



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Interpretation</p> <p style="text-align: center;"><i>Constitution</i></p> <p>3. Incorporation and constitution of Trust Board</p> <p>4. Elector of trust district</p> <p>5. Elections of members</p> <p>6. Transitional provisions</p> <p>7. Retirement of members by rotation</p> <p>8. Disqualification for membership</p> <p>9. Cessation of membership</p> <p>10. Extraordinary vacancies</p> <p style="text-align: center;"><i>Ouster of Office</i></p> <p>11. Ouster of office</p> <p style="text-align: center;"><i>Trusts and Powers</i></p> <p>12. Vesting of lands</p> <p>13. Trusts on which lands to be held</p> <p>14. Application of income from trust lands</p> <p>15. Leasing powers</p> <p>16. Public Bodies Leases Act 1969 to apply</p> <p>17. Powers of dedication</p> <p>18. Power to grant easements</p>	<p>19. Powers of acquisition</p> <p>20. Restriction on alienation of lands</p> <p>21. Alienation permitted for boundary adjustments</p> <p>22. Exchange of trust lands</p> <p>23. Sale of trust lands</p> <p>24. Power to accept trusteeships</p> <p>25. Power to set aside fund for general purposes</p> <p>26. Investment of money</p> <p>27. Power to borrow on overdraft</p> <p>28. Power to borrow</p> <p style="text-align: center;"><i>General</i></p> <p>29. Officers</p> <p>30. Management</p> <p>31. Member not to vote on question in which he has pecuniary interest</p> <p>32. Money to be paid into bank</p> <p>33. Accounts</p> <p>34. Annual statements</p> <p>35. Annual meeting of electors</p> <p>36. Contracts of Trust Board</p> <p>37. Indemnity of members</p> <p>38. Amending Ombudsmen Act 1975</p> <p>39. Repeal</p> <p style="text-align: center;">Schedule</p>
---	--

1979, No. 4—*Local*

An Act to consolidate and amend the Greytown Trust Lands Act 1956 [22 August 1979]

BE IT 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 Greytown Trust Lands Act 1979.

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

“District” means the Borough of Greytown:

“Elector” means a person who is qualified as an elector under section 4 of this Act:

“Financial year” means a year commencing on the 1st day of April and ending with the succeeding 31st day of March:

“Income”, in relation to any property of the Trust Board, includes all income derived in any previous year and not yet applied pursuant to the provisions of this Act:

“Member” means a person who is duly confirmed, elected, or appointed by or pursuant to this Act as a member of the Trust Board and is for the time being in office:

“Public notice” means a notice published in some newspaper circulating in the district; and “published”, “publication”, and “publicly notified” have corresponding meanings. A public notice setting forth the object, purport, or general effect of a document shall in any case be a sufficient publication of that document:

“Special resolution” means a resolution passed at a special meeting of the Trust Board. For the purposes of this definition, a special meeting is a meeting of which not less than 7 clear days before the time at which such meeting is to be held there shall have been given to each member written notice, under the hand of the Secretary to the Trust Board, specifying the time and place at which the meeting is to be held and the business to be brought before the meeting:

“Trust Board” means the corporation of the Greytown Trust Lands Trustees constituted by this Act:

“Trust lands” means the land mentioned in the Schedule to this Act, together with all additional lands (whether within or beyond the district) that may be hereafter acquired by the Trust Board for the purposes of this Act; and includes also all lands (whether within or beyond the district) that may be hereafter acquired by the Trust Board in substitution for lands theretofore included in the trust lands, and excludes all lands theretofore included in the trust lands in substitution for which lands are so acquired.

*Constitution***3. Incorporation and constitution of Trust Board—**

(1) There is hereby established for the purposes of this Act a board of trustees, to be called the Greytown Trust Lands Trustees, which shall be a body corporate, with perpetual succession and a common seal, and shall, for the purposes and subject to the provisions of this Act, be capable of purchasing or otherwise acquiring, holding, disposing of, and alienating real and personal property, and of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

(2) The Trust Board constituted by this Act is hereby declared for all purposes to be the same body of persons as the Greytown Trustees constituted by the Greytown Trust Lands Act 1956 and subsisting immediately before the passing of this Act. All references to the Greytown Trustees in any Act, Proclamation, Order in Council, or other enactment, or in any contract, deed, instrument, agreement, will, register, title, licence, list, or other document, whether passed or made before or after the passing of this Act, shall unless inconsistent with the context thereof or with the provisions of this Act, be deemed to be references to the Greytown Trust Lands Trustees.

(3) The Trust Board shall consist of 6 members, who shall be elected in the manner hereinafter provided, and who (subject to the provisions of this Act) shall respectively hold office until retirement by rotation in the manner hereinafter provided.

(4) Subject to sections 8 and 9 of this Act, all persons holding office immediately before the passing of this Act as members of the Greytown Trustees under the Greytown Trust Lands Act 1956 shall, until retirement by rotation in the manner hereinafter provided, continue to hold office as members of the body corporate constituted by this Act, and shall be deemed to have been elected to such last-mentioned office on the days on which they respectively were elected as members of the Greytown Trustees constituted by the Greytown Trust Lands Act 1956.

