



## ANALYSIS

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1968, No. 5—*Private*

**An Act to amend the Otago Presbyterian Church Board of Property Act 1962** [25 November 1968]

WHEREAS the Otago Presbyterian Church Board of Property is presently duly incorporated under the provisions of the Otago Presbyterian Church Board of Property Act 1962 (hereinafter referred to as "the principal Act"): And whereas because of confusion which more recently has arisen over the name of the Board and in order that the Board may have a name which associates it and the funds it administers with its origin the Board and the Synod have agreed to change the name to the Otago Foundation Trust Board: And whereas as a result of changing circumstances and recent experiences it has become desirable for the Board to have power to sell additional lands to those authorised by the principal Act: And whereas similar recent experiences have shown that for the better administration of the lands vested in the Board the powers of the Board to lease such lands and any buildings or parts thereof respectively require to be varied and enlarged: And whereas for the better and wider investment of available funds it is deemed desirable for the Board to have power to purchase freehold land and buildings and improvements on freehold land both within and outside the Provincial District of Otago:

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

**1. Short Title**—This Act may be cited as the Otago Foundation Trust Board Amendment Act 1968, and shall be read together with and deemed part of the principal Act.

**2. Alteration of Short Title of principal Act**—(1) The principal Act may hereafter be cited as the Otago Foundation Trust Board Act 1962.

(2) Every reference in any enactment or document whatsoever to the Short Title of the principal Act is consequentially amended by omitting the words “Presbyterian Church Board of Property”, and substituting therefor the words “Foundation Trust Board”.

**3. Consequential changes of names**—(1) Whenever in the principal Act or in any other enactment or document whatsoever the words “the Otago Presbyterian Church Board of Property” are used the same shall be amended by omitting the words “Presbyterian Church Board of Property”, and substituting therefor the words “Foundation Trust Board”.

(2) Wherever in the principal Act or in any other enactment or document whatsoever the term “the Board” or “the Church Board” is used to describe the Otago Presbyterian Church Board of Property, unless the context otherwise requires, the reference shall hereafter be read as a reference to the Otago Foundation Trust Board.

(3) Where the title of the Otago Presbyterian Church Board of Property to any real or personal property or right is or should have been entered on any register required by law to be kept, the Registrar or other person whose duty it is to keep that register shall, on request in writing of the Board, without payment of any fee make such entries in the register as may be necessary to give effect to the provisions of this section.

(4) The presentation to any Registrar of Deeds or any District Land Registrar or any other person of an instrument duly executed in the name of the Otago Foundation Trust Board and relating to any estate or interest in any land or other property vested in the Otago Presbyterian Church Board of Property immediately before the commencement of this Act shall, notwithstanding that the present name has not been entered in the appropriate register, be accepted by all persons concerned as conclusive proof that the estate or interest is vested in the Board in its present name.

**4. Schedule A lands changed**—Schedule A of the principal Act is hereby amended by omitting from the first part thereof and adding to the second part thereof, the lands described or referred to in the Schedule hereto.

**5. Leasing powers**—Section 12 of the principal Act is hereby amended by repealing paragraphs (c) and (d), and substituting the following paragraphs:

“(c) To lease all or any part or parts of the lands now or hereafter vested in the Board, or any building or part of a building for the time being standing on any such land or on any part or parts of such land or on any other land on any of the tenancies or leases following:

“(i) A tenancy at will:

“(ii) A tenancy terminable by the Board at any time by six months’ notice or any shorter notice:

“(iii) A tenancy for any term not exceeding fifty years, without right of renewal:

“(iv) A tenancy with a right of renewal for one or more terms, at a rent to be fixed by agreement between the Board and the lessee or that failing by arbitration but so that the aggregate duration of the original and of the renewed terms shall not exceed fifty years:

“(v) A tenancy for any term not exceeding twenty-one years, with a perpetual right of renewal for the same or any shorter term at a rent to be fixed by agreement between the Board and the lessee or that failing by arbitration:

“(vi) A tenancy for any term not exceeding twenty-one years with a provision that on or before the expiration of the term a new lease for the same or any shorter term shall be offered for sale by auction and so on from time to time in perpetuity:

