



Anglican (Diocese of Christchurch) Church Property Trust Act 2003

Private Act 2003 No 1
Date of assent 5 May 2003
Commencement see section 2

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The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

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Preamble

- (1) There is real and personal property in New Zealand held on trusts relating to the Anglican Diocese of Christchurch:
- (2) The powers of the trustees (including the Church Property Trustees) in relation to the investment of the property are limited by the statutes and instruments creating the trusts:
- (3) It is desirable to—
 - (a) consolidate and amend the enactments relating to the trustees; and

- (b) widen the trustees' powers of investment; and
 - (c) apply the variation of trusts provisions in the Anglican Church Trusts Act 1981 to trusts under this Act:
- (4) The objects of this Act cannot be achieved without legislation.

1 Title

This Act is the Anglican (Diocese of Christchurch) Church Property Trust Act 2003.

Part 1 Preliminary

2 Commencement

This Act comes into force on 1 October 2003.

3 Purpose

The purpose of this Act is to—

- (a) consolidate and amend the Church Property Trust Ordinance 1854 (C) and the Church Property Trust (Canterbury) Act 1879 and their amendments; and
- (b) widen the investment powers of trustees who hold real and personal property on trusts relating to the Anglican Diocese of Christchurch; and
- (c) apply the variation of trusts provisions in the Anglican Church Trusts Act 1981 to trusts under this Act.

4 Interpretation

In this Act, unless the context otherwise requires,—

appointed trustees means trustees appointed by the Synod under a power conferred by an Act or an instrument

Bishop means the Bishop of Christchurch

Bishopric estate means the property held, immediately before the commencement of this Act, in the Bishopric estate referred to in the Church Property Trust (Canterbury) Act 1879

Canon means a Canon of the Cathedral

Cathedral means Christchurch Cathedral in Cathedral Square in Christchurch

Church means the Anglican Church of Aotearoa, New Zealand and Polynesia

Church Property Trustees means the Church Property Trustees constituted a body politic and corporate by section 2 of the Church Property Trust Ordinance 1854 (C), and continued by section 5(3)

committee means a committee of, and appointed by, the Church Property Trustees

constitution means the constitution of the Church

Dean means the Dean of the Cathedral

Dean and Chapter estate means the property held, immediately before the commencement of this Act, in the Dean and Chapter estate referred to in the Church Property Trust (Canterbury) Act 1879

diocese means the diocese of Christchurch as constituted by the General Synod

General Synod means the General Synod of the Church

general trust estate means the property held by the Church Property Trustees on trust for the general purposes of the Church in the diocese

income—

- (a) includes rents, dividends, and profits; but
- (b) excludes rents, dividends, and profits that are treated under any rule of law as in the nature of capital

local endowments means property, including glebe land, held by appointed trustees

ministry unit means a group of persons constituted by the Synod as a ministry unit of the diocese

original local endowments means property that—

- (a) is held on trust by appointed trustees; and
- (b) has been held on trust by appointed trustees since the creation of the trust

parish—

- (a) means a parish of the diocese; and
- (b) in sections 21 to 30 includes a ministry unit and a mission unit

property—

- (a) means every type of property; and
- (b) includes—
 - (i) every type of estate and interest in property; and
 - (ii) money

sale includes exchange

spouse includes a de facto partner as defined in section 2C of the Property (Relationships) Act 1976

standing committee means the group of persons appointed by the Synod under Part E of the constitution as the standing committee