

New Zealand.

ANALYSIS.

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Lands to which Act relates.
4. Special Trust Account established.</p> | <p>5. Revenues derived from sale or lease of lands to be paid into Trust Account.
6. Moneys payable out of Trust Account.
7. Trust Board established.
8. Administration of Trust Account.
9. Regulations.
Schedule.</p> |
|---|---|

1921, No. 12.

Title. AN ACT to make Provision for the Administration of Moneys derived from the Sale or Lease of certain Lands conveyed as a Gift to the Crown by Sir George Hunter for the Settlement of Discharged Soldiers. [4th November, 1921.]

Preamble. WHEREAS the lands described in the Schedule hereto have been conveyed as a gift to the Crown by Sir George Hunter (hereinafter referred to as the donor) for purposes of the settlement of discharged soldiers: And whereas the said lands have been duly set apart under the Discharged Soldiers Settlement Act, 1915, for disposal by way of sale or lease to discharged soldiers under that Act: And whereas the said gift has been made by the donor with the expressed intention that the revenues derived from the sale or lease of the said lands, after deduction of the cost of administration and other necessary charges, should be held in trust in perpetuity for the purpose of assisting discharged soldiers within the Hawke's Bay Land District: And whereas it is desirable that effect should be given to the intention of the donor 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:—

Short Title. 1. This Act may be cited as the Hunter Gift for the Settlement of Discharged Soldiers Act, 1921.

2. In this Act the term "discharged soldier" means—

Interpretation.

- (a.) Any person who, being a discharged soldier within the meaning of the Discharged Soldiers Settlement Act, 1915, has served beyond New Zealand in connection with the war with Germany; or
- (b.) Any person who, while domiciled in New Zealand, has served beyond New Zealand as a member of any of His Majesty's Forces in connection with any war other than the war with Germany.

3. The lands to which this Act relates are the lands referred to in the Schedule hereto.

Lands to which Act relates.

4. There shall be a special account in the Public Account to be called the Hunter Soldiers Assistance Trust Account (hereinafter referred to as the Trust Account).

Special Trust Account established.

5. (1.) Forthwith after the passing of this Act there shall, without further appropriation than this Act, be transferred to the Trust Account the net revenues theretofore derived by the Crown from the sale or lease of the lands to which this Act relates, after deducting the reasonable expenses of administration and all charges paid or payable in respect thereof.

Revenues derived from sale or lease of lands to be paid into Trust Account.

(2.) In addition to the moneys referred to in the last preceding subsection, there shall from time to time be paid into the Trust Account—

- (a.) All moneys hereafter derived from the sale or lease or other disposal of any of the lands to which this Act relates:
- (b.) All moneys received in repayment of principal or as interest in respect of loans granted pursuant to section eight hereof:
- (c.) Any other moneys lawfully payable into the said account.

6. There shall be payable out of the Trust Account, without further appropriation than this Act,—

Moneys payable out of Trust Account.

- (a.) Such sums as the Minister of Lands may from time to time deem adequate to cover the cost of administration and other charges in respect of the said lands and generally in respect of the administration of this Act:
- (b.) All moneys required for the purpose of making loans to discharged soldiers or of making grants or loans for the benefit of orphan children of deceased soldiers pursuant to section eight hereof.

7. (1.) There is hereby established for the administration of the Trust Account a Board to be known as the Hunter Soldiers Assistance Trust Board (hereinafter referred to as the Board).

Trust Board established.

(2.) The Board shall consist of—

- (a.) The Commissioner of Crown Lands for the time being for the Land District of Hawke's Bay, who shall be the Chairman of the Board:
- (b.) Two other persons to be appointed from time to time by the Minister of Lands to hold office during his pleasure.

(3.) One of the persons appointed under paragraph (b) of the last preceding subsection shall, if the donor so requires, be appointed

on his recommendation or on the recommendation of such other person or body as he may from time to time appoint:

Provided that the appointment of any member or the validity of the constitution of the Board shall not be questioned on the ground that the provisions of this subsection have not been complied with.

(4.) In the absence of the Chairman from any meeting of the Board the members present shall determine which of them shall be the Chairman of that meeting.

(5.) Two members shall form a quorum at any meeting of the Board.

(6.) The Chairman shall have a deliberative vote, and, in case of an equality of votes, shall also have a casting-vote.

Administration of
Trust Account.

8. (1.) The moneys from time to time standing to the credit of the Trust Account may, subject to payment of the costs and charges mentioned in paragraph (a) of section six hereof, be applied by the Board for the purpose of making advances, in accordance with this section, in assistance of discharged soldiers in respect of their occupation and use of land within the Land District of Hawke's Bay or for the purpose of making grants or loans for the benefit of orphan children of deceased soldiers.

(2.) The purposes for which money may be advanced to any discharged soldier under this section shall be as follows, namely:—

(a.) The purchase of land or any interest in land;

(b.) The clearing, fencing, draining, and general improvement of land;

(c.) The erection of buildings; or

(d.) The purchase of implements, stock, seeds, plants, trees, and such other things as may be deemed necessary by the Board for the successful occupation of land.

(3.) All moneys advanced by the Board under the authority of this section in respect of any land shall be repayable by instalments or otherwise as the Board may in each case determine, and shall bear interest at such rate as may be prescribed.

(4.) Every loan under this section shall be secured by way of mortgage over the land in respect of which the moneys are advanced or over the mortgagor's interest in that land.

Regulations.

9. The Governor-General may from time to time, by Order in Council, make regulations, not inconsistent with this Act,—

(a.) Prescribing the terms and conditions on which loans may be granted under this Act, including conditions as to the repayment of such loans, and as to the relief, in cases of hardship, of mortgagors from any onerous conditions expressed or implied in their mortgages under this Act;

(b.) Prescribing the rates of interest to be charged in respect of such loans;

(c.) Prescribing classes of collateral security that may be accepted in respect of any such loan, in addition to the mortgage required to be given pursuant to section eight hereof; and

(d.) Generally prescribing such other matters as may, in the opinion of the Governor-General, be necessary for the purpose of giving effect to the provisions of this Act.

SCHEDULE.

Schedule.

HAWKE'S BAY DISTRICT.

Porangahau Survey District.

					Area.		
					A.	B.	P.
Section 1, Block VII	...	...	...	...	467	3	10
" 2, " VII	...	...	...	...	454	0	0
" 4, " VII	...	...	...	...	421	3	0
" 5, " VII	...	...	...	...	15	1	34
" 6, " VII	...	...	...	...	6	3	27
" 1, " XI	...	...	...	...	546	1	0
" 2, " XI	...	...	...	...	385	2	0