



## ANALYSIS

Title	5. Constitution and bylaws
Preamble	6. Transfer of property to Corporation
1. Short Title	7. Sections 13 to 18 of Incorporated Societies Act 1908 applied
2. Interpretation	8. Registration of constitution and bylaws
3. Change of name and constitution of Corporation	9. Repeal and savings
4. Powers of Corporation	10. Private Act

---

1956, No. 2—*Private*

**An Act to reconstitute the Boy Scouts Association (New Zealand Branch) Incorporated, and to change its name**  
 [19 October 1956]

WHEREAS there was incorporated in Great Britain by Royal Charter dated the fourth day of January, nineteen hundred and twelve, a body corporate known as the Boy Scouts Association: And whereas the Boy Scouts Association was the outcome of the movement initiated in Great Britain by the late Lord Baden Powell of Gilwell, O.M., G.C.M.G., G.C.V.O., K.C.B., for the special training and instruction of boys in accordance with the principles and under the organisation from time to time laid down in the constitution and in the Policy Organisation and Rules of the Boy Scouts Association: And whereas the aforesaid movement has spread throughout the British Commonwealth of Nations and elsewhere, and there has for many years past existed in New Zealand an organisation for the training of boys on the lines and in harmony with the principles of the aforementioned constitution and the Policy Organisation and Rules of the Boy

Scouts Association and working as a branch of and in close co-operation with the Boy Scouts Association: And whereas the New Zealand Branch was incorporated by the Boy Scouts Association (New Zealand Branch) Incorporation Act 1941: And whereas the Boy Scouts Association (New Zealand Branch) Incorporated is governed by a Dominion Council and has its affairs conducted and managed by a Dominion Executive Committee in accordance with its constitution and bylaws as approved by the Boy Scouts Association in Great Britain and delivered to the Registrar of Incorporated Societies pursuant to section eight of the said Act: And whereas by resolution duly passed at a meeting of the Dominion Council on the twenty-first day of September, nineteen hundred and fifty-one, the Boy Scouts Association (New Zealand Branch) Incorporated, with the approval of the Boy Scouts Association in Great Britain given under the common seal thereof, amended its constitution and bylaws: And whereas by the constitution aforesaid the Boy Scouts Association (New Zealand Branch) Incorporated became independent of the Boy Scouts Association of Great Britain and became a fully autonomous unit of the Boy Scout movement: And whereas in the course of its existence the Boy Scouts Association (New Zealand Branch) Incorporated has acquired real and personal property in New Zealand, and gifts, grants, and contributions have been received by it or have been vested in trustees for its benefit or for its use generally or for the benefit of some particular Scout troop, Cub pack, or other local unit within the organisation of the Boy Scouts Association (New Zealand Branch) Incorporated: And whereas it is desirable that the name of the Boy Scouts Association (New Zealand Branch) Incorporated should be changed to "The Boy Scouts Association of New Zealand" in accordance with its independent status as aforesaid:

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 Boy Scouts Association of New Zealand Act 1956.

**2. Interpretation**—In this Act, unless the context otherwise requires,—

"Constitution and bylaws" means the constitution and bylaws of the Boy Scouts Association of New Zealand:

“New Zealand Branch” means the Boy Scouts Association (New Zealand Branch) Incorporated:

“The Association” means the Boy Scouts Association incorporated in the United Kingdom by Royal Charter dated the fourth day of January, nineteen hundred and twelve:

“The Corporation” means the body incorporated by this Act.

### **3. Change of name and constitution of Corporation—**

(1) The body corporate incorporated by the Boy Scouts Association (New Zealand Branch) Incorporation Act 1941 under the name of “The Boy Scouts Association (New Zealand Branch) Incorporated” shall hereafter be called “The Boy Scouts Association of New Zealand”.

