

T A S M A N I A

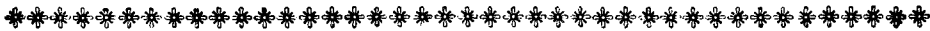


1882.

ANNO QUADRAGESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 13.



AN ACT to amend "The Presbyterian Church Act." A.D. 1882.
[9 October, 1882.]

WHEREAS it is expedient to amend "The Presbyterian Church Act:" PREAMBLE.
42 Vict. No. 7.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Presbyterian Church Amendment Act, 1882." Short title.

2 For the purposes of "The Presbyterian Church Act" and this Act, the expression "Governing Authority" shall mean the Supreme Judicatory, however designated, of the Presbyterian Church of *Tasmania* for the time being. Interpretation of terms.

3 The Governing Authority may, by Act or Resolution, direct that any property which, after the passing of this Act, is or may be vested in any person or persons upon trust for the Presbyterian Church of *Tasmania*, shall be vested in the Trustees of the property of the said Church, provided that the consent of such person, if acting in the trust, or the majority of such persons acting in the trust, be obtained; and upon the registration of such Act or Resolution in the Office of the Registrar of Deeds, together with a certificate signed by the Moderator of the Governing Authority, or such other person as the Governing Authority may appoint, that the proper consent has been obtained, or Property in trust for Church may be vested in Church Trustees.

Presbyterian Church Act Amendment.

A.D. 1882.

that no consent is necessary, the property mentioned in such Act or Resolution shall vest accordingly; Provided, that the said Trustees shall hold and manage such property upon the special trusts, if any, affecting the same, and with and subject to the special powers, provisoes, and declarations, if any, applicable thereto. And, save as aforesaid, the said property shall be held, managed, and dealt with in such manner in all respects as the Governing Authority may, by Act or Resolution, direct.

As to trust
property subject
to *The Real
Property Act.*

25 Vict. No. 16.

4 In the case of property of the said Church which now is or hereafter may be vested in the Trustees of the property of the said Church being subject to the provisions of *The Real Property Act*, the Act or Resolution of the Governing Authority appointing any Trustee or Trustees of such property may be registered in the Office of the Recorder of Titles in like manner as is provided by *The Real Property Act* for the registration of instruments, and upon the registration of such Act or Resolution the provisions of Section Three of "The Presbyterian Church Act" shall apply to such property.

Powers to sell,
lease, &c.

5 It shall be lawful for the Governing Authority, subject to the special trusts, if any, affecting the same, and subject to the special powers, provisoes, and declarations, if any, applicable thereto, from time to time, by Act or Resolution, to direct the sale, lease, exchange, mortgage, or other disposition, on such terms and in such manner as the Governing Authority thinks fit, of any lands now vested or to become vested in the said trustees; and the said trustees shall thereupon have full power to do, enter into, and execute all necessary acts, deeds, leases, mortgages, contracts, and assurances for carrying into legal effect any such sale, lease, exchange, or disposition. The said trustees shall hold, manage, and deal with the moneys arising from any such sale, lease, exchange, mortgage, or disposition, and shall hold, manage, and deal with any lands so taken into exchange upon the trusts (if any) declared by the instrument affecting such land, and if there are no such trusts, then in such manner as the Governing Authority may, by Act or Resolution, direct: Provided always, that this Section shall not be deemed to authorise the sale or other disposition of any cemetery or place for the interment of the dead which may belong to the said Church or be vested in any person or persons in trust for the same.

Certified copy of
Law, Rule, &c.
to be evidence.

6 A copy of any Law, Rule, Regulation, Act, or Resolution of the Governing Authority purporting to be certified by the Moderator or Clerk of the Governing Authority, to be a true copy of such Law, Rule, Regulation, Act, or Resolution, shall be received in all Courts and in all legal proceedings whatever as *prima facie* evidence of such Law, Rule, Regulation, Act, or Resolution, and of the same having been duly made.

Acts to be read
together.

7 The said Act, as amended by this Act, and this Act, shall be read and construed together as one Act.