

Trustees Protection Act 1931 No 28

[1931-28]



New South Wales

Status Information

Currency of version

Repealed version for 24 July 1931 to 30 June 2008 (accessed 28 April 2024 at 8:38)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2008 No 62](#) with effect from 1.7.2008.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Trustees Protection Act 1931 No 28



New South Wales

An Act to provide protection for trustees and others in connection with the conversion of securities under the [Commonwealth Debt Conversion Act 1931](#); and for purposes incidental thereto or connected therewith.

1 Name of Act

This Act may be cited as the [Trustees Protection Act 1931](#).

2 Commencement

This Act shall commence on a date to be appointed by the Governor and notified by proclamation published in the Gazette.

3 Authority to trustees to convert

- (1) Notwithstanding anything to the contrary contained in any Act or in any rule of equity, every trustee is hereby expressly authorised and empowered to convert, under the provisions of the [Commonwealth Debt Conversion Act 1931](#) (an Act of the Parliament of Commonwealth), or to withhold signification of dissent pursuant to the said Act from the conversion of any existing securities into new securities.
- (2) No action, suit, or other proceeding shall be commenced, prosecuted, or maintained against any trustee upon the ground of any action taken by such trustee to convert under the provisions of the said Act any existing securities into new securities, or upon the ground of any failure by such trustee to signify dissent pursuant to the said Act from the conversion of any existing securities into new securities.

4 Definitions

In this Act the following expressions and words in inverted commas shall have the meanings respectively set opposite to them:

“Existing securities” shall have the same meaning as is given to the expression **existing securities** by the definition thereof in section three of the [Commonwealth Debt Conversion Act 1931](#) aforesaid.

“New securities” shall have the same meaning as is given to the expression **new securities** by the definition thereof in section three of the said Act.

“Trustee” means any person or company appointed by act of parties or by operation of law or by or under any law, or authorised by or under any law to act as trustee, and includes:

- (i) any director of, and any member of the council of management or governing body of, and any person charged or entrusted either alone or with others with the management or government of, or any liquidator of, any such company as aforesaid or any other company,
- (ii) every trustee within the meaning of the expression **trustee** as defined in section five of the [Trustee Act 1925](#), and
- (iii) any person or company acting in any fiduciary capacity whatsoever.

5 Construction of Act

This Act shall be read and construed so as not to exceed the legislative power of the State to the intent that where any enactment thereof would, but for this section, have been construed as being in excess of that power, it shall nevertheless be a valid enactment to the extent to which it is not in excess of that power.