

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <p>1. Short Title.</p> <p>2. Definition of "war fund" in Amendment Act, 1918, extended.</p> | <p>3. Authorizing payment to National War Funds Council of certain unexpended balances of war funds.</p> <p>4. Authorizing transfer to the National War Funds Council of premises of Returned Soldiers' Club, Christchurch. Repeal.</p> |
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1927, No. 10.

Title.

AN ACT to amend the War Funds Act, 1915.

[21st September, 1927.]

BE IT 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 War Funds Amendment Act, 1927, and shall be read together with and deemed part of the War Funds Act, 1915 (hereinafter referred to as the principal Act).

Definition of "war fund" in Amendment Act, 1918, extended.

2. Section two of the War Funds Amendment Act, 1918, is hereby amended as from the passing of that Act by adding the following words: "or that have been transferred by such trustees and are held by any other person or persons in trust for any purpose."

Authorizing payment to National War Funds Council of certain unexpended balances of war funds.

3. (1) The Minister of Finance may, without further appropriation than this section, pay to the National War Funds Council the balances of war funds remaining in the Public Account and no longer applicable to or required for the purposes for which such funds were raised.

(2) The National War Funds Council may apply such moneys to any of the purposes set out in paragraph (d) of section two of the principal Act.

Authorizing transfer to the National War Funds Council of premises of Returned Soldiers' Club, Christchurch.

4. Whereas sections numbered 328 and 329 on the plan of the City of Christchurch, containing two roods, more or less, are now vested in Sir Robert Heaton Rhodes, of Otahuna, Tai Tapu, in the Provincial District of Canterbury, Knight; Henry Holland, of the City of Christchurch, merchant; and Oscar Thorwald Johan Alpers, of the said City of Christchurch, a Judge of the Supreme Court of New Zealand (hereinafter called "the said Trustees"): And whereas the said lands were purchased and the buildings and erections now standing thereon were erected out of moneys raised by public subscription for the purpose of the acquisition and establishment of a Returned Soldiers' Club in the

City of Christchurch: And whereas by a certain deed of declaration of trust, bearing date the twenty-second day of October, nineteen hundred and twenty-one, and registered in the Deeds Register Office at Christchurch as Number 126927, the said Trustees did declare that they held the said lands in trust upon certain conditions for the Christchurch Returned Soldiers' Association (Incorporated), and upon the failure of that trust then in trust for such public purposes mentioned in the said deed as should be approved by the Supreme Court: And whereas by deed of mortgage bearing date the ninth day of November, nineteen hundred and twenty-one, registered in the Deeds Register Office at Christchurch as Number 126996, and made between the said Trustees of the one part and the New Zealand Branch of the British Red Cross Society and Order of St. John (hereinafter called "the mortgagee") of the other part, the said Trustees did thereby mortgage the said piece of land to the mortgagee to secure the sum of one thousand seven hundred pounds and interest thereon at the times and in the manner therein mentioned: And whereas the said mortgage registered Number 126996, and the principal, interest, and other moneys thereby secured, are now vested in the National War Funds Council: And whereas by virtue of a notice bearing date the twenty-first day of February, nineteen hundred and eighteen, and published in the *Gazette* of the twenty-eighth day of February, nineteen hundred and eighteen, issued by the Minister in Charge of War Funds pursuant to section two of the principal Act, any fund thereafter established for the purchase of landed property or the erection of buildings for the purpose of returned soldiers' clubs is a war fund within the meaning of that Act: And whereas the moneys subscribed for the acquisition of the Christchurch Returned Soldiers' Club were subscribed as to part thereof before and as to part thereof after the said twenty-first day of February, nineteen hundred and eighteen: And whereas doubts have arisen as to whether or not the said lands and buildings constitute a war fund within the meaning of the principal Act, and consequently as to the validity of the said deed of declaration of trust of the twenty-second day of October, nineteen hundred and twenty-one, and as to the trusts upon which the said Trustees do hold the said lands: And whereas the Association and the Trustees are desirous of having the said piece of land vested in the National War Funds Council for an estate in fee-simple, freed and discharged from the trusts set out in the said deed registered Number 126927: Be it therefore enacted as follows:—

(1) The said Trustees are hereby authorized and empowered to convey or transfer the said piece of land to the National War Funds Council for an estate in fee-simple, to be held by the National War Funds Council as a war fund within the meaning of the principal Act and its amendments, and the National War Funds Council is authorized to accept the same and to administer it as if they were the original trustees of the war fund represented by such property, holding it in their capacity as trustees of such war fund.

(2) Section one hundred and thirty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921–22, is hereby repealed.

Repeal.