

sending medical practitioners to investigate methods of treatment of the disease in New Zealand or elsewhere.

2. The will of Percy Asser further provides that should the board erect a hospital or such like for the treatment of the disease, the board may apply the capital of the residuary estate for or towards the cost of erection and/or equipment and/or maintenance of such institution.

3. The will of Mary Isabel Asser makes provision, so far as the residuary estate is concerned, for the same objects and purposes set out in the will of Percy Asser (but excluding the power referred to in paragraph 2 above). The mode of administration of the trust, however, differs from that provided in the will of Percy Asser. The will of Mary Asser provides for the trustee (The New Zealand Guardian Trust Company Limited) to hold the capital upon perpetual trust to pay the income to the board, for the board to apply the income for the objects and purposes set out in the will.

#### *The Proposed Scheme:*

1. The existing trusts (created by the wills of Percy Asser and Mary Isabel Asser) to be fused, with The New Zealand Guardian Trust Company Limited ("the company") to hold and manage the capital of the new trust and the board to attend to distribution of the trust income in accordance with the terms of the trust.

2. The trust shall be known as the Percy Asser and Mary Isabel Asser Trust ("the trust").

3. The trustee of the trust shall be the company.

4. The company is to hold and manage the capital of the trust and the board is to attend to distribution of the trust income in accordance with the terms of the trust.

5. A written undertaking on behalf of the board to apply the income released by the company to the board in terms of paragraph 6 below shall be a complete discharge to the company such that it shall have no obligation whatsoever to satisfy itself as to the proper application of such income.

6. The company is to hold the whole of the trust property (subject to the discretionary power set out in paragraph 7 below), being all the assets of the Percy Asser estate and the Mary Isabel Asser estate, upon perpetual trust to pay the income arising therefrom (subject to the exercise of the discretionary power to capitalise a portion of such income in terms of paragraph 8 below) to the board upon and subject to the trusts:

(a) To apply the income thereof for the relief and benefit of any person in necessitous circumstances of any race resident in the Provincial District of Auckland who shall be or be deemed to be suffering from any respiratory disease including respiratory tuberculosis and consumption, or from tuberculosis of any other system ("the diseases").

(b) To apply the income, at its discretion, in or towards providing for or assisting any such person as aforesaid either wholly or partially and either in his or her own home or any other place or in any hospital sanatorium or other institution in New Zealand either public or private suitable for the treatment of the diseases.

(c) To apply the income, at its discretion, towards the cost of purchasing equipment for use in the treatment of the diseases.

(d) To apply at its discretion such part of the income not exceeding half thereof as it shall think fit for and towards the carrying on in New Zealand of research work in regard to the diseases or for or towards defraying the expense of sending properly qualified medical persons to investigate methods of treatment of the diseases in other places in or out of New Zealand.

7. The company may apply the capital of the trust, at its discretion, towards the cost of purchasing equipment for use in

the treatment of the diseases. In exercising its discretion the company shall give greater weight to the need to preserve sufficient sources of income for the purposes set out in paragraph 6 above, than to any benefit associated with the provision of equipment from capital funds.

8. The company may, but only after having consulted with the board, capitalise up to one-third of the net annual income of the trust.

9. The new trust is to be treated as coming into existence from the date of the death of the life tenant (the daughter, Helen Verney Asser). The income that has accumulated since the death of the life tenant is, therefore, to be treated as income of the new trust.

Any person desiring to oppose the above-mentioned scheme must give written notice of his/her intention to do so not less than 7 days before the date of hearing (the date of hearing being 1 August 1989) to:

(a) The Registrar of the High Court at Auckland.

(b) The trustees of the estates through their solicitor Liam McEntegart of the firm of Simpson Grierson Butler White. The address of Simpson Grierson Butler White is The Simpson Grierson Building, 92-96 Albert Street, Auckland 1.

(c) The Attorney-General.

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#### **Notice of Dissolution of Special Partnership**

In the High Court of New Zealand, Whangarei Registry

In the matter of a special partnership under Part II of the Partnership Act 1908, and in the matter of **Waymeet Farm Limited and Company**:

The special partnership known as **Waymeet Farm Limited and Company** is dissolved effective 31 March 1989.

In witness whereof these presents have been executed the 31st day of March 1989.

The common seal of **Waymeet Farm Limited**, as special partner was hereunto affixed, per:

I. C. SHEARER and J. A. REINKEN, Directors.

Signed by David Charles West, Judith Adelman Reinken, Donald Lewis Reinken, Alistair Menzies Graham, as a special partner by his attorney Janet Rhona Stephenson, Timothy Hugh Naylor, Mary Newman, Ian Campbell Shearer and Bridget Claire Allan as special partners.

This notice was inserted by Buddle Findlay, Solicitors, Wellington, solicitors for the partnership.

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In the High Court of New Zealand, Auckland Registry

In the matter of Part II of the Partnership Act 1908, and in the matter of **Stage Promotions Limited and Company**:

It is hereby certified pursuant to section 51 of the Partnership Act 1908, that:

1. The name of the special partnership is **Stage Promotions Limited and Company**.

2. The names, addresses, occupations and capital contributions of the general and special partners are as set forth in the Schedule hereto.

3. The business of the partnership will be as follows:

(a) To carry on in New Zealand, the United States of America and elsewhere the business of producing and participating in the production of musical and theatrical productions generally including (without limitation) stage shows, plays, operas and ballets, concerts and reviews;

(b) To carry on any other business which may in the opinion of the partners be profitably undertaken whether or not