(5) The powers of the Trust Board shall not be affected by any vacancy in its membership.

(6) The common seal of the Trust Board shall only be affixed to documents pursuant to a resolution of the Trust Board and in the presence of 2 of the Trustees and the Secretary.

4. Elector of trust district—(1) Every person shall be an elector who is entitled by virtue of a residential qualification, being a qualification in respect of an address within the district, to vote at any election of members of the local authority of the district.

(2) Notwithstanding anything to the contrary in any other Act, where any person is enrolled or entitled to be enrolled on the roll of electors of any such local authority by virtue of another qualification, and that person would, but for that other qualification, be entitled by virtue of a residential qualification to be enrolled on that roll in respect of an address within the district, it shall be the duty of the principal officer of the local authority to indicate on the roll the residential qualifications of that person as well as that other qualification—

(a) If that person, being then enrolled by virtue of that other qualification, duly makes a claim for enrolment on the ground of possessing the residential qualification, unless to the knowledge of the principal officer any statement made by the applicant in his claim is untrue; or

(b) If that person, not being then enrolled by virtue of that other qualification, duly makes a claim for enrolment on the grounds of possessing the residential qualification and the other qualification, unless to the knowledge of the principal officer any statement made by the applicant in his claim is untrue; or

(c) If to the knowledge of the principal officer that person possesses the residential qualification.

(3) Every elector shall have 1 vote only at each election at which he is entitled to vote under this Act.

(4) Except where otherwise expressly provided, the majority required to determine any election or carry any proposal shall be a majority of the valid votes cast at the poll.

5. Elections of members—(1) An election of 3 members shall be held on the day appointed under the Local Elections and Polls Act 1976 for the holding of successive triennial general elections of members of local authorities.

(2) The first such election shall take place at the general election of members of local authorities to be held in the year 1980.

(3) Subject to section 8 of this Act, every elector shall be qualified to be elected as a member of the Trust Board, and may be re-elected from time to time.

(4) At every election held under this Act the Returning Officer for the Borough of Greytown shall be the Returning Officer for the Trust Board.

(5) The roll of electors for the district shall be the roll of electors for elections under this Act.

(6) It shall be the duty of the principal officer of the local authority of the district to indicate on the roll of electors for the district of that local authority, by appropriate words, abbreviations, or marks, the names of the persons entitled to vote at elections of members.

(7) The poll at every election under this Act shall be conducted within such district by the Returning Officer for the local authority on behalf of the Trust Board. After ascertaining the total number of votes recorded in the district for each candidate, the Returning Officer for the local authority shall forthwith make up the total number of votes received by each candidate and declare the result of the poll.

(8) The actual and reasonable additional cost incurred by any such local authority in respect of any election under this Act that is held simultaneously with the election of members of the local authority (except in every case the expenses of scrutineers and other expenses incurred by or on behalf of candidates), shall be paid by the Trust Board. Any dispute arising as to the amount to be paid to any local authority under this subsection shall be determined by the Audit Office after such inquiry as it thinks fit, and the decision of the Audit Office in any such dispute shall be final.

(9) Subject to the provisions of this Act, the provisions of the Local Elections and Polls Act 1976 shall apply in respect of every election held under this Act.

6. Transitional provisions—(1) Subject to sections 8 and 9 of this Act, all members holding office following the election held in 1979 shall continue in office until the election to be held under subsection (2) of this section.

(2) With respect to the election of members to be held under section 5 (2) of this Act in the year 1980, the following provisions shall apply:

(a) Three members shall, unless any of them sooner vacates his office under section 9 of this Act, remain in office until the next succeeding triennial election of members in the year 1983:

- (b) The 3 members so to remain in office shall be determined by agreement between the members no later than the 15th day of December 1979 or, failing such agreement, shall be determined by lot no later than that day:
- (c) The members other than the 3 so to remain in office shall retire but (except as provided in section 8 of this Act) shall be eligible for re-election.

7. Retirement of members by rotation—At every election of members the 3 members who have been longest in office since they respectively were most recently elected as members shall retire from office, but shall be eligible for re-election; but as among members whose most recent election as members occurred on the same day, those to retire (unless they otherwise agree among themselves) shall be determined by lot.

8. Disqualification for membership—(1) The following persons shall be incapable of being elected to be, or of being or continuing to be, members of the Trust Board:

- (a) Any person who is not an elector:
- (b) An alien:
- (c) A mentally disordered person within the meaning of the Mental Health Act 1969:
- (d) A person who has not obtained his order of discharge or whose order of discharge is suspended for a term under the Insolvency Act 1967 and not yet expired, or is subject to conditions not yet fulfilled under that Act:
- (e) Any person who is convicted of any offence punishable by imprisonment for a term of 2 years or more, unless (in the case of a person seeking election) he has obtained a pardon or has served his sentence or otherwise suffered the penalty imposed on him:
- (f) Any person who is convicted of any offence punishable by imprisonment for a term of less than 2 years and is sentenced to imprisonment for that offence, unless (in the case of a person seeking election) he has obtained a pardon or has served his sentence:
- (g) A tenant or lessee of the Trust Board and a person to whom the Trust Board is a tenant or lessee, other than a person who falls within this paragraph only in the capacity of a trustee or other representative capacity.

