

Reprinted under the *Reprints  
Act 1984* as at 20 August 1987.

WESTERN AUSTRALIA

**PERTH ANGLICAN CHURCH  
OF AUSTRALIA COLLEGIATE  
SCHOOL ACT 1885**

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# PERTH ANGLICAN CHURCH OF AUSTRALIA COLLEGIATE SCHOOL ACT 1885

**An Act to Dissolve the Corporation of “The Governors of the Perth Church of England Collegiate School,” and for other purposes.**

## **Preamble**

WHEREAS by an Ordinance of the Legislative Council, made and passed in the twenty-ninth year of the reign of Her present Majesty, No. 12, of 1863, the Lord Bishop of Perth, the Very Reverend the Dean of Perth, and the Venerable the Archdeacon of Perth, for the time being, and the other Governors for the time being of the Perth Church of England Collegiate School elected or thereafter to be elected in pursuance of the Statutes and Regulations thereof as adopted by the council of Governors, and specified and set forth in the Schedule to the said recited Ordinance annexed, were constituted and declared to be one Body Corporate by the name of “The Governors of the Perth Church of England Collegiate School;” And whereas the said Corporate Body has not been able to carry out the objects for which it was incorporated, and it is expedient to dissolve the same; And whereas the surviving Governors of the said Collegiate School and the majority of the principal donors of the funds

contributed for the purpose of purchasing the School site, buildings, and premises, are desirous that the same should be vested in 'The Standing Committee of the Synod of the West Australian Branch of the Church of England,' to be held and applied by such Committee to such educational purposes as such committee shall consider to be most nearly in accordance with the objects for which the said School was originally established; And whereas the said school site comprises the parcels of land known and marked on the Government plans of the city of Perth as allotments H 7 and H 1, containing together one and eight-tenths acres or thereabouts; Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

### **Dissolution of Corporation**

1. From and after the passing of this Act the said Body Corporate established by the said recited Ordinance by and under the name of 'The Governors of the Perth Church of England Collegiate School' shall be, and the same is hereby dissolved.

### **Vesting of land etc., in Standing Committee**

2. The said Perth allotments H 7 and H 1, together with the buildings thereon and all rights, easements, and appurtenances thereto belonging, and all other the lands, tenements, and hereditaments (if any) now belonging to or vested in 'The Governors of the Perth Church of England Collegiate School,' shall be and are hereby henceforth vested in and shall be held and applied by 'The Standing Committee of the Synod of the West Australian Branch of the Anglican Church of Australia' for such educational purposes as such Committee shall consider to be most nearly in accordance with the objects for which the said School was originally established.

*[Section 2 amended by No. 121 of 1976 s. 7.]*

### **Power to make rules and regulations**

3. It shall be lawful for the said Standing Committee to make such rules and regulations for the management of any School or College that the said Committee may hereafter establish as to the said Standing Committee shall seem meet, and from time to time to amend, annul, or repeal such rules and regulations, and to make new rules and regulations in lieu thereof.

### **Power to mortgage**

4. And whereas the Right Reverend Henry Hutton Parry, Bishop of Perth, the chairman of the said Governors, has with the sanction of the said Governors expended certain moneys in building upon, repairing, and

improving the said lands, tenements, and hereditaments, and it is deemed expedient to authorize the said Standing Committee to raise, by mortgage of the said lands, tenements, and hereditaments hereby vested in the said Committee, sufficient funds for the repayment to the said Bishop of the moneys so expended by him as aforesaid, with the interest due thereon: Be it further enacted that it shall be lawful for the said Standing Committee to mortgage the said lands, tenements, and hereditaments, or any part thereof, in fee simple or for any term of years, for any sum of money not exceeding the sum of \$2 800, in such manner as the said Committee shall think fit, and to assure the said lands, tenements, and hereditaments, or any part thereof, to the mortgagee or mortgagees thereof, his, her, or their heirs and assigns, either with or without a power of sale and leasing respectively, in case of default being made in the payment of the principal or interest moneys by such mortgage secured at the time or times therein appointed for the payment thereof respectively, and with such other powers and provisions as shall be deemed expedient; and to give receipts for the money so to be advanced; and the said lands, tenements, and hereditaments shall be held and enjoyed by the mortgagee or mortgagees thereof, his, her, or their heirs and assigns, freed and absolutely discharged from the trusts to which the same may for the time being be subject.

[*Section 4 amended by No. 113 of 1965 s. 8 (1).*]

[*5. Section 5 repealed by Church of England School Lands Act (1896), 60 Vict. Private Act 1896 s. 6.*]

### **Power to lease**

6. The said Standing Committee may from time to time demise the same lands, tenements, and hereditaments, or any part thereof, to any person or persons, for any term of years not exceeding 7 years, at such rent or rents and under such covenants and conditions as the said Committee may think fit.

[*7. Section 7 repealed by Church of England School Lands Act (1896), 60 Vict. Private Act 1896 s. 6.*]

### **Reservation of Crown and other rights**

8. Provided that nothing herein contained shall be deemed to affect any right, title, or interest of Her Majesty, her heirs or successors, or of any body politic or corporate, or of any other person, save and except such as are mentioned herein, and those claiming by, from, through, and under them.

**Repeal**

9. [Section 9 omitted under Reprints Act 1984 s. 7 (4) (f).]

**Short title**

10. This Act may be cited as the *Perth Anglican Church of Australia Collegiate School Act 1885*<sup>1</sup>.

[Section 10 inserted by No. 81 of 1966 s. 2; amended by No. 121 of 1976 s. 7.]

**NOTES**

<sup>1</sup> This reprint is a compilation as at 20 August 1987 of the *Perth Anglican Church of Australia Collegiate School Act 1885* and includes all amendments effected by the other Acts referred to in the following Table.

**Table of Acts**

Act	Number and Year	Assent	Commencement	Miscellaneous
	49 Vict. No. 19 (1885)	24 September 1885	24 September 1885	Short title subsequently given (see footnote to section 10).
<i>Church of England School Lands Act 1896</i> , section 6	60 Vict. Private Act (1896)	27 October 1896	27 October 1896	Now <i>Anglican Church of Australia School Lands Act 1896</i> .
<i>Decimal Currency Act 1965</i>	113 of 1965	21 December 1965	Sections 4 to 9: 14 February 1966. Balance on assent (see section 2)	
<i>Statute Law Revision (Short Titles) Act 1966</i>	81 of 1966	12 December 1966	12 December 1966	
<i>Anglican Church of Australia Act 1976</i>	121 of 1976	1 December 1976	Sections 1 and 2: 1 December 1976 (see section 2). Balance: 24 August 1981 (see <i>Gazette</i> 30 January 1981 p. 441)	

NB. The *Perth Anglican Church of Australia Collegiate School Act 1885* is affected by the *Anglican Church of Australia School Lands Act 1896* and the *Anglican Church of Australia Constitution Act 1960*.



