



ANALYSIS

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1957, No. 5—*Private*

An Act to validate the change of name of the Bank of New Zealand Officers' Guarantee and Provident Association and to amend the Bank of New Zealand Officers' Guarantee and Provident Association Act 1900 [11 September 1957]

WHEREAS the Bank of New Zealand Officers' Guarantee and Provident Association was incorporated by the Bank of New Zealand Officers' Guarantee and Provident Association Act 1900: And whereas, pursuant to a ballot of members of the said Association held on the thirty-first day of October, nineteen hundred and fifty-five, the name of the said Association was changed to the Bank of New Zealand Officers' Provident Association: And whereas it is desirable to make provision removing any doubt that may arise as to the validity of such change of name and to facilitate dealings with assets of the said Association under its new name:

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 Bank of New Zealand Officers' Provident Association Amendment Act 1957, and shall be read together with and deemed part of the

Act heretofore cited as the Bank of New Zealand Officers' Guarantee and Provident Association Act 1900 (hereinafter referred to as the principal Act).

2. Altering Title of principal Act—(1) The principal Act may hereafter be cited as the Bank of New Zealand Officers' Provident Association Act 1900.

(2) Every reference to the Short Title of the principal Act in any enactment, rule, contract, agreement, deed, instrument, or other document whatsoever is hereby consequentially amended by omitting the words "Guarantee and".

3. Change of name validated—(1) The change of name of the Association incorporated by the principal Act under the name or style of the "Bank of New Zealand Officers' Guarantee and Provident Association", purporting to be effected by a ballot of members of the said Association held on the thirty-first day of October, nineteen hundred and fifty-five, is hereby declared to have been validly made, and the name of the said Association shall, on and after the first day of October, nineteen hundred and fifty-five, be and be deemed to have been the "Bank of New Zealand Officers' Provident Association".

(2) The change of name of the said Association shall not affect any powers, rights, interests, securities, investments, or obligations of the said Association, or render defective any legal proceedings by or against the said Association, and all real and personal property of every description which immediately before the passing of this Act is held by the said Association under its former name may, by force of this Act, be dealt with or disposed of by the said Association under its new name subject to all liabilities, charges, obligations, and trusts affecting the same.

4. Altering mode of executing certain contracts—Section six of the principal Act is hereby amended by repealing paragraph one, and substituting the following paragraph:

"(1) Any contract which if made between private persons would be by law required to be by deed may be made, varied, or discharged in the name and on behalf of the Association in writing under the seal of the Association, attested by two members of the Board of Management of the Association, and countersigned by the secretary or by some other person

appointed by the Board of Management for the purpose, and any writing purporting to be so executed shall be *prima facie* binding upon the Association.”

5. Proof of vesting of assets—The presentation to any Registrar of Deeds or District Land Registrar or any other person of any instrument executed or purporting to be executed under the seal of the said Association in its new name in manner provided by section four of this Act and relating to any estate or interest in any land held by the said Association under its former name immediately before the passing of this Act shall, notwithstanding that the said Association has not been registered as the proprietor of that estate or interest under its new name, be accepted by all persons concerned as conclusive proof that that estate or interest is vested in the said Association.

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