

Western Australia

**Roman Catholic Geraldton Church Property
Act 1925**

As at 16 Nov 2006

Version 01-b0-03

Extract from www.slp.wa.gov.au, see that website for further information

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Roman Catholic Geraldton Church Property Act 1925

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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 in the Office of Titles, the Office of the Registrar of Deeds, or the Department of Lands and Surveys², as the case may require, and on the document of title to such land, free of charge.

Schedule

The Schedule hereto:

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*. The following table contains information about that Act ^{1a, 3}.

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 <i>Roman Catholic Geraldton Church Property Act 1925</i> as at 7 February 2003			

^{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>Land Information Authority Act 2006</i> s. 155 ⁴	60 of 2006	16 Nov 2006	To be proclaimed (see s. 2(1))

² Under the *Public Sector Management Act 1994* the names of departments may be changed. At the time of this reprint the former Department of Lands and Surveys is called the Department of Land Administration.

³ Other relevant Acts:

Roman Catholic Church Lands Act 1895

Roman Catholic Church Lands Amendment Act 1902.

⁴ On the date as at which this compilation was prepared, the *Land Information Authority Act 2006* s. 155 had not come into operation. It reads as follows:

“

155. Roman Catholic Geraldton Church Property Act 1925 amended

- (1) The amendments in this section are to the *Roman Catholic Geraldton Church Property Act 1925*.
- (2) Section 7 is amended by deleting “in the Office of Titles, the Office of the Registrar of Deeds, or the Department of Lands and Surveys” and inserting instead —

“

under the *Transfer of Land Act 1893* or the *Registration of Deeds Act 1856*

”
”