

WESTERN AUSTRALIA

ANNO SEXTO

VICTORIÆ REGINÆ

No. 7

An Act to explain and amend certain Acts now in force relating to the Building of Churches, Chapels and Ministers' Dwellings.

*[Assented to 25th August, 1842.]*

Preamble

1 Vic., No. 1,  
and 4 Vic., No. 6.

WHEREAS an Act was passed in the first year of the reign of Her present Majesty entitled 'An Act to provide for the appointment of Trustees of Church Property,' whereby certain trustees

*Religious Bodies (Church Property)*

were appointed, in whom should be vested the property in all lands and buildings intended for the purposes of the Church of England; and whereas in the fourth year of the reign of Her said Majesty an Act was passed entitled 'An Act to promote the Building of Churches and Chapels, and to contribute towards the Maintenance of Ministers of Religion in Western Australia,' whereby it was required that before any moneys should be issued out of the Colonial Treasury for the erection of any churches, chapels, ministers' dwellings or other buildings for religious purposes, the estate in the same should be vested in trustees nominated by the congregation; and whereas certain difficulties have arisen in the construction of the Acts aforesaid in cases of lands and other property intended for the uses of the Church of England, and as to the amount of money which it shall be lawful for the Governor in his discretion to issue under the Act last above-mentioned, on account of any particular church or chapel; and whereas it is expedient to remove such difficulties by amending certain portions of the said Act: Be it therefore enacted by His Excellency the Governor of Western Australia, by and with the advice of the Legislative Council thereof, that the seventh section of the said last-mentioned Act, by which it is provided that in every case where the Governor shall deem it expedient to issue moneys from the Colonial Treasury for the building of churches, chapels or ministers' dwellings, it shall be necessary that the said buildings and the lands thereunto belonging shall be conveyed to trustees nominated by the congregation, shall not be deemed or taken to apply to any lands, buildings or other property intended for the purposes of the Church of England, but that all such property shall henceforth be vested in the trustees of church property under the provisions of the Act first above-mentioned, and in three local trustees to be appointed by the congregation or subscribers to the particular church, chapel or minister's dwelling for which the money is intended.

4 Vic., No. 6, sec. 7, not to apply to the property of the Church of England, which is to be vested in general and local trustees

2. And be it enacted that every such local trustee as aforesaid shall have the same powers, rights and privileges as a general trustee in every matter or thing affecting the interests of the particular congregation by which he was appointed, and shall be entitled to vote, either in person or by proxy or by letter, at all meetings of the trustees on all such matters and things as aforesaid.

Powers of local trustees

3. And be it enacted that the whole sum or sums of money so issued towards the erection of any particular church, chapel or minister's dwelling, under the provisions of the Act last above-mentioned, shall not in any case exceed the sum of five hundred pounds unless the issue of such further sum be approved by the Legislative Council.

Total sum issued in any instance not to exceed £500.

4. And be it enacted that this Act may be amended or repealed by any Act to be passed during the present session.

Act may be amended

JOHN HUTT,  
GOVERNOR.