(2) In any case to which subsection (1) (e) of this section applies—

(a) The disqualification shall not take effect until the expiration of the time for appealing against the conviction and, in the event of an appeal against conviction, until the appeal is determined; and

(b) The member concerned shall be deemed to have been granted leave of absence until the expiration of that time, and shall not be capable of acting as a member during the period of that leave of absence.

(3) In any case to which subsection (1) (f) of this section applies—

(a) The disqualification shall not take effect until the expiration of the time for appealing against the conviction or the sentence and, in the event of an appeal against the conviction or against the sentence or both, until the appeal is determined; and

(b) The member concerned shall be deemed to have been granted leave of absence until the expiration of that time, and shall not be capable of acting as a member during the period of that leave of absence.

(4) If any person while holding office as a member becomes incapable of continuing to hold office under subsection (1) of this section, his office shall thereby be vacated, and the vacancy so created shall be deemed to be an extraordinary vacancy.

9. Cessation of membership—A member may resign his office by writing under his hand delivered to the Secretary to the Trust Board, and in such case, or in the case of the death, incapacity, or ouster from office of a member, or the absence of a member without the leave of the Trust Board from 3 consecutive ordinary meetings of the Trust Board, his office shall become vacant, and such vacancy shall be deemed to be an extraordinary vacancy.

10. Extraordinary vacancies—(1) In the event of an extraordinary vacancy in the office of a member occurring not less than 6 months before the date on which such member is due to retire from office pursuant to section 7 of this Act, the Trust Board shall, by resolution, appoint a person qualified to be elected as a member to fill the vacancy.

(2) In the event of an extraordinary vacancy in the office of a member occurring less than 6 months before the date on which such member is due to retire from office pursuant to

section 7 of this Act, the Trust Board may, by resolution, either appoint a person qualified to be elected as a member to fill the vacancy, or determine that the vacancy shall not be filled.

(3) Subject to sections 8 and 9 of this Act, every person appointed by the Trust Board to fill an extraordinary vacancy in the office of member shall hold office only until the date on which his predecessor (the member whose vacation of office has caused the extraordinary vacancy) would, if he had so long continued to hold office, have been due to retire from office pursuant to section 7 of this Act.

(4) Every resolution of the Trust Board under this section shall have effect according to its tenor, anything to the contrary in the Local Elections and Polls Act 1976 notwithstanding.

Ouster of Office

11. Ouster of office—(1) Upon proof in the first instance, by affidavit or otherwise, that a member is or has become incapable under this Act of holding his office, the Magistrate's Court in the district may grant a summons calling upon the person holding that office to show cause why he should not be adjudged to be ousted of the same.

(2) If on the return of the summons it appears to the Court, on affidavit or oral evidence on oath, that such person is incapable under this Act of holding the said office, the Court may adjudge him to be ousted of the same, and he shall be ousted of such office accordingly.

(3) In any such proceedings the Magistrate's Court may exercise all the powers and authorities that it may exercise in its ordinary jurisdiction in civil cases; and the procedure of that Court shall, so far as applicable, apply generally to proceedings had under this section.

(4) No matter in relation to a disputed election shall be heard by a Magistrate's Court under this section.

(5) No question that may be tried under this section shall be tried in the Supreme Court; and no proceedings in a Magistrate's Court hereunder shall be removable into the Supreme Court by certiorari or otherwise.

Trusts and Powers

12. Vesting of lands—All property, both real and personal, vested at the passing of this Act in the Greytown Trustees constituted under the Greytown Trust Lands Act 1956, and

in particular the lands described in the Schedule to this Act, is hereby vested in the Trust Board subject to all encumbrances, contracts, and equities affecting the same respectively at the passing of this Act and subject to the trusts declared by this Act concerning the same respectively.

13. Trusts on which lands to be held—(1) Subject to the express provisions of this Act, the Trust Board shall hold, and shall be deemed always to have held, the trust lands for purposes of public utility in the district, and the promotion and assistance of such purposes; and, in particular (but without restricting the generality of those purposes), for the purposes of establishing or assisting educational establishments in the district and establishing or assisting libraries in the district, and for the purpose of promoting and fostering in the district, or among persons who are or at some time have been resident within the district, education generally, and the cultivation of and the imparting of knowledge, proficiency, and skill in arts, sciences, technical subjects, literature, physical welfare, and other cultural purposes.

