

WESTERN AUSTRALIA

**ROMAN CATHOLIC CHURCH  
PROPERTY ACT 1911**

AN ACT to vest in the Roman Catholic Bishop of the Diocese of Perth, and his successors in office, all property belonging to or held on account of the said Diocese, and to make further provision for disposing of such property, and for other purposes connected therewith.

**Short title**

1. This Act may be cited as the *Roman Catholic Church Property Act 1911*<sup>1</sup>.

**Interpretation**

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

**Vesting of church property in Bishop of  
Roman Catholic Diocese of Perth**

3. All property now or hereafter belonging to the Diocese of the Roman Catholic Church known as the Diocese of Perth, or vested in any person as trustee on account of the said Church in the said Diocese (including all lands mentioned in or affected by Act No. 4 of 1858, or the *Roman Catholic Church Lands Act 1895*, excepting such lands as have

been lawfully alienated or as are vested in the Bishop of any other Diocese under the *Roman Catholic Lands Amendment Act 1902*), shall by virtue hereof (but subject to the last-mentioned Act) 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.

### **Bishop to be corporation sole**

4. (1) For the purposes of this Act and of the *Roman Catholic Church Lands Act 1895*, the said Bishop for the time being shall be a corporation sole, by the name of "The Roman Catholic Archbishop of Perth," with perpetual succession, and by and in that name may sue and be sued and shall have power to purchase, take, and hold property and (subject as hereinafter provided, and 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 hereby 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*.

(2) The said Bishop shall have an official seal and all courts, judges and persons acting judicially shall take notice of that official seal affixed to a document and shall presume that it was duly affixed.

[Section 4 amended by No. 67 of 1972 s. 5.]

[5., 6., 7., 8., 9. Sections 5, 6, 7, 8 and 9 repealed by No. 67 of 1972 s. 6.]

### **Execution of documents**

10. All documents required to be executed by the said Bishop for the purpose of giving effect to any transaction or dealing with property shall be signed by the said Bishop and his official seal shall be affixed thereto.

[Section 10 substituted by No. 67 of 1972 s. 7.]

### **Remission of registration fees**

11. The vesting of any land by this Act in "the Roman Catholic Bishop of Perth" shall be registered and noted in the Office of Titles, the Office of the Registrar of Deeds or the Department of Lands and Surveys, as the case may require, and on the document of title of such land free of charge.

### **Corporate name on land records**

12. On the coming into operation of the *Acts Amendment (Roman Catholic Church Lands) Act 1972*<sup>1</sup>, all land vested, by this Act or otherwise, in "The Roman Catholic Bishop of Perth" shall vest in "The

Roman Catholic Archbishop of Perth” without the necessity of any change of name to that effect in the Register Book kept under the *Transfer of Land Act 1893* or in the Book of Registry kept under the *Registration of Deeds Act 1856*, as the case may be.

[Section 12 added by No. 67 of 1972 s. 8.]

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NOTES

<sup>1.</sup> This reprint is a compilation as at 28 July 1987 of the *Roman Catholic Church Property Act 1911* and includes all amendments effected by the other Acts referred to in the following Table<sup>2</sup>.

Table of Acts

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Act	Number and Year	Assent	Commencement	Miscellaneous
<i>Roman Catholic Church Property Act 1911</i>	36 of 1911	16 February 1911	16 February 1911	
<i>Roman Catholic Church Property Act Amendment Act 1916</i> , section 6 (1) and (2)	4 of 1916	7 November 1916	7 November 1916	
<i>Acts Amendment (Roman Catholic Church Lands) Act 1912</i> , Part II	67 of 1972	16 November 1972	16 November 1972	

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<sup>2.</sup> The *Roman Catholic Church Property Act 1911* was affected by the *Roman Catholic Church Property Act Amendment Act 1912*; the *Roman Catholic Church Property Acts Amendment Act 1916*; the *Roman Catholic Bunbury Church Property Act 1955*; the *Roman Catholic Bishop of Broome Property Act 1957*.