“(vii) A tenancy in accordance with either of the two last preceding paragraphs, save that the right of renewal or re-leasing the premises comprised therein or of having a new lease offered for sale by auction is limited in duration in such manner as the Board thinks fit, in lieu of being perpetual:

“Provided that any lease of any part of the land described in Schedule C to the principal Act shall be granted by the Board upon a request in writing addressed to the Board by a person duly authorised in that behalf by Synod:

“(d) In any tenancy or lease as aforesaid to enter into such agreements with the tenant or lessee as the Board in each case shall deem appropriate, for—

“(i) Adjusting the rent at such intervals as the Board may determine:

“(ii) Renewing the tenancy or lease or for re-leasing the premises comprised therein:

“(iii) The payment by the incoming tenant or lessee to the outgoing tenant or lessee or to the Board on behalf of the latter, of the value determined as in the lease provided of any buildings or other improvements which may belong to the outgoing tenant or lessee, provided that the payment of such value shall not be deemed to be a fine or premium:

“(iv) Re-leasing such premises to the tenant or lessee in the event of no other person becoming entitled to a tenancy or lease thereof:

“(dd) In any tenancy or lease as aforesaid there shall be contained such powers of re-entry and forfeiture and such covenants agreements conditions and provisions as the Board in each case deem appropriate.”

**6. Power to purchase further lands**—Paragraph (g) of section 12 of the principal Act is hereby amended by omitting therefrom the words “in the Provincial District of Otago”.

**7. Private Act**—This Act is hereby declared to be a private Act.

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## SCHEDULE

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
1	Section 35, Block III, Town of Dunedin .....	280/104
14	Section 25, Block IX, Town of Dunedin .....	270/250
18	Part Section 22, Block XI, Town of Dunedin .....	284/80
19	Part Section 22, Block XI, Town of Dunedin .....	284/81
56	Lots 1 to 20, Block II, Lots 1 to 6 and part 7, 9, 10, 11, 12, Block IV, Deeds Plan 128, Town District	287/167 (Balance)
57	Part McGlashan Street, Deeds Plan 128, Town District	403/22
65	Lot 10, Block VI, Deeds Plan 128, Town District .....	287/174
67	Lots 1 and 2, Block VII, Deeds Plan 128, Town District	287/192
68	Part Lot 3, Block VII, Deeds Plan 128, Town District	287/200
69	Part Lot 3, Block VII, Deeds Plan 128, Town District	287/195
70	Lot 4, Block VII, Deeds Plan 128, Town District .....	287/207
71	Part Lots 5 and, Block VII, Deeds Plan 128, Town District	287/209
72	Lot 9, Deposited Plan 5575, Town District .....	429/33
73	Lot 10, Deposited Plan 5575, Town District .....	429/34
74	Lot 11, Deposited Plan 5575, Town District .....	429/35
75	Lot 12, Deposited Plan 5575, Town District .....	429/36
76	Part Lots 5 and 6, Block VII, Deeds Plan 128, Town District	287/210
87	Part Lot 17, Deeds Plan 236, Town District .....	287/213
88	Part Lot 17, Deeds Plan 236, Town District .....	287/208
89	Lot 18, Deeds Plan 236, Town District .....	287/215
90	Lot 19, Deeds Plan 236, Town District .....	287/204
91	Lot 1, Deposited Plan 8324, Town District .....	380/229
92	Lot 2, Deposited Plan 8324, Town District .....	380/230
93	Lot 1, Deeds Plan 323, and part Lot 17, Deeds Plan 236, Town District	319/108 (Balance)
94	Lot 2, Deeds Plan 323, Town District .....	287/189
95	Lot 3, Deeds Plan 323, Town District .....	287/183
96	Lot 4, Deeds Plan 323, Town District .....	287/181
97	Lot 5, Deeds Plan 323, Town District .....	287/180
98	Lot 6, Deeds Plan 323, Town District .....	287/190
99	Lot 7, Deeds Plan 323, Town District .....	287/184
100	Lot 8, Deeds Plan 323, Town District .....	287/191
101	Lot 9, Deeds Plan 323, Town District .....	287/187
102	Lot 10, Deeds Plan 323, Town District .....	287/197
103	Lot 11, Deeds Plan 323, Town District .....	287/185
104	Lot 12, Deeds Plan 323, Town District .....	287/182
105	Lot 13, Deeds Plan 323, Town District .....	287/186