14. Application of income from trust lands—The Trust Board may, in every financial year, apply its income from the trust lands in such manner as the Trust Board shall from time to time decide, to all or any of the following purposes:

- (a) In paying and satisfying all the costs and expense of the conduct and management of the business and affairs of the Trust Board, and in reimbursing to members all travelling and other expenses incurred by them in the course of attending to the business and affairs of the Trust Board, and in paying and satisfying the cost and expense of conducting elections and polls under this Act and generally the cost and expenses of the execution of the trusts and powers of this Act:
- (b) For any or all of the purposes mentioned in section 13 of this Act:
- (c) For the purpose of erecting, or assisting in erecting, on lands of the Trust Board (whether within the district or elsewhere), or elsewhere in the district, buildings and other erections designed for any of the said purposes or designed for use in connection with or incidental to any such purposes:
- (d) For the purpose of improving, maintaining, and keeping in proper order and condition any real or personal property of the Trust Board, and any real

or personal property in the district (whether or not the property of the Trust Board) used or designed for use for or in connection with any of the purposes mentioned in this section:

- (e) For the purpose of maintaining and improving the earning capacity, or the use for any of the said purposes, of any real or personal property of the Trust Board, or of rendering any such property more suitable for the purpose of producing revenue, whether by development or subdivision or otherwise and, in particular, by the erection of buildings for residential, industrial, or commercial purposes, and the addition of improvements and amenities:
- (f) For the purpose of forming, constructing, kerbing, and paving streets, roads, service lanes, and ways on lands dedicated or transferred for those purposes by the Trust Board pursuant to section 17 of this Act or on any lands of the Trust Board:
- (g) In expending for purposes not authorised by any Act or law for the time being in force any sum or sums not amounting in the whole to more than 1 percent of the gross rentals derived during that financial year from the trust lands or \$500, whichever is the lesser.

15. Leasing powers—The Trust Board shall have power to grant leases and tenancies of the trust lands and any part or parts of the same.

16. Public Bodies Leases Act 1969 to apply—Every power of granting leases or tenancies conferred on the Trust Board by this Act shall confer on the Trust Board power to grant any such lease or tenancy on any terms authorised by the Public Bodies Leases Act 1969, and for that purpose the Trust Board is hereby declared to be a leasing authority within the meaning and for the purposes of the Public Bodies Leases Act 1969:

Provided that sections 8, 19, and 23 (1) (d) of that Act shall not apply to the Trust Board.

17. Powers of dedication—(1) The Trust Board shall have power from time to time, with or without requiring any payment or other consideration, to dedicate and transfer portions of the trust lands for the purpose of widening any street, roads, access ways, or service lanes:

Provided that no such dedication shall be made so as to widen any street or road by a greater width than ten metres.

(2) The Trust Board shall have power from time to time, with or without requiring any payment or other consideration, to dedicate and transfer portions of the trust lands for the purpose of making new roads, streets, access ways, or service lanes or extensions of existing roads, streets, access ways, or service lanes; and in particular (but without affecting the generality of the power conferred by this subsection) for the purpose of improving or using to better advantage any real or personal property of the Trust Board.

(3) No money shall be expended in the exercise of any power conferred by this section except out of the revenue of the trust lands, or out of a fund specially created for the purpose, or out of a general reserve established pursuant to this Act.

(4) Money received by way of consideration for the dedication or transfer, as mentioned in this section, of any part of the trust lands shall be deemed to be income derived from the trust lands.

(5) No power conferred by this section shall be exercised except by or in pursuance of a special resolution.

18. Power to grant easements—The Trust Board may from time to time grant any easement in, upon, through, over, or under the trust lands, or any part or parts of it subject to such conditions, and upon such consideration, and subject to the payment of such rent (if any) as the Trust Board shall think fit.

19. Powers of acquisition—(1) The Trust Board shall have power from time to time to acquire by purchase, by the acceptance of gifts or devises, or otherwise, additional lands for addition to the trust lands, and all lands so acquired shall thereafter be deemed to be included in the trust lands for the purposes of this Act.

(2) No money shall be expended pursuant to the powers conferred by this section except out of the revenue of the trust lands, or out of a fund specially created for the purpose, or out of a general reserve established pursuant to this Act, or out of the proceeds from the disposal of trust lands acquired by the Crown or a local authority under the Public Works Act 1928.

(3) No power conferred by this section shall be exercised except by or pursuant to a special resolution.

20. Restriction on alienation of lands—(1) Save as in this Act expressly authorised, the Trust Board shall have no power of alienation of the trust lands or any part thereof or any interest therein.

(2) Notwithstanding anything to the contrary in subsection (1) of this section or elsewhere in this Act, the Trust Board shall have power to sell or otherwise dispose of personal property of the Trust Board, and to sell for removal, or otherwise to dispose of buildings, erections, and improvements, being the property of the Trust Board, standing or being upon the trust lands or any part thereof, whether affixed to the freehold or not.

(3) Money received by way of consideration for any sale or other disposal as mentioned in this section shall be deemed to be income of the Trust Board.

