



**THE PROTECTION OF PERSONAL AND PROPERTY RIGHTS  
(INCAPACITATED PERSON IN AUSTRALIA OR GREAT  
BRITAIN) ORDER 1989**

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THOMAS EICHELBAUM, Administrator of the Government

ORDER IN COUNCIL

At Wellington this 4th day of December 1989

Present:

THE RIGHT HON. G. W. R. PALMER PRESIDING IN COUNCIL

PURSUANT to section 91 (1) of the Protection of Personal and Property Rights Act 1988, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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ORDER

**1. Title and commencement**—(1) This order may be cited as the Protection of Personal and Property Rights (Incapacitated Person in Australia or Great Britain) Order 1989.

(2) This order shall come into force on the 1st day of January 1990.

**2. Powers of Public Trustee as to property in New Zealand of incapacitated person in Australia or Great Britain**—The provisions of section 91 of the Protection of Personal and Property Rights Act 1988 are hereby applied to—

- (a) Australia; and
- (b) Great Britain.

C. J. HILL,  
for Clerk of the Executive Council.

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EXPLANATORY NOTE

*This note is not part of the order, but is intended to indicate its general effect.*

This order, which comes into force on 1 January 1990, applies the provisions of section 91 of the Protection of Personal and Property Rights Act 1988 to Australia and Great Britain.

The effect is to allow the Public Trustee to exercise all the powers, authorities, and discretions conferred on the Public Trustee by law, over the property in New Zealand of any person in Australia or Great Britain who is, by the law of Australia or Great Britain, an incapacitated person. These powers, authorities, and discretions are to be exercised to the like extent and in the same manner as if the incapacitated person were a person subject to a property order under the Protection of Personal and Property Rights Act 1988, and the Public Trustee had been appointed as the manager of that person's property.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 7 December 1989.

This order is administered in the Department of Justice.