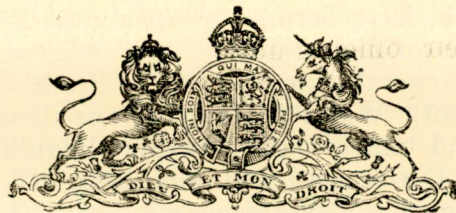


This PRIVATE BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 30th October, 1928.*

New South Wales.



ANNO UNDEVICESIMO

GEORGII V REGIS.

An Act to validate certain arrangements, acts, and regulations heretofore entered into, done and made, relating to the Beneficiary Fund of the Presbyterian Church of Australia in the State of New South Wales, and to confer upon the General Assembly of the said Church power to regulate and control the said Fund in all respects, including membership, basis or rate of contribution, and other conditions of the same, and to extend the benefits of the said Fund to persons not resident in the said State; and for other incidental purposes.

*Beneficiary Fund of the Presbyterian Church of Australia, in the
State of New South Wales.*

WHEREAS by enactment of the General Assembly ^{Preamble.}
of the Presbyterian Church of New South
Wales in the year one thousand eight hundred and
ninety-three certain Regulations were adopted for the
3 control and management of a Fund designated the
“Aged and Infirm Ministers’ Fund,” which said Fund
was for the benefit of ministers in the Presbyterian
Church of New South Wales, Professors of Divinity,
10 the General Agent, Secretaries of the Church being
ministers and officials of the said Assembly, and
ordained and medical missionaries who have laboured in
connection with one or other of the Missions of the said
last-mentioned Church who should, through old age or
15 confirmed ill health, have become incapacitated for the
discharge of their official duties: And whereas by
enactment of the General Assembly of the Presbyterian
Church of New South Wales in the year one thousand
eight hundred and ninety-eight certain Regulations
20 were adopted for the control and management of an
Association designated “The Association for the Relief
of Widows and Orphans of Ministers of the Presby-
terian Church of New South Wales,” and which said
Regulations provided (inter alia) that the said Associa-
25 tion should consist of all ministers of the said last-
mentioned Church who should join the same and
continue members thereof in manner in the said
Regulations prescribed, and further provided certain
benefits to the widows and orphans of the members of
the said Association from the payments to the funds of
30 the said Association by its members and all accretions
to the said funds to the extent and subject to the
conditions in the said Regulations prescribed: And
whereas by enactment of the General Assembly of the
Presbyterian Church of Australia in the State of New
35 South Wales, in whose hands and under whose control
the administration of the said Aged and Infirm
Ministers’ Fund and of the funds of the said The
Association for the Relief of Widows and Orphans of
Ministers of the Presbyterian Church of New South
40 Wales is vested by and in accordance with the
Regulations

*Beneficiary Fund of the Presbyterian Church of Australia, in the
State of New South Wales.*

Regulations to the said Aged and Infirm Ministers' Fund and the said Association appertaining, in the year one thousand nine hundred and twenty-one, the said Aged and Infirm Ministers' Fund and the funds of the
5 said The Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales were amalgamated, and all moneys and securities belonging to the said funds so amalgamated as aforesaid were transferred to and became
10 vested in the corporate trustees of the said Church for behoof of the said amalgamated fund, and a committee to be known as the Beneficiary Fund Committee was duly appointed by the said General Assembly for the administration of the said amalgamated
15 Fund, which was thereafter to be called the Beneficiary Fund of the Presbyterian Church of Australia in the State of New South Wales: And whereas by resolution of the said last-mentioned General Assembly in the year one thousand nine hundred and twenty-four it was
20 affirmed that it was advisable to extend the scope of the said Beneficiary Fund and the powers of the said General Assembly in relation thereto by Act of Parliament: And whereas by resolution of the said General Assembly in the said last-mentioned year it was affirmed
25 that ministers and widows and orphans of ministers of the Presbyterian Church of Australia in the State of Western Australia should be admitted to the benefits of the said Beneficiary Fund upon such terms and conditions as the said General Assembly might approve:
30 And whereas there stand to the credit of the said Beneficiary Fund large sums of money and valuable securities: And whereas there are many persons interested in the said Beneficiary Fund as beneficiaries pursuant to the regulations appertaining to the said
35 Fund, some of whom are infants or otherwise incapable of consenting to the arrangements and alterations hereinbefore mentioned: And whereas doubts have arisen as to the powers and authority of the said General Assembly in respect of the said amalgamation and the
40 said control, administration, and regulation of the said

Beneficiary

Beneficiary Fund of the Presbyterian Church of Australia, in the State of New South Wales.

Beneficiary Fund and the moneys and securities there-
 unto appertaining, and as to the admission to the said
 Beneficiary Fund of ministers and widows and orphans
 of ministers not belonging to the Presbyterian Church
 5 of Australia in the State of New South Wales: Be it
 therefore enacted by the King's Most Excellent Majesty,
 by and with the advice and consent of the Legislative
 Council and Legislative Assembly of New South Wales
 in Parliament assembled, and by the authority or the
 10 same as follows:—