21. Alienation permitted for boundary adjustments—

(1) Notwithstanding anything to the contrary in section 20 of this Act, the Trust Board shall have power from time to time, with or without requiring any payment or other consideration, to sell or otherwise dispose of any part or parts of the general trust lands for the purpose of improving, adjusting, or straightening the boundary or boundaries between land owned by the Trust Board and other land.

(2) Any money received by way of consideration for any sale or other disposal pursuant to this section shall be deemed to be income of the Trust Board.

(3) No power conferred by this section shall be exercised except by or pursuant to a special resolution.

22. Exchange of trust lands—(1) The Trust Board may from time to time exchange trust lands for other lands in the district in any case where it has resolved that such exchange is in the interests of the Trust Board and the district, and in respect of such exchange may give or receive any money for equality of exchange.

(2) No power conferred by this section shall be exercised except by or in pursuance of a special resolution.

(3) Money received by way of equality of exchange for any trust lands pursuant to this section shall be applied by the Trust Board for or towards the purchase of other land or lands or the development of trust lands, and until so applied shall be held by the Trust Board in a special reserve account for that purpose.

(4) Land acquired by the Trust Board in exchange for any part or parts of the trust lands and any land or lands purchased from money from the special reserve account hereinbefore mentioned shall be deemed to form part of the trust lands and be held on the same terms and for the same purposes.

23. Sale of trust lands—(1) Notwithstanding anything to the contrary in section 20 of this Act, the Trust Board shall have power to sell any part or parts of the Trust lands.

(2) The Trust Board may in respect of any such sale impose such conditions as it thinks fit whether in respect of the method of sale, the reserve price of such sale, the method of payment, or otherwise howsoever.

(3) Money received by the Trust Board from any sale pursuant to this section of any part or parts of the trust lands shall be applied by the Trust Board for or towards the purchase of other land or lands or the development of trust lands, and until so applied shall be held by the Trust Board in a special reserve account for that purpose.

(4) Land purchased by the Trust Board with money received from the sale pursuant to this section of part or parts of the trust land shall be deemed to form part of the trust lands.

(5) No power conferred by this section shall be exercised except by or in pursuance of a special resolution of the Trust Board.

24. Power to accept trusteeships—The Trust Board shall be at liberty from time to time to accept trusteeships for trusts and purposes not inconsistent with the general purposes of this Act, and for such purposes to permit to be or become vested in the Trust Board any real or personal property to be held by the Trust Board upon and subject to the trusts imposed in respect thereof, not being trusts inconsistent with the general purposes of this Act.

25. Power to set aside fund for general purposes—The Trust Board may from time to time, out of the income from the trust lands, create, maintain, and add to a fund or funds for any one or more of the purposes of the Trust Board.

26. Investment of money—The Trust Board may from time to time invest any fund established pursuant to section 22, section 23, or section 25 of this Act, or any part or parts of

any such fund, and all money representing income of the Trust Board from time to time remaining unapplied pending the application of it in accordance with the trusts and purposes of this Act, in the following manner, that is to say:

- (a) In public securities as defined in the Public Finance Act 1977; or
- (b) On deposit in any bank lawfully carrying on the business of banking in New Zealand, or in the Post Office Savings Bank or in the National Savings Account; or
- (c) On any other form of investment for the time being authorised by law for the investment of trust funds,—

and the income from such investments shall be credited to the fund to which the investments belong.

27. Power to borrow on overdraft—The Trust Board may from time to time borrow money from its bankers by way of overdraft:

Provided that the total amount so borrowed shall not at any time in any financial year exceed half of the gross rental income of the Trust Board for the immediately preceding financial year.

28. Power to borrow—(1) In addition to the power conferred by section 27 of this Act the Trust Board shall have power, with the consent of the Minister of Finance and upon and subject to such conditions as that Minister thinks fit, to borrow money for any of the purposes of the Trust Board.

(2) For the purpose of securing the repayment of money so borrowed and the interest thereon, the Trust Board may, with the consent of the Minister of Finance and upon and subject to such conditions as that Minister thinks fit, appropriate and pledge as security its revenues or any part thereof or mortgage or charge any of its real or personal property.

(3) The Trust Board shall be deemed not to be a local authority within the meaning of the Local Authorities Loans Act 1956.

General

29. Officers—(1) The Trust Board may from time to time appoint or remove a Secretary and such other officers and employees as the Trust Board shall think necessary, and may, out of the revenues of the Trust Board, pay to such persons such salaries, allowances, remuneration, and retainers in

respect of their services as shall be thought fit. All officers and employees holding office at the passing of this Act shall continue in office subject to the provisions of this Act.

(2) Before any officer entrusted by the Trust Board with the custody or control of money by virtue of his office enters on the duties of his office the Trust Board shall take sufficient security from him for the faithful execution of those duties.

(3) Any auditor appointed shall be the holder of a certificate of public practice as an accountant.

(4) The auditor shall as well as auditing the books of account have the duty to oversee the provisions of sections 8 and 31 of this Act.