SCHEDULE—*continued*

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
106	Lot 14, Deeds Plan 323, Town District .....	324/236
107	Lot 1, Deposited Plan 5575, Town District .....	325/59
108	Lot 2, Deposited Plan 5575, Town District .....	325/60
109	Lot 3, Deposited Plan 5575, Town District .....	325/61
110	Lot 4, Deposited Plan 5575, Town District .....	325/62
111	Lot 5, Deposited Plan 5575, Town District .....	325/63
112	Lot 6, Deposited Plan 5575, Town District .....	325/64
113	Lot 7, Deposited Plan 5575, Town District .....	325/65
114	Lot 8, Deposited Plan 5575, Town District .....	325/66
115	Part Lot 16, Deeds Plan 323, Town District .....	287/217
116	Part Lot 16, Deeds Plan 323, Town District .....	287/216
117	Part Lot 16, Deeds Plan 323, Town District .....	325/68
118	Lot 5, Deeds Plan 392, Town District .....	296/66
119	Lots 6 and 7, Deeds Plan 392, Town District .....	296/68
120	Part Lot 17, Deeds Plan 273, Town District .....	296/103
		(Balance)
121	Lot 9, Deeds Plan 392, Town District .....	296/69
122	Lot 10, Deeds Plan 392, Town District .....	296/79
123	Lot 11, Deeds Plan 392, Town District .....	296/80
124	Lot 12, Deeds Plan 392, Town District .....	296/81
125	Lot 13, Deeds Plan 392, Town District .....	296/70
126	Lot 14, Deeds Plan 392, Town District .....	296/71
127	Lot 15, Deeds Plan 392, Town District .....	296/72
128	Lot 16, Deeds Plan 392, Town District .....	296/84
129	Lot 17, Deeds Plan 392, Town District .....	296/73
130	Lot 18, Deeds Plan 392, Town District .....	296/82
131	Lot 19, Deeds Plan 392, Town District .....	296/83
132	Lot 20, Deeds Plan 392, Town District .....	296/74
133	Lot 21, Deeds Plan 392, Town District .....	296/75
134	Lot 22, Deeds Plan 392, Town District .....	296/78
135	Lot 23, Deeds Plan 392, Town District .....	296/76
136	Lot 24, Deeds Plan 392, Town District .....	296/77
137	Lot 25, Deeds Plan 392, Town District .....	296/67
138	Part Lot 26, Deeds Plan 392, Town District .....	296/85
139	Part Lot 26, Deeds Plan 392, Town District .....	367/5
141	Lot 2, Deeds Plan 273, Town District .....	296/94
146	Lots 1 and 2, Deposited Plan 7293, Town District .....	355/199
147	Part Lot 8, Deeds Plan 273, Town District .....	448/12
148	Lot 7, Deeds Plan 273, Town District .....	296/90
149	Lot 9, Deeds Plan 273, Town District .....	296/101
150	Lot 1, Deeds Plan 399, Town District .....	296/111
151	Lot 2, Deeds Plan 399, Town District .....	296/112
152	Lot 3, Deeds Plan 399, Town District .....	296/113
153	Lot 11, Deeds Plan 273, Town District .....	296/97

