



Western Australia

Roman Catholic Geraldton Church Property Act 1925

Compare between:

[28 Jun 2010, 01-d0-01] and [11 Sep 2010, 01-e0-06]

Roman Catholic Geraldton Church Property Act 1925

An Act to vest in the Roman Catholic Bishop of Geraldton land and other property belonging to the Diocese of Geraldton, and for other relative purposes.

1. Short title

This Act may be cited as the *Roman Catholic Geraldton Church Property Act 1925*¹.

2. Interpretation

In this Act the word *Property* includes property of every kind whatsoever, both legal and equitable, real and personal, and choses in action.

3. Certain property vested in Bishop of Geraldton

The lands comprised in the instruments of title set out in the schedule hereto, and all other property now or hereafter belonging to the Diocese of the Roman Catholic Church known as the Diocese of Geraldton, or vested in any person as trustee on account of the said Church in the said Diocese (including all lands the property of such Church standing in the name of the late William Bernard Kelly, the late Roman Catholic Bishop of Geraldton, or in the name of Richard Ryan, the present Roman Catholic Bishop of Geraldton), shall, by virtue hereof, vest absolutely in the Roman Catholic Bishop for the time being of the said Diocese, and his successors in office, subject to all trusts and dispositions respectively affecting the same.

4. Bishop of Geraldton to be a corporation sole

For the purposes of this Act the said Bishop for the time being shall be a corporation sole, by the name of “The Roman Catholic Bishop of Geraldton,” with perpetual succession and a common seal, and by and in that name may sue and be sued, and shall have power to purchase, take, and hold property, and (subject to the trusts and dispositions aforesaid) to sell, mortgage, lease, or dispose of any property hereby vested, and may, in respect of any real or leasehold property vested, exercise all powers conferred on the Bishop for the time being administering the ecclesiastical affairs of the Roman Catholic Church of Western Australia, and his successors in office, by the *Roman Catholic Church Lands Act 1895*.

5. Power to mortgage

In addition to the powers of mortgaging contained in the said *Roman Catholic Church Lands Act 1895*, it shall be lawful for the said the Roman Catholic Bishop of Geraldton to mortgage any lands for the time being vested in him, for the purpose of raising moneys to pay and discharge debts now or which may hereafter be incurred, and which are now or may hereafter be secured by mortgages on such lands, or any of them, and for the purpose of raising moneys for the purchase of any lands, and for any other purpose or purposes whatsoever that the said Bishop may deem necessary from time to time.

6. Purchasers, etc., protected from certain irregularities

Nothing in this Act, or in the *Roman Catholic Church Lands Act 1895*, contained shall be deemed or construed to make it necessary for any purchaser, mortgagee, or lessee to inquire whether any power of sale, mortgage, or lease was duly and regularly made or exercised, or in anywise to see to the application of any moneys raised under the authority of this Act, or to inquire into the necessity, regularity, or propriety of any such sale, mortgage, or lease, or be affected by notice that the

same is or are irregular, unnecessary, or improper, or by notice of any trusts or equities affecting the said lands or any of them.

7. Land titles, registration and fees

The vesting of any land by this Act in “The Roman Catholic Bishop of Geraldton” shall be registered and noted under the *Transfer of Land Act 1893* or the *Registration of Deeds Act 1856*, as the case may require, and on the document of title to such land, free of charge.

[Section 7 amended ~~by~~ No. 60 of 2006 s. 155.]

~~The Schedule hereto:~~ — Land vested in Bishop of Geraldton

[s. 3]

[Heading inserted: No. 19 of 2010 s. 31.]