(2) The Corporation shall hereafter consist of the persons who on the passing of this Act are members of the Dominion Council of the New Zealand Branch in accordance with the amended constitution and bylaws adopted by resolution of the Dominion Council passed on the twenty-first day of September, nineteen hundred and fifty-one, and all other persons who shall in accordance with such constitution and bylaws become members of the Council, and shall be deemed to be the same body corporate as that incorporated by the Boy Scouts Association (New Zealand Branch) Incorporation Act 1941, having perpetual succession and a common seal and being capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer.

(3) All references to the New Zealand Branch in the constitution and bylaws of the Corporation or in any enactment or in any contract, agreement, deed, instrument, register, title, or other document whatsoever shall hereafter be read as references to the Boy Scouts Association of New Zealand.

(4) Where the title of the New Zealand Branch to any real or personal property or right is or should have been entered in any register required by law to be kept, the Registrar or other person whose duty it is to keep that register shall, on the request in writing of the Executive Committee of the Corporation or of the proper officer of the Corporation, and on payment of such fee as may be payable by law in respect of the required entries in the register, make such entries in the register as may be necessary to give effect to the provisions of this section.

**4. Powers of Corporation**—The control of the Boy Scout movement in all its activities in New Zealand shall be vested in the Corporation, which, subject to the constitution and bylaws, shall have power to provide and maintain such organisation in New Zealand as the Corporation deems necessary or desirable to perform and exercise in New Zealand all such duties or powers as may be performed and exercised in the United Kingdom by the Association under the provisions of the Royal Charter aforesaid and generally to do all things which the Corporation may in its discretion consider necessary or desirable for promoting the welfare of the Corporation or of the Boy Scout movement in New Zealand.

**5. Constitution and bylaws**—The constitution and bylaws of the New Zealand Branch, as adopted by resolution of the Dominion Council on the twenty-first day of September, nineteen hundred and fifty-one, shall be the constitution and bylaws of the Corporation. The Corporation may from time to time alter and amend the constitution and bylaws and may thereby delegate the administration of any matter within the powers of the Corporation to the Executive Committee of the Corporation appointed according to the constitution and bylaws or to such other body as the Corporation thinks fit, and the Executive Committee or such other body shall in respect of any matter so delegated have all the powers of the Corporation.

**6. Transfer of property to Corporation**—The Corporation shall have power to require that all real and personal property, stock, funds, securities, and other assets of every description belonging to the New Zealand Branch or any unit or held in trust for or for the use of the same shall be transferred to or otherwise vested in the Corporation by any person holding the same, and on any such transfer or vesting the Corporation shall thereafter execute and perform any trust or conditions affecting any of such assets and shall defray or provide for any debts or liabilities to the discharge of which the said assets or any of them shall at the time of transfer or vesting be applicable and shall give any trustees in whom any such assets may be vested a valid receipt, discharge, and indemnity for and in respect of the transfer or vesting of the same in the Corporation. The rights of the Corporation under this section may be enforced by action in any Court of competent jurisdiction.

**7. Sections 13 to 18 of Incorporated Societies Act 1908 applied**—Sections thirteen to eighteen of the Incorporated Societies Act 1908 shall continue to apply to the Corporation in all respects as if it were a society incorporated under that Act.

**8. Registration of constitution and bylaws**—(1) The constitution and bylaws of the New Zealand Branch delivered to the Registrar of Incorporated Societies under the Incorporated Societies Act 1908 on the eighth day of April, nineteen hundred and forty-one, and the amendments and alterations thereto delivered to the Registrar of Incorporated Societies, shall be deemed to be the constitution and bylaws of the Corporation.

(2) True copies of any amendments or alterations that may be made in the constitution and bylaws shall be delivered to the Registrar of Incorporated Societies, accompanied by a statutory declaration made by an officer of the Corporation that such copies are true copies.

**9. Repeal and savings**—(1) The Boy Scouts Association (New Zealand Branch) Incorporation Act 1941 is hereby repealed.

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that the repeal of the Boy Scouts Association (New Zealand Branch) Incorporation Act 1941 shall not affect any document made or any thing whatsoever done under that Act, and every such document or thing, so far as it is subsisting or in force at the time of the repeal and could have been made or done under this Act, shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was made or the thing was done.

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

---