## SCHEDULE—continued

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
154	Lots 1 and 2, Deposited Plan 5581, Town District .....	296/93
155	Lot 13, Deeds Plan 273, Town District .....	296/87
156	Part Lot 14, Deeds Plan 273, Town District .....	296/99
157	Part Lot 14, Deeds Plan 273, Town District .....	296/98
158	Lot 15, Deeds Plan 273, Town District .....	296/102
159	Lot 1, Deposited Plan 5367, Town District .....	347/210
160	Lot 2, Deposited Plan 5367, Town District .....	347/211
161	Lot 3, Deposited Plan 5367, Town District .....	347/212
162	Part Lot 16, Deeds Plan 273, Town District .....	296/95
163	Lot 1, Deposited Plan 8827, Town District .....	396/248
164	Lot 2, Deposited Plan 8827, Town District .....	396/249
198	Lot 1, Deposited Plan 8217, Town District .....	380/16
199	Lot 2, Deposited Plan 8217, Town District .....	380/17
200	Lot 3, Deposited Plan 8217, Town District .....	380/18
201	Lot 4, Deposited Plan 8217, Town District .....	380/19
202	Lot 5, Deposited Plan 8217, Town District .....	380/20
203	Lot 6, Deposited Plan 8217, Town District .....	380/21
204	Part Lot 1, Deposited Plan 5289, Town District .....	372/93
205	Lot 2, Deposited Plan 5289, Town District .....	351/139
206	Lot 3, Deposited Plan 5289, Town District .....	351/140
207	Lot 4, Deposited Plan 5289, Town District .....	351/141
208	Lot 5, Deposited Plan 5289, Town District .....	351/142
209	Lot 6, Deposited Plan 5289, Town District .....	351/143
210	Lot 1, Deposited Plan 7973, Town District .....	372/91
211	Lot 2, Deposited Plan 7973, Town District .....	372/92
212	Lot 1, Deposited Plan 10192, Town District .....	B1/148
213	Lot 2, Deposited Plan 10192, Town District .....	B1/149
214	Lot 1, Deeds Plan 414, Town District .....	278/171
215	Lot 2, Deeds Plan 414, Town District .....	278/172
216	Lot 3, Deeds Plan 414, Town District .....	278/173
217	Lot 4, Deeds Plan 414, Town District .....	278/174
218	Lot 4, Deeds Plan 251, Town District .....	392/103
219	Lot 6, Deeds Plan 251, Town District .....	278/175
220	Lot 8 and part 7, Deeds Plan 251, Town District .....	278/176
221	Reserve Deeds Plan 251, Town District .....	361/111
222	Lot 1, Deposited Plan 4756, Town District .....	278/156
223	Lot 2, Deposited Plan 4756, Town District .....	278/157
224	Lot 3, Deposited Plan 4756, Town District .....	278/158
227	Lot 1A, Deeds Plan 242, Upper Kaikorai District .....	278/187
229	Part Lot 3, Deeds Plan 242, Upper Kaikorai District .....	278/190
		(Balance)
232	Part Lot 5, Deeds Plan 242, Upper Kaikorai District .....	385/128
233	Part Lot 6, Deeds Plan 242, Upper Kaikorai District .....	278/193
234	Lot 9, Deeds Plan 242, Upper Kaikorai District .....	278/196

