

Mr. Harper.

RELIGIOUS, CHARITABLE, AND EDUCATIONAL TRUST BOARDS INCORPORATION.

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A BILL INTITULED

AN ACT to enable Trustees for Religious, Charitable, or Educational Purposes to form themselves into Bodies Corporate. Title.

WHEREAS it is desirable that Trustees for religious, charitable, or educational or scientific purposes should be able to form themselves into bodies corporate : Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

10 1. The Short Title of this Act is "The Religious, Charitable, and Educational Trust Boards Incorporation Act, 1884." Short Title.

2. In this Act the word "Board" means any body incorporated under this Act. Interpretation.

15 3. The Trustees of any trust for religious, charitable, or educational purposes may, on behalf and with the authority of the religious or other body for which they act, file in the office of any Registrar of the Supreme Court a memorial in the form set forth in the First Schedule to this Act ; and thereupon the said Trustees and their successors in office shall be deemed to be incorporated under the name set forth in the said memorial. Trustees may be incorporated.

20 4. A certificate in the form in the Second Schedule to this Act, purporting to be signed by a Registrar of the Supreme Court, shall be conclusive evidence in all Courts that the Board therein named has been duly incorporated, and of the time of such incorporation ; but no Certificate of incorporation.

2 *Religious, Charitable, and Educational Trust Boards
Incorporation.*

Registrar shall issue a certificate when the name of the proposed Board shall, in his opinion, resemble too closely the name of an existing Board.

Common Seal.

5. Every Board shall have perpetual succession and a common seal, and may hold real and personal property of whatever nature, sue and be sued in all proceedings civil or criminal, and do and suffer all that corporate bodies may do and suffer. 5

Service on Board.

6. Any notice or legal process shall be deemed to be served upon the Board if left at its registered office; but any Board may from time to time change its registered office by filing in the Supreme Court office in which its memorial is filed a notice under its seal intimating the change and the new address. 10

Vesting of property.

7. All property, whether real or personal, held by the Trustees of any such trust shall, immediately upon their incorporation, be deemed to be vested in the Board upon and subject to the same trusts, powers, contracts, and equities as shall then affect the same. 15

Transfer of properties.

8. Where any properties, whether real or personal, are at the time of the coming into operation of this Act vested in or held by, or at any time hereafter shall be vested in or held by, any person or persons in trust for, or for the benefit directly or indirectly of, any body or corporation, or for the maintenance and support of the officers of any body or corporation, whether such trust or purpose shall or shall not appear upon the face of the conveyances or other instruments under which such property shall be held, it shall be lawful for any such person or persons to convey or transfer the properties so held to the body or corporation in trust for which or for the maintenance of whose officers such properties are held, or to such Trustees or Trustee as the body or corporation shall direct or appoint. 20 25

Deeds and contracts.

9. Deeds may be made by any Board under its common seal, attested by the Trustees or any three of the Trustees for the time being constituting any Board, and all other contracts may be made in writing, signed by any person in the name and on behalf of the Board acting under a resolution in writing passed at a meeting of the Trustees. 30

Acts *primâ facie* valid.

10. All acts or deeds done or made by any person acting *bond fide* as such Trustee shall be valid notwithstanding any defect that may afterwards be found in his appointment, and the signature of any person purporting to act as such Trustee shall be *primâ facie* evidence of his being such Trustee. 35

Appointments to be filed.

11. Every memorandum of appointment of new Trustees that may hereafter be made under "The Religious, Charitable, and Educational Trusts Act, 1856," shall be filed in the office of the Registrar of the Supreme Court of the district in which the same shall be made, and until so filed such appointment shall not have any operative effect. 40 45

Board may deal with its property.

12. Any Board (notwithstanding any trusts that may affect its property) may give, sell, exchange, or dedicate all or any of its property for any public purpose upon such terms as it may deem expedient, and any money or lands that may be received in pursuance of any such sale, exchange, or dedication shall be held or invested in lands or on mortgage on the same trusts as may affect the lands so dealt with. 50

SCHEDULES.

Schedules.

FIRST SCHEDULE.

WE hereby apply to be incorporated under the provisions of "The Religious, Charitable, and Educational Trust Boards Incorporation Act, 1882."

1. The name of the Board to be the Trust Board.
2. The registered office of the Board to be at .

Dated at , this day of , 18 .

Witness—

A.B.,
Justice of the Peace [or] Solicitor.

SECOND SCHEDULE.

I HEREBY certify that the Trust Board was duly incorporated under the provisions of "The Religious, Charitable, and Educational Trust Boards Incorporation Act, 1882," on the day of , 18 .

Dated at , this day of , 18 .

C.D.,

Registrar of the Supreme Court at .