30. Management—The Trust Board may from time to time make rules for the conduct of business and keeping the minutes thereof, for fixing quorums for meetings, for the appointment of a chairman and fixing his terms of office, for the appointment of an auditor and for the management of the real and personal property of the Trust Board, and generally for giving effect to the provisions of this Act, and may from time to time add to, amend, and revoke such rules or any of them, and may from time to time make additional or substituted rules for the said purposes.

31. Member not to vote on question in which he has pecuniary interest—(1) No member of the Trust Board shall vote or take part in the discussion of any matter before the Trust Board or any committee of the Trust Board in which he has, directly or indirectly, any pecuniary interest apart from any interest in common with the public.

(2) Every member who knowingly offends against this section commits an offence and is liable on summary conviction to a fine not exceeding \$100. The amount of any fine imposed under this section shall be payable to the Trust Board.

(3) On the conviction of any person under this section his office as a member of the Trust Board shall become vacant, and the vacancy so created shall be deemed to be an extraordinary vacancy.

32. Money to be paid into bank—(1) All money belonging to the Trust Board amounting to \$20 and upwards shall, within 3 days after it has been received by the proper officer of the Trust Board, be paid into the account of the Trust Board at such bank as the Trust Board from time to time appoints.

(2) No money shall be withdrawn from the bank except by authority of the Trust Board and by cheque signed by the Secretary and countersigned by a member of the Trust Board.

33. Accounts—(1) The Trust Board shall keep such accounts and keep them in such manner as may be prescribed by the auditor, but so always that—

- (a) A general account shall be kept and credited with all money not required by this Act to be carried to any other account, and debited with the expenditure that is not required by or under this or any other Act to be charged or that is not otherwise properly chargeable against any other account; and
- (b) Separate accounts shall be kept and credited with all money raised or levied for, or appropriated or allocated to, or held in trust or received for, any special purpose, and debited with expenditure properly chargeable against these accounts.

(2) The decision of the auditor as to whether or not any expenditure is properly chargeable against any such account as aforesaid shall be final.

34. Annual statements—(1) As soon as practicable after the end of every financial year the Trust Board shall cause to be prepared and sent to the auditor such financial statements as will fairly reflect the financial position of the Trust Board as at the end of that financial year and the results of the financial operations for the year.

(2) The yearly financial statements shall be audited by the auditor.

(3) The auditor shall return the financial statements to the Trust Board as soon as possible, with his report written and signed thereon. The financial statements bearing the report, shall thereupon be printed, and a copy thereof as so printed shall be deposited in the office of the Trust Board, and be available for inspection by any elector during ordinary office hours, free of charge, until the holding of the meeting of electors mentioned in section 35 of this Act. The Trust Board shall furnish a copy of the financial statements as so printed, to any elector requiring the same. Public notice shall be given that the financial statements have been audited and printed, and are available as aforesaid.

35. Annual meeting of electors—For the purpose of receiving the annual report and financial statements of the Trust Board a meeting of electors shall be held annually at a place to be appointed by the Trust Board, and on a day to be appointed by the Trust Board being not later in any year than the 30th day of September, of which meeting, and of the time and place appointed for holding the same, not less than 7 clear days' public notice shall be given. At such meeting the chairman for the time being of the Trust Board or, in his absence, a chairman appointed by the meeting shall preside. At such meeting the annual report and financial statements for the year ended with the preceding 31st day of March shall be submitted. At such meeting the auditor for the ensuing year shall be appointed and the method of fixing his remuneration determined.

36. Contracts of Trust Board—(1) Any contract which, if made between private persons, must be by deed shall, if made by the Trust Board, be in writing under the seal of the Trust Board.

(2) Any contract which if made between private persons must be in writing signed by the parties to be charged therewith shall, if made by the Trust Board, be in writing under the seal of the Board or in writing signed by 2 members of the Board on behalf of and by direction of the Board.

(3) Any contract which if made between private persons may be made orally may be similarly made by or on behalf of the Board by any member acting by direction of the Board, but no oral contract shall be made involving the payment by the Board of a sum exceeding \$100.

(4) Notwithstanding anything in this section, no contract made by or on behalf of the Board shall be invalid by reason only that it is not made in the manner prescribed by this section if it is made pursuant to a resolution of the Board or to give effect to a resolution of the Board.

37. Indemnity of members—No member shall be personally liable for any act done or omitted by the Trust Board, or by any member thereof, in good faith in the course of the operations of the Trust Board, or be answerable for the act of any other member, or be answerable for any loss that may arise by reason of any money of the Trust Board being deposited in any bank, or in the hands of any agent or servant of the Trust Board, or for any loss in the execution of any of the trusts or powers declared in this Act, unless the same happens through his own wilful neglect or default.

38. Amending Ombudsmen Act 1975—Part III of the First Schedule to the Ombudsmen Act 1975 is hereby amended by inserting in its appropriate alphabetical order the following item:

“The Greytown Trust Lands Trustees.”