## SCHEDULE—continued

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
235	Lot 10, Deeds Plan 242, Upper Kaikorai District .....	278/197
237	Lot 1, Deposited Plan 8725, City of Dunedin .....	417/23
238	Lot 2, Deposited Plan 8725, City of Dunedin .....	417/24
239	Lot 1, Deposited Plan 9290, City of Dunedin .....	415/24
240	Lot 2, Deposited Plan 9290, City of Dunedin .....	415/25
241	Lot 1, Deposited Plan 7625, City of Dunedin .....	370/59
242	Lots 1 and 2, Deposited Plan 7872, City of Dunedin .....	370/60
243	Lot 3, Deposited Plan 7872, City of Dunedin .....	370/61
244	Lot 5, Deposited Plan 7872, City of Dunedin .....	440/29
245	Lot 1, Deposited Plan 9214, City of Dunedin .....	440/28
246	Lot 2, Deposited Plan 9214, and Part Lot 1, Deposited Plan 4820, City of Dunedin .....	440/27
247	Lot 13, Deposited Plan 1983, City of Dunedin .....	274/5
275	Lot 38, Deeds Plan 326, North-East Valley District .....	282/29
276	Lot 39, Deeds Plan 326, North-East Valley District .....	282/30
277	Part Lot 40, Deeds Plan 326, North-East Valley Dis- trict .....	282/31
290	Lot 4, Deeds Plan 234, North-East Valley District .....	282/90
291	Lot 4A, Deeds Plan 234, North-East Valley District .....	282/91
292	Lot 5, Deeds Plan 234, North-East Valley District .....	282/92
293	Lot 6, Deeds Plan 234, North-East Valley District .....	282/93
294	Lot 7, Deeds Plan 234, North-East Valley District .....	282/94
295	Lot 8, Deeds Plan 234, North-East Valley District .....	282/95
296	Lot 9, Deeds Plan 234, North-East Valley District .....	282/96
297	Lot 10, Deeds Plan 234, North-East Valley District .....	282/97
298	Lot 11, Deeds Plan 234, North-East Valley District .....	282/98
299	Lot 11A, Deeds Plan 234, North-East Valley District .....	282/99
300	Lot 12, Deeds Plan 234, North-East Valley District .....	282/100
301	Lot 13, Deeds Plan 234, North-East Valley District .....	282/101
302	Lot 14, Deeds Plan 234, North-East Valley District .....	282/102
303	Lot 15, Deeds Plan 234, North-East Valley District .....	282/103
304	Lot 16, Deeds Plan 234, North-East Valley District .....	282/104
305	Lot 17, Deeds Plan 234, North-East Valley District .....	282/105
306	Lot 18, Deeds Plan 234, North-East Valley District .....	282/106
307	Lot 19, Deeds Plan 234, North-East Valley District .....	282/107
308	Lot 20, Deeds Plan 234, North-East Valley District .....	282/108
309	Lot 21, Deeds Plan 234, North-East Valley District .....	282/109
310	Lot 22, Deeds Plan 234, North-East Valley District .....	404/70
311	Lot 23, Deeds Plan 234, North-East Valley District .....	282/111
312	Lot 24, Deeds Plan 234, North-East Valley District .....	282/112
313	Lot 25, Deeds Plan 234, North-East Valley District .....	282/113
314	Lot 26, Deeds Plan 234, North-East Valley District .....	282/114
315	Lot 27, Deeds Plan 234, North-East Valley District .....	282/115
316	Lot 28, Deeds Plan 234, North-East Valley District .....	282/116



SCHEDULE—*continued*

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
317	Lot 29, Deeds Plan 234, North-East Valley District	282/117
318	Lot 30, Deeds Plan 234, North-East Valley District	282/118
319	Lot 31, Deeds Plan 234, North-East Valley District	282/119
320	Lot 32, Deeds Plan 234, North-East Valley District	282/120
321	Lot 33, Deeds Plan 234, North-East Valley District	282/121
322	Lot 34, Deeds Plan 234, North-East Valley District	282/122
323	Lot 35, Deeds Plan 234, North-East Valley District	282/123
324	Lot 36, Deeds Plan 234, North-East Valley District	282/124
343	Lot 1, Deeds Plan 255, East Taieri District .....	296/173
344	Parts Lot 3, Deeds Plan 255, East Taieri District .....	296/174
345	Lot 4, Deeds Plan 255, East Taieri District .....	296/172
346	Lot 2, Deeds Plan 255, East Taieri District .....	296/171
352	Part Section 9, Block I, Lower Harbour West District	407/134
353	Lot 1, Deposited Plan 7994, Lower Harbour West District	378/63
354	Lot 1, Deposited Plan 8374, Lower Harbour West District	407/132
355	Section 10, Block I, Lower Harbour West District .....	263/147
356	Part Section 11, Block I, Lower Harbour West District	263/153
357	Part Section 15, Block I, Lower Harbour West District	263/148
360	Part Section 16, Sawyers Bay District .....	301/68
		(Balance)
361	Sections 9 and 10, Block IV, Portobello District .....	271/167
362	Section 3, Block I, South Molyneux District .....	296/190
363	Lots 1 and 3, Deposited Plan 6532, Andersons Bay District	440/72
364	Lot 2, Deposited Plan 6532, Andersons Bay District	380/40
365	Lot 4, Deposited Plan 6532, Andersons Bay District	439/38
366	Lot 5, Deposited Plan 6532, Andersons Bay District	439/39
367	Lot 6, Deposited Plan 6532, Andersons Bay District	439/40
368	Lot 2, Deposited Plan 8438, Andersons Bay District	383/200
369	Lot 1, Deposited Plan 8522, Andersons Bay District	385/214
370	Lot 2, Deposited Plan 8522, Andersons Bay District	385/215
371	Lot 3, Deposited Plan 8522, Andersons Bay District	385/216
372	Lot 4, Deposited Plan 8522, Andersons Bay District	385/217
373	Lot 5, Deposited Plan 8522, Andersons Bay District	385/218
374	Lot 6, Deposited Plan 8522, Andersons Bay District	385/219
375	Lot 7, Deposited Plan 8522, Andersons Bay District	385/220
376	Lot 8, Deposited Plan 8522, Andersons Bay District	385/221
377	Lot 9, Deposited Plan 8522, Andersons Bay District	385/222
378	Lot 10, Deposited Plan 8522, Andersons Bay District	385/223
379	Lot 11, Deposited Plan 8522, Andersons Bay District	385/224

