



ANALYSIS

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1994, No. 4—*Private*

An Act to amend the Hamilton Parsonage Site Act 1904

[9 June 1994

WHEREAS by the Hamilton Parsonage Site Act 1904, the trustees of Allotment No. 50 in the Town of Hamilton West (hereinafter referred to as the trust property) were given power to sell or lease the trust property and to purchase other freehold lands and hereditaments or to exchange the trust property for other freehold lands and hereditaments, and the terms on which the revenues arising from such lands were to be applied were settled: And whereas it has become impossible or impracticable or inexpedient to carry out the object of that Act insofar as section 6 of that Act requires that all monies received by the trustees referred to therein in respect of the sale or exchange of all or any part of the trust property are to be expended by the trustees in the purchase of freehold lands in Hamilton to be used as the site of a parsonage and residence of a Minister of the Church, with any surplus monies remaining in the hands of the trustees to be expended for such Church purposes at Hamilton as the General Synod of the Church shall direct: And whereas the General Synod of the Church has duly authorised the trustees to sell or exchange all or any part of the trust property: And whereas the Bishop of the Diocese of Waikato, the Synod of the Diocese of Waikato, the Greater Chapter of the Cathedral of St Peter at Hamilton, and the Vestry of the Parish of St George at Frankton, being all the persons and Church bodies interested in the trust affected by the said Act desire that the said legislation be amended in the

manner set out in this Act: And whereas the objects of this Act cannot be attained otherwise than by legislation:

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Hamilton Parsonage Site Amendment Act 1994, and shall be read together with and deemed part of the Hamilton Parsonage Site Act 1904 (hereinafter referred to as the principal Act).

2. Proceeds of sale or lease—(1) The principal Act is hereby amended by repealing section 6, and substituting the following section:

“6. (1) All money received by the trustees in respect of the sale or exchange of all or any part of the trust property under the provisions of this Act shall, after the deduction and payment of the costs and expenses of and incidental to such sale or exchange, and of preparing for and obtaining the passing of the Act which substituted this section for the original section, be held by the trustees for the sole benefit of the Cathedral Chapter of St Peter at Hamilton.

“(2) All money received by the trustees in respect of the lease of all or any part of the trust property under the provisions of this Act shall, after the deduction and payment of the costs and expenses of and incidental to such lease, be applied by the trustees in payment of two-thirds of the remainder of such money to the Cathedral Chapter of St Peter at Hamilton for the maintenance or staffing of the Cathedral church of St Peter at Hamilton and one-third of such remainder to the Vestry of the Parish of St George at Frankton.”

(2) The following enactments are hereby consequentially repealed:

- (a) Section 142 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1925;
- (b) The Hamilton Parsonage Site Amendment Act 1937.

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