39. Repeal—The Greytown Trust Lands Act 1956 is hereby repealed.

Section 12

SCHEDULE

GREYTOWN TRUST LANDS

(All situated in Blocks XIII and XIV Tiffin Survey District,
Wellington Land District)

Area	Reference to Certificate of Title, Wellington Registry	Description
(1) 2.6335 ha	Bal. C.T. 508/263 Limited	Situated partly in Borough of Greytown and partly in County of Feather- ston, being part Sections 1, 9, 61, 89, 112 and Sections 120 and 119 Town of Greytown, and part Section 5 Greytown Small Farm Settlement and Lots 1, 2, 3 and 4 D.P. 20509.
(2) 2.5470 ha	Bal. C.T. C3/694 Limited	Situated partly in Borough of Greytown and partly in County of Feather- ston, being Sections 1, 2, 3 and 4 and part Section 5 Greytown Town Belt, and Lot 4 D.P. 22059, Lot 2 D.P. 22410, Lots 2, 7 and 8 D.P. 22662, Lots 1, 2 and 3 L.T. Plan 32660, Lot 1 L.T. Plan 40362 and Lot 1 D.P. 41474.
(3) 4858 m ²	Bal. C.T. 332/252 Limited	Lots 1, 4, 5, 6 and 8 D.P. 22411.
(4) 5.5315 ha	C.T. 403/156	Part Tahorahina Block.
(5) 1644 m ²	C.T. D4/141	Part Lot 1 A Plan 2215.
(6) 627 m ²	C.T. 332/285	Part Section 33 Town of Greytown.
(7) 3264 m ²	C.T. 508/262	Lots 1, 2, 3, 4 and 6 D.P. 10765.
(8) 1.2141 ha	C.T. 285/140	Lot 1 D.P. 5121.
(9) 965 m ²	C.T. 945/68	Lot 2 D.P. 22411.
(10) 965 m ²	C.T. 963/88	Lot 3 D.P. 22411.
(11) 965 m ²	C.T. 979/83	Lot 7 D.P. 22411.
(12) 925 m ²	C.T. 6B/640	Lot 1 D.P. 29617.
(13) 925 m ²	C.T. 6B/641	Lot 2 D.P. 29617.
(14) 925 m ²	C.T. 6B/642	Lot 3 D.P. 29617.
(15) 925 m ²	C.T. 6B/643	Lot 4 D.P. 29617.
(16) 925 m ²	C.T. 6B/644	Lot 5 D.P. 29617.
(17) 923 m ²	C.T. 6B/645	Lot 6 D.P. 29617.
(18) 905 m ²	C.T. 6B/646	Lot 7 D.P. 29617.
(19) 902 m ²	C.T. 6B/647	Lot 8 D.P. 29617.

SCHEDULE—*continued*GREYTOWN TRUST LANDS—*continued*

(All situated in Blocks XIII and XIV Tiffin Survey District,
Wellington Land District)—*continued*

Area	Reference to Certificate of Title, Wellington Registry	Description
(20) 900 m ²	C.T. 6B/648	Lot 9 D.P. 29617.
(21) 924 m ²	C.T. 963/85	Lot 1 D.P. 22662.
(22) 924 m ²	C.T. 945/69	Lot 3 D.P. 22662.
(23) 924 m ²	C.T. 956/100	Lot 4 D.P. 22662.
(24) 924 m ²	C.T. 984/4	Lot 5 D.P. 22662.
(25) 924 m ²	C.T. A1/1326	Lot 6 D.P. 22662.
(26) 924 m ²	C.T. 945/73	Lot 1 D.P. 22410.
(27) 924 m ²	C.T. B4/690	Lot 3 D.P. 22410.
(28) 924 m ²	C.T. C1/929	Lot 4 D.P. 22410.
(29) 924 m ²	C.T. 945/71	Lot 1 D.P. 22059.
(30) 924 m ²	C.T. 945/70	Lot 2 D.P. 22059.
(31) 924 m ²	C.T. 945/74	Lot 3 D.P. 22059.
(32) 6421 m ²	C.T. 890.98	Lots 1–6; and 8 D.P. 21314.
(33) 930 m ²	C.T. E1/1120	Lot 7 D.P. 21314.
(34) 975 m ²	C.T. 11C/1453	Lot 3 D.P. 40197.
(35) 924 m ²	C.T. 13B/356	Lot 1 D.P. 41498.
(36) 925 m ²	C.T. 13B/455	Lot 2 D.P. 41498.
(37) 925 m ²	C.T. 13B/456	Lot 3 D.P. 41498.
(38) 925 m ²	C.T. 13B/457	Lot 4 D.P. 41498.
(39) 925 m ²	C.T. 13B/458	Lot 5 D.P. 41498.
(40) 925 m ²	C.T. 13B/459	Lot 6 D.P. 41498.
(41) 925 m ²	C.T. 13B/460	Lot 7 D.P. 41498.
(42) 926 m ²	C.T. 13B/357	Lot 8 D.P. 41499.
(43) 927 m ²	C.T. 13B/462	Lot 9 D.P. 41499.
(44) 927 m ²	C.T. 13B/463	Lot 10 D.P. 41499.
(45) 927 m ²	C.T. 13B/464	Lot 11 D.P. 41499.
(46) 928 m ²	C.T. 13B/465	Lot 12 D.P. 41499.
(47) 928 m ²	C.T. 13B/466	Lot 13 D.P. 41499.
(48) 919 m ²	C.T. 13B/467	Lot 14 D.P. 41499.
(49) 8903 m ²	C.T. 743/97	Lots 1–5 and 7–11 D.P. 17835.
(50) 757 m ²	C.T. B4/310	Lot 6 D.P. 17835.
(51) 729 m ²	C.T. 14D/568	Lot 1 D.P. 43112.
(52) 735 m ²	C.T. 14D/569	Lot 2 D.P. 43112.
(53) 714 m ²	C.T. 14D/570	Lot 3 D.P. 43112.
(54) 714 m ²	C.T. 14D/571	Lot 4 D.P. 43112.
(55) 714 m ²	C.T. 14D/572	Lot 5 D.P. 43112.
(56) 714 m ²	C.T. 14D/573	Lot 6 D.P. 43112.
(57) 807 m ²	C.T. 14D/574	Lot 7 D.P. 43112.
(58) 807 m ²	C.T. 14D/575	Lot 8 D.P. 43112.
(59) 966 m ²	C.T. 14D/576	Lot 9 D.P. 43112.
(60) 1343 m ²	C.T. 14D/577	Lot 10 D.P. 43112.
(61) 870 m ²	C.T. 14D/578	Lot 11 D.P. 43112.
(62) 926 m ²	C.T. 14D/579	Lot 12 D.P. 43112.