SCHEDULE—*continued*

Number	Description	Certificate of Title Reference Register Book, Volume and Folio
380	Lot 12, Deposited Plan 8522, Andersons Bay District	385/225
381	Lot 13, Deposited Plan 8522, Andersons Bay District	385/226
382	Lot 15, Deposited Plan 8522, Andersons Bay District	385/228
383	Lot 16, Deposited Plan 8522, Andersons Bay District	385/229
384	Lot 17, Deposited Plan 8522, Andersons Bay District	385/230
385	Lot 18, Deposited Plan 8522, Andersons Bay District	385/231
386	Lot 19, Deposited Plan 8522, and Lot 2, Deposited Plan 9120, Andersons Bay District	401/137
387	Lot 21, Deposited Plan 8522, Andersons Bay District	385/234
388	Lot 22, Deposited Plan 8522, Andersons Bay District	385/235
389	Lot 1, Deposited Plan 9120, Andersons Bay District	401/136
390	Lot 2, Deposited Plan 9402, Andersons Bay District	407/166
391	Lot 3, Deposited Plan 9402, Andersons Bay District	407/167
392	Lot 4, Deposited Plan 9402, Andersons Bay District	407/168
393	Lot 5, Deposited Plan 9402, Andersons Bay District	407/169
394	Lot 6, Deposited Plan 9402, Andersons Bay District	407/170
395	Lot 7, Deposited Plan 9402, Andersons Bay District	407/171
396	Lot 8, Deposited Plan 9402, Andersons Bay District	407/172
397	Lot 9, Deposited Plan 9402, Andersons Bay District	407/173
398	Lot 10, Deposited Plan 9402, Andersons Bay District	407/174
399	Lot 11, Deposited Plan 9402, Andersons Bay District	407/175
400	Lot 12, Deposited Plan 9402, Andersons Bay District	407/176
401	Lot 13, Deposited Plan 9402, Andersons Bay District	407/177
402	Lot 14, Deposited Plan 9402, Andersons Bay District	407/178
403	Lot 15, Deposited Plan 9402, Andersons Bay District	407/179
404	Lot 16, Deposited Plan 9402, Andersons Bay District	407/180
405	Lot 17, Deposited Plan 9402, Andersons Bay District	407/181
406	Lot 18, Deposited Plan 9402, Andersons Bay District	407/182
407	Lot 19, Deposited Plan 9402, Andersons Bay District	407/183
408	Lot 20, Deposited Plan 9402, Andersons Bay District	407/184
409	Lot 21, Deposited Plan 9402, Andersons Bay District	407/185
410	Lot 22, Deposited Plan 9402, Andersons Bay District	407/186
411	Lot 23, Deposited Plan 9402, Andersons Bay District	407/187
412	Lot 24, Deposited Plan 9402, Andersons Bay District	407/188
413	Lot 25, Deposited Plan 9402, Andersons Bay District	407/189
414	Lot 26, Deposited Plan 9402, Andersons Bay District	407/190
415	Lot 27, Deposited Plan 9402, Andersons Bay District	407/191
416	Lot 28, Deposited Plan 9402, Andersons Bay District	407/192
417	Lot 31, Deposited Plan 9402, Andersons Bay District	407/193
418	Lot 32, Deposited Plan 9402, Andersons Bay District	407/194