



Western Australia

Roman Catholic Church Lands Ordinance 1858

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Roman Catholic Church Lands Ordinance 1858

An Ordinance for vesting Roman Catholic Church lands in Western Australia in the Roman Catholic Bishop administrator and his successors.

Preamble

Whereas several lands in various districts throughout the Colony of Western Australia, have been from time to time granted to and vested in certain persons as Trustees for various religious purposes connected with the Roman Catholic Church in the said Colony: And whereas churches, chapels, convents, and other buildings have been erected on some of such lands, and other of such lands have been used for purposes of Christian burial: And whereas it is expedient that the provisions hereinafter contained should be enacted:

Be it therefore enacted by His Excellency the Governor of the said Colony and its Dependencies, by and with the advice and consent of the Legislative Council thereof: —

1. Lands held in trust for Roman Catholic Church to vest in Bishop on trust

That all estate, right, and title, legal and equitable, in and to all churches, buildings, convents, monasteries, lands and premises in the said Colony belonging to and used in connection with the Roman Catholic Church, and now vested in any person or persons whomsoever as a trustee or trustees, shall from and after the passing of this Ordinance, by virtue hereof, and without the necessity of any formal deed of assurance, be divested from such person or persons and vest absolutely and indefeasibly in the Roman Catholic Bishop for the time being administering the ecclesiastical affairs of the Roman Catholic Church in the said Colony and his successors in the said office, upon the trusts mentioned and contained in the several deeds or other assurances in the law, granting and conveying such churches, buildings, convents, monasteries, lands and premises to such person or persons as a trustee or trustees as aforesaid.

2. Future lands to be vested in Roman Catholic Bishop

That the estate in all lands and premises which shall be hereafter granted and conveyed by any person or persons for Roman Catholic Church purposes shall be vested by deed or other proper assurance in the Roman Catholic Bishop for the time being administering the ecclesiastical affairs of the said Roman Catholic Church in the said Colony and his successors, under and subject to such trusts as may be imposed by the donors and grantors thereof as conditions of their grant.

3. Short title

This Ordinance may be cited as the *Roman Catholic Church Lands Ordinance 1858*¹.

[Section 3 inserted: No. 81 of 1966 s. 2.]

Notes

- ¹ This reprint is a compilation as at 7 February 2003 of the *Roman Catholic Church Lands Ordinance 1858* and includes the amendments made by the other written laws referred to in the following table³.

Compilation table

Act or Ordinance	Number and year	Assent	Commencement
Untitled ²	22 Vict. No. 4	17 Sep 1858	17 Sep 1858
<i>Statute Law Revision (Short Titles) Act 1966 s. 2</i>	81 of 1966	12 Dec 1966	12 Dec 1966

- ² Now known as the *Roman Catholic Church Lands Ordinance 1858*; short title inserted (see note under s. 3).

- ³ This Ordinance is affected by the following Acts:
- The Roman Catholic Church Lands Act 1895*
 - Roman Catholic Church Lands Amendment Act 1902*
 - Roman Catholic Church Property Act 1911*
 - Roman Catholic Church Property Act Amendment Act 1912*
 - Roman Catholic Church Property Acts Amendment Act 1916.*

Other relevant Acts:

- Roman Catholic Geraldton Church Property Act 1925*
- Roman Catholic New Norcia Church Property Act 1929*
- Roman Catholic Bunbury Church Property Act 1955*
- Roman Catholic Bishop of Broome Property Act 1957.*