



ANALYSIS

Title Preamble 1. Short Title 2. Interpretation 3. Validation of acts of committee 4. Discharge of committee	5. Fund to vest in trustees 6. Application of unexpended balance 7. Audit of financial statements 8. Time limit of 20 years 9. Costs of promotion, etc. 10. Private Act
---	--

 1992, No. 1—*Private*

An Act to discharge the Southland Flood Relief Committee from the administration of certain moneys held in trust for the charitable purpose of providing relief or assistance to persons suffering financial hardship due to loss or damage from floods occurring in Southland in January 1984, and to appoint trustees to administer the unexpended balance of the fund for the relief of those persons who have suffered financial hardship due to loss or damage from any subsequent flooding, or other natural disaster [23 March 1992]

WHEREAS—

- (a) Extensive flooding occurred in Southland in January 1984:
- (b) The Government appointed a committee to administer funds provided for the relief of persons suffering financial hardship due to loss or damage as a result of that flooding:
- (c) Subscriptions to the fund were made by organisations and individuals throughout New Zealand, and a portion of the fund was subsidised by the Government:
- (d) Payments have been made from the fund for the prescribed purpose:
- (e) The accounts for the fund have been audited by the Controller and Auditor-General:
- (f) There is an unexpended balance remaining in the fund:

- (g) Properties in the City of Invercargill and in urban and rural parts of the district of Southland suffered severe flood damage subsequent to January 1984, and those persons whose property has been subjected to such recurring floods have suffered additional hardship:
- (h) There are no claims outstanding from the January 1984 floods, and it is therefore inexpedient for the committee to limit payments made from the fund to those cases relating to the January 1984 floods:
- (i) The committee wishes to disburse the balance of the fund for the relief of persons who have suffered recurrence of flooding, or other natural disaster, subsequent to January 1984:
- (j) It is desirable for this purpose to release the committee from the administration of the fund, and to vest its administration in the trustees hereinafter named:
- (k) Owing to the difficulty in identifying the very large number of contributors throughout New Zealand and the impracticality of calling a meeting of such contributors, the objects of this Act cannot be achieved readily 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 Southland Flood Relief Committee Empowering Act 1992.

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

“Committee” means the Southland Flood Relief Committee, comprising the persons who held office in January 1984 as the Mayor of the City of Invercargill, the Chairman of the County of Southland, and the Chairman of the County of Wallace:

“Fund” means the money accumulated from subscriptions, donations, subsidy, interest, or however otherwise received, and held for the relief of persons suffering financial hardship due to loss or damage from flooding occurring in Southland in January 1984:

“Trustees” means the persons vested with the administration of the unexpended balance of the fund under section 5 of this Act, being those persons

from time to time holding office as the Mayor of the City of Invercargill, the Mayor of the Southland District, and the Mayor of the Gore District.

3. Validation of acts of committee—All expenditure and payments made out of the fund by the committee at any time before the passing of this Act for the relief of persons suffering financial hardship due to loss or damage from any flood are hereby validated and declared to have been validly and lawfully made.

4. Discharge of committee—On payment or making over to the trustees of the unexpended balance of the fund, together with any interest on it, the committee shall be discharged from its administration of the fund and from all liabilities in respect of it.

5. Fund to vest in trustees—The unexpended balance remaining in the fund, together with any interest on it, is hereby vested in the trustees, as if the same were funds held in a charitable trust pursuant to the Charitable Trusts Act 1957.

6. Application of unexpended balance—The trustees shall administer the fund in their absolute discretion to meet from it unpaid claims on the fund made by persons suffering financial hardship due to loss or damage from recurrences of flooding in any area or areas of Southland, and by persons suffering financial hardship due to loss or damage from flooding, storm, or other natural disaster, but excluding subsidence, in any area of New Zealand.

7. Audit of financial statements—(1) Until such time as all the money in the fund is expended, the trustees shall prepare annual financial statements, which shall be audited by the Audit Office.

(2) As soon as practicable after each annual financial statement is audited the trustees shall publish the audited statement in a daily newspaper circulating in Southland.

8. Time limit of 20 years—If, on the expiry of the period of 20 years after the date of commencement of this Act, there is any unapplied money remaining in the fund, the trustees shall wind up the fund and apply the unexpended balance of the fund towards such charitable purpose or purposes (within

the meaning of the Income Tax Act 1976) in Southland as the trustees in their absolute discretion think fit.

9. Costs of promotion, etc.—The trustees shall charge against and pay out of the unexpended balance of the fund all costs, charges, disbursements, and expenses incurred by the committee or the trustees in the preparation, promotion, and passing of this Act.

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