Certificates of title —

| | | | | | |
|-----------|-----------|------------|-----------|------------|-----------|
| Volume 2 | Folio 225 | Volume 88 | Folio 127 | Volume 349 | Folio 39 |
| Volume 2 | Folio 98 | Volume 99 | Folio 36 | Volume 387 | Folio 75 |
| Volume 3 | Folio 146 | Volume 99 | Folio 42 | Volume 422 | Folio 156 |
| Volume 4 | Folio 241 | Volume 99 | Folio 43 | Volume 445 | Folio 129 |
| Volume 22 | Folio 358 | Volume 117 | Folio 180 | Volume 447 | Folio 127 |
| Volume 22 | Folio 359 | Volume 118 | Folio 113 | Volume 447 | Folio 149 |
| Volume 22 | Folio 362 | Volume 119 | Folio 98 | Volume 448 | Folio 41 |
| Volume 23 | Folio 2 | Volume 130 | Folio 119 | Volume 448 | Folio 43 |
| Volume 27 | Folio 246 | Volume 173 | Folio 30 | Volume 448 | Folio 44 |
| Volume 28 | Folio 331 | Volume 176 | Folio 50 | Volume 448 | Folio 53 |
| Volume 33 | Folio 286 | Volume 179 | Folio 126 | Volume 481 | Folio 71 |
| Volume 33 | Folio 287 | Volume 182 | Folio 101 | Volume 482 | Folio 191 |
| Volume 33 | Folio 288 | Volume 182 | Folio 102 | Volume 490 | Folio 71 |
| Volume 34 | Folio 32 | Volume 182 | Folio 95 | Volume 502 | Folio 137 |
| Volume 34 | Folio 31 | Volume 216 | Folio 100 | Volume 510 | Folio 171 |
| Volume 34 | Folio 33 | Volume 228 | Folio 95 | Volume 510 | Folio 146 |
| Volume 34 | Folio 34 | Volume 247 | Folio 168 | Volume 527 | Folio 199 |
| Volume 34 | Folio 29 | Volume 249 | Folio 8 | Volume 535 | Folio 20 |
| Volume 34 | Folio 130 | Volume 278 | Folio 49 | Volume 560 | Folio 54 |
| Volume 34 | Folio 38 | Volume 280 | Folio 112 | Volume 616 | Folio 87 |
| Volume 34 | Folio 111 | Volume 291 | Folio 70 | Volume 617 | Folio 53 |
| Volume 34 | Folio 112 | Volume 297 | Folio 90 | Volume 680 | Folio 190 |
| Volume 34 | Folio 113 | Volume 298 | Folio 3 | Volume 775 | Folio 14 |
| Volume 34 | Folio 107 | Volume 299 | Folio 92 | | |

Crown Leases — Numbers 1493/1910, 4918/1914, 252/1919, 253/1919, 254/1919, 255/1919, 256/1919, and Special Lease number 354/42.

Notes

¹ This is a compilation of the *Roman Catholic Geraldton Church Property Act 1925* and includes the amendments made by the other written laws referred to in the following table ^{1a-3}. The table also contains information about any reprint.

Compilation table

| Short title | Number and year | Assent | Commencement |
|---|-----------------|-------------|--|
| <i>Roman Catholic Geraldton Church Property Act 1925</i> | 9 of 1925 | 24 Sep 1925 | 24 Sep 1925 |
| Reprint 1 of the Roman Catholic Geraldton Church Property Act 1925 as at 7 February 2003 | | | |
| <i>Land Information Authority Act 2006</i> s. 155 | 60 of 2006 | 16 Nov 2006 | 1 Jan 2007 (see s. 2(1) and <i>Gazette</i> 8 Dec 2006 p. 5369) |

^{1a} ~~On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.~~

Provisions that have not come into operation

| Short title | Number and year | Assent | Commencement |
|--|-----------------|-------------|--|
| <i>Standardisation of Formatting Act 2010</i> s. 31 ² | 19 of 2010 | 28 Jun 2010 | To be proclaimed 11 Sep 2010 (see s. 2(b)) and <i>Gazette</i> 10 Sep 2010 p. 4341 |

² ~~On the date as at which this compilation was prepared, the *Standardisation of Formatting Act 2010* s. 31 had not come into operation. It reads as follows:~~

- ~~**31. Roman Catholic Geraldton Church Property Act 1925 amended**~~
- ~~— (1) This section amends the *Roman Catholic Geraldton Church Property Act 1925*.~~
 - ~~— (2) In the Schedule delete “**The Schedule hereto:**” and insert:~~

~~**Schedule Land vested in Bishop of Geraldton**~~

~~{s. 3}~~

² [Footnote no longer applicable.](#)

³ Other relevant Acts:

Roman Catholic Church Lands Act 1895

Roman Catholic Church Lands Amendment Act 1902.