work previously carried out by the Bryant House Trust Board

[7 October 1960

WHEREAS by a certain deed of trust dated the seventeenth day of November, nineteen hundred and twenty-four, Daniel Vickery Bryant, of Te Rapa, near Hamilton, farmer, expressed his desire to give and present certain lands at Raglan together with certain stock and implements to the trustees named in the aforesaid deed of trust and also to provide money and funds for the erection of a convalescent home for children on the said lands and for the maintenance and upkeep thereof: And whereas by memorandum of transfer dated the seventeenth day of November, nineteen hundred and twenty-four, the said lands were duly transferred and at the same time the said stock and implements were duly handed over to the said trustees: And whereas the aforesaid deed of trust declared that the said lands and chattels and money (together with the increase and proceeds of the said stock and implements and the said money) should be held by the trustees and their successors in perpetuity upon trust for the purposes of a convalescent home for children: And whereas the trustees were

on the seventh day of June, nineteen hundred and forty-six, duly incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act 1908 as a Trust Board with the name or title of "Bryant House Trust Board": And whereas by a supplementary deed bearing date the twentieth day of October, nineteen hundred and fifty-four, the trustees, acting in pursuance of the power and authority conferred on them by clause 24 of the original deed of trust, declared the additional power to open a special imprest account and to transfer to such account such of the funds of the trust as they shall from time to time determine for the use of Daniel Vickery Bryant at his absolute discretion in carrying on his charitable work of an individual or confidential nature among such persons as the said Daniel Vickery Bryant may consider deserving of assistance: And whereas such special imprest account has been opened and some of the surplus income of the trust has been transferred to such account: And whereas the aforesaid supplementary deed further provided that any funds remaining in such account at the death of the said Daniel Vickery Bryant shall revert to the Bryant House Trust Board for the general purposes of the trust: And whereas by a certain trust deed bearing date the thirtieth day of May, nineteen hundred and sixty, a new Trust Board has been created by representatives of the Anglican, Presbyterian, and Methodist Churches in the Waikato District and representatives of the Bryant House Trust Board under the name or title of D. V. Bryant Trust Board: And whereas the objects of the D. V. Bryant Trust Board are largely similar to those of the Bryant House Trust Board one of the principal objects being the maintenance of a convalescent home for children: And whereas it appears to the Bryant House Trust Board that the administration and maintenance of the convalescent home previously administered by the Bryant House Trust Board can be more conveniently carried on by the D. V. Bryant Trust Board: And whereas the Bryant House Trust Board is desirous of transferring eventually the whole of its assets to the D. V. Bryant Trust Board in order that the D. V. Bryant Trust Board may continue and maintain the trusts hereinbefore vested in the trustees of the Bryant House Trust Board: And whereas the Bryant House Trust Board under the aforesaid deed of trust dated the seventeenth day of November, nineteen hundred and twenty-four, has no power to dispose of its assets in the manner aforesaid and is desirous that statutory authority should be given to empower the Bryant House Trust Board to make such transfer: And whereas the

Bryant House Trust Board intends, if such statutory authority should be given, forthwith to transfer the major portion of its assets to the D. V. Bryant Trust Board but to retain the aforesaid imprest account during the lifetime of the said Daniel Vickery Bryant: And whereas the Bryant House Trust Board desires that statutory authority should now be given to the ultimate transfer of the unexpended portion of the aforesaid imprest account to the D. V. Bryant Trust Board on the death of the said Daniel Vickery Bryant:

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 Bryant House Trust Board Enabling Act 1960.

2. Power to transfer assets to D. V. Bryant Trust Board—The Bryant House Trust Board is hereby empowered and authorised to give and transfer to the D. V. Bryant Trust Board all its assets both real and personal of whatsoever kind and nature and wheresoever situate:

Provided however that it may retain the special imprest account referred to in the aforesaid supplementary deed bearing date the twentieth day of October, nineteen hundred and fifty-four, during the lifetime of the said Daniel Vickery Bryant.

3. Transferred assets to be held on new trusts—The aforesaid assets shall from the date of transfer be held by the D. V. Bryant Trust Board upon the trusts reposed in it by virtue of the aforesaid deed of trust dated the thirtieth day of May, nineteen hundred and sixty, and freed and discharged from the trusts heretofore affecting them.

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