

**Reprint  
as at 4 October 1952**



**Auckland Trades Hall Trust Act  
1952**

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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## **An Act to incorporate the Auckland Trades Hall Trust, and for other purposes**

### **Preamble**

Whereas by deed dated 8 November 1910, a copy of which is set out in the Schedule, John Fawcus, Henry Louis Horning, George Davis, James Frederick Derrick, and Henry Banfield (hereinafter called the **old Trustees**) declared, inter alia, that they held certain trust funds upon the trusts therein set forth:

And whereas since the said 8 November 1910 certain of the old Trustees and of the Trustees appointed in their stead resigned from the trusteeship and certain of them died and others were appointed in their stead respectively:

And whereas the present Trustees of the said Trust are Edward John Phelan, Hugh Campbell, William Miller, Thomas Frederick Anderson, and Albert Henry Dixon (hereinafter called the **existing Trustees**):

And whereas the trust properties now included in the said trust consist of all that piece of land containing 38.3 perches, more or less, situated in the City of Auckland, being parts of Allotments 15 and 16 of Section 38 of the Town of Auckland, and all the land comprised and described in certificate of title, Volume 771, folio 255 (Auckland Registry), limited as to parcels, and of certain moneys lying to the credit of the Auckland Trades Hall Trust in the Bank of New Zealand, Auckland:

And whereas it is desirable that the election of Trustees to the said Trust since 8 November 1910 to the present time be validated and should not be questioned on the ground that the provisions of the said trust deed in relation to the appointment of new Trustees were not complied with:

And whereas it is desirable that the existing Trustees should be constituted a body corporate with perpetual succession and a common seal and that provision should be made for the vesting, management, and control of the Trust estate and for certain other matters.

**1 Short Title**

This Act may be cited as the Auckland Trades Hall Trust Act 1952.

**2 Interpretation**

In this Act, unless the context otherwise requires,—

**Board** means the Auckland Trades Hall Trust Board established under this Act

**deed of trust** means the deed of trust a copy of which is set out in the Schedule

**Industrial Union of Workers** means any Industrial Union registered under the Industrial Conciliation and Arbitration Act 1925, any Trade Union registered under the Trade Unions Act 1925, and any Society of workers that is a party to an agreement filed under section 8 of the Labour Disputes Investigation Act 1913, being an Industrial Union, Trade Union, or Society having an office within a radius of 10 miles from the Chief Post Office, Auckland

**the Trustees** means the Auckland Trades Hall Trust Board.

**3 Incorporation of the Auckland Trades Hall Trust Board**

- (1) There is hereby established, for the purposes of this Act, a Board, to be called the Auckland Trades Hall Trust Board.
- (2) The Board shall be a body corporate, with perpetual succession and a common seal, and shall be capable of holding real and personal property and of doing and suffering all that bodies corporate may do and suffer.
- (3) All references to the Trustees under the deed of trust or to the Trustees of the Auckland Trades Hall Trust in any Act or in any agreement, deed, will, instrument, or other document whatsoever (whether dated before or after the passing of this Act)

shall, unless inconsistent with the context or with the provisions of this Act, be deemed to be references to the Board.

#### **4 First members of Board**

Edward John Phelan, Hugh Campbell, William Miller, Thomas Frederick Anderson, and Albert Henry Dixon shall be the first members of the Board.

#### **5 Vacancies in membership of Board**

- (1) The office of any member of the Board shall be vacated if the member—
  - (a) becomes bankrupt within the meaning of the laws relating to bankruptcy; or
  - (b) is convicted of any crime punishable by imprisonment for a term of 1 year or upwards; or
  - (c) becomes mentally defective and is received or detained in any mental hospital or other place as a mentally defective person under any Act for the time being in force relating to mental defectives; or
  - (d) becomes a protected person under the Aged and Infirm Persons Protection Act 1912; or
  - (e) resigns his office by notice in writing to the Board; or
  - (f) is absent without leave from 4 consecutive meetings of the Board; or
  - (g) dies.
- (2) On the occurrence from any cause of a vacancy in the office of a member of the Board, the Board shall, by resolution duly passed at a meeting of the Board held as soon thereafter as may be practicable, appoint another person to be a member of the Board in the place of the member whose office is so vacated.
- (3) The Board may act notwithstanding any vacancy in its membership, and the validity of any act of the Board shall not be affected or called in question by reason of any defect or informality in the appointment of any member of the Board.

#### **6 Meetings of Board**

- (1) Meetings of the Board shall be held at such times and places as the Board or the Chairman from time to time determines.

- (2) At any meeting of the Board a majority of the members of the Board shall form a quorum.
- (3) All questions before the Board shall be decided by a majority of the valid votes recorded thereon.

#### **7 Chairman and Deputy Chairman of Board**

- (1) The Board shall from time to time appoint from among its members a Chairman and a Deputy Chairman of the Board. During any vacancy in the office of Chairman or whenever the Chairman is unable to act, whether by reason of absence or otherwise, the Deputy Chairman may exercise and perform all the powers and duties of the Chairman.
- (2) The Chairman shall preside at every meeting of the Board at which he is present. In the absence of the Chairman and the Deputy Chairman from any meeting of the Board, the members present shall select one of their number to be the Chairman for the purposes of that meeting.
- (3) At any meeting of the Board the Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.

#### **8 Procedure of Board**

Subject to the provisions of this Act, the Board may regulate its procedure in such manner as it thinks fit.

#### **9 Appointment of Secretary, Treasurer, etc**

- (1) The Board may from time to time appoint a Secretary, a Treasurer, and all such other officers and servants as it thinks fit and on such terms and conditions as it determines; and may out of its funds pay such salaries and allowances as it thinks reasonable to any such officers and servants.
- (2) Any such office may be held concurrently with any other office.

#### **10 Contracts of Board**

- (1) Any contract which if made between private persons must be by deed shall, if made by the Board, be in writing under the seal of the Board.