SCHEDULE—*continued*GREYTOWN TRUST LANDS—*continued*

(All situated in Blocks XIII and XIV Tiffin Survey District,
Wellington Land District)—*continued*

Area	Reference to Certificate of Title, Wellington Registry	Description
(63) 1084 m ²	C.T. 14D/580	Lot 13 D.P. 43112.
(64) 1102 m ²	C.T. 14D/581	Lot 14 D.P. 43112.
(65) 1.5176 ha	C.T. 12D/261	Lot 1 D.P. 40915.
(66) 2194 m ²	C.T. E2/754	Lots 1, 3 and 4 D.P. 27287.
(67) 908 m ²	C.T. 9A/468	Lot 2 D.P. 27287.
(68) 763 m ²	C.T. 5A/485	Lot 5 D.P. 27287.
(69) 958 m ²	C.T. 8A/1273	Lot 1 D.P. 31241.
(70) 1004 m ²	C.T. 8A/1274	Lot 2 D.P. 31241.
(71) 753 m ²	C.T. 8A/1275	Lot 3 D.P. 31241.
(72) 756 m ²	C.T. 8A/1276	Lot 4 D.P. 31241.
(73) 710 m ²	C.T. 8A/1277	Lot 5 D.P. 31241.
(74) 687 m ²	C.T. 8A/1278	Lot 6 D.P. 31241.
(75) 687 m ²	C.T. 8A/1279	Lot 7 D.P. 31241.
(76) 638 m ²	C.T. 16B/1411	Lot 1 D.P. 45459.
(77) 709 m ²	C.T. 16B/1412	Lot 2 D.P. 45459.
(78) 742 m ²	C.T. 16B/1413	Lot 3 D.P. 45459.
(79) 687 m ²	C.T. 16B/1414	Lot 4 D.P. 45459.
(80) 675 m ²	C.T. 16B/1415	Lot 5 D.P. 45459.
(81) 690 m ²	C.T. 16B/1416	Lot 6 D.P. 45459.
(82) 667 m ²	C.T. 16B/1417	Lot 7 D.P. 45459.
(83) 675 m ²	C.T. 16B/1418	Lot 8 D.P. 45459.
(84) 667 m ²	C.T. 16B/1419	Lot 9 D.P. 45459.
(85) 708 m ²	C.T. 15B/238	Lot 1 D.P. 32661.
(86) 887 m ²	C.T. 15B/239	Lot 2 D.P. 32661.
(87) 3838 m ²	C.T. 16A/481	Part Section 93 Town of Greytown.
(88) 1771 m ²	C.T. 601/148	Lot 13 D.P. 16344.
(89) 2023 m ²	C.T. 336/92 Limited	Lot 8 Deeds Plan 139.
(90) 2018 m ²	C.T. 982/76 Limited	Part Section 92 Town of Greytown.
(91) 979 m ²	C.T. 336/1 Limited	Lots 1-4 Deeds Plan 271.
(92) 4696 m ²	C.T. 10D/453	Part Lot 2 D.P. 31638.
(93) 5553 m ²	C.T. 11B/542	Part Lot 1 D.P. 26547.