1. The amalgamation of the Aged and Infirm Amalgama-
tion of funds.
 Ministers' Fund of the Presbyterian Church of Aus-
 tralia in the State of New South Wales and the funds
 of the Association for the Relief of Widows and Orphans
 15 of Ministers of the Presbyterian Church of New South
 Wales in a fund to be called the Beneficiary Fund of
 the Presbyterian Church of Australia in the State of
 New South Wales and hereinafter referred to as "The
 Beneficiary Fund," directed to be carried into execution
 20 by the General Assembly of the Presbyterian Church of
 Australia in the State of New South Wales, hereinafter
 referred to as the "General Assembly," and to take
 effect from the first day of July, one thousand nine
 hundred and twenty-one, and all transfers of the said
 25 funds and securities made to the corporate trustees of
 the said Church on account of the said amalgamated
 fund, and all acts done and arrangements made pur-
 suant to the execution of the said scheme of amalgama-
 tion are hereby validated and declared to have been of
 30 full force and effect both at law and in equity according
 to the tenor of the resolutions of the said General
 Assembly and the regulations made in relation thereto
 as and from the first day of July in the year one
 thousand nine hundred and twenty-one, and the said
 35 regulations are hereby validated and are declared to have
 had full force and effect both at law and in equity from
 the said first day of July in the year one thousand nine
 hundred and twenty-one, or the date of their enactment
 if subsequent to the said date.

Beneficiary Fund of the Presbyterian Church of Australia, in the State of New South Wales.

- 2.** And the General Assembly is hereby empowered and authorised to control and administer the Beneficiary Fund and for such purpose to enact from time to time such regulations as it may deem expedient for the government of the Beneficiary Fund, anything in the regulations of the Aged and Infirm Ministers' Fund and in the rules of the Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales notwithstanding, and in particular (but without limiting the generality of the general power of control hereby conferred) for the determination or alteration of the basis or rate of contribution, the qualifications of membership, the amount of benefit, and the conditions attaching to the Beneficiary Fund.
- 3.** The General Assembly is hereby empowered to delegate to such committee as it may from time to time appoint the general administration of the Beneficiary Fund, and the acts and arrangements of all committees appointed by the General Assembly to administer the Beneficiary Fund since the said amalgamation are hereby validated and declared to have had full force and effect both at law and in equity.
- 4.** All moneys and securities or investments belonging to the Beneficiary Fund shall be and remain vested in the corporate trustees of the Presbyterian Church of Australia in the State of New South Wales and shall be applied by them for the purposes of the Beneficiary Fund in accordance with the regulations for the time being of the General Assembly relating to the Beneficiary Fund. The corporate trustees shall have such powers of investing the moneys belonging to the Beneficiary Fund and of varying the securities and investments thereunto belonging as they possess in relation to the properties, securities, and investments of the Presbyterian Church of Australia in the State of New South Wales in general.
- 5.** The General Assembly is hereby empowered to admit to the benefits of the Beneficiary Fund such persons or class of persons as it may approve, whether resident in the State of New South Wales or not, and upon such terms and conditions as to contributions, benefits, and otherwise as it may deem proper.

General Assembly empowered to control and administer fund.

General Assembly empowered to delegate administration of fund.

Moneys and securities or investments of fund shall be vested in corporate trustees.

General Assembly empowered to admit persons to benefit of fund.

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Legislative Council.

1928.

A BILL

To validate certain arrangements, acts, and regulations heretofore entered into, done and made, relating to the Beneficiary Fund of the Presbyterian Church of Australia in the State of New South Wales, and to confer upon the General Assembly of the said Church power to regulate and control the said Fund in all respects, including membership, basis or rate of contribution, and other conditions of the same, and to extend the benefits of the said Fund to persons not resident in the said State; and for other incidental purposes.

(As agreed to in Select Committee.)

Preamble.

WHEREAS by enactment of the General Assembly of the Presbyterian Church of New South Wales in the year one thousand eight hundred and ninety-three certain Regulations were adopted for the control and management of a Fund designated the "Aged and Infirm Ministers' Fund," which said Fund was for the benefit of ministers in the Presbyterian Church of New South Wales, Professors of Divinity, the General Agent, Secretaries of the Church being ministers and officials of the said Assembly, and ordained and medical missionaries who have laboured in connection with one or other of the Missions of the said last-mentioned Church who should, through old age or confirmed ill health, have become incapacitated for the discharge of their official duties: And whereas by enactment of the General Assembly of the Presbyterian Church of New South Wales in the year one thousand eight hundred and ninety-eight certain Regulations were adopted for the control and management of an Association designated "The Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales," and which said Regulations provided (inter alia) that the said Association should consist of all ministers of the said last-mentioned Church who should join the same and continue members thereof in manner in the said Regulations prescribed, and further provided certain benefits to the widows and orphans of the members of the said Association from the payments to the funds of the said Association by its members and all accretions to the said funds to the extent and subject to the conditions in the said Regulations prescribed: And whereas by enactment of the General Assembly of the Presbyterian Church of Australia in the State of New South Wales, in whose hands and under whose control the administration of the said Aged and Infirm Ministers' Fund and of the funds of the said The Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales is vested by and in accordance with the Regulations

Regulations to the said Aged and Infirm Ministers' Fund and the said Association appertaining, in the year one thousand nine hundred and twenty-one, the said Aged and Infirm Ministers' Fund and the funds of the
5 said The Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales were amalgamated, and all moneys and securities belonging to the said funds so amalga-
10 mated as aforesaid were transferred to and became vested in the corporate trustees of the said Church for behoof of the said amalgamated fund, and a committee to be known as the Beneficiary Fund Committee was duly appointed by the said General
15 Assembly for the administration of the said amalgamated Fund, which was thereafter to be called the Beneficiary Fund of the Presbyterian Church of Australia in the State of New South Wales : And whereas by resolution of the said last-mentioned General Assembly in the year
20 one thousand nine hundred and twenty-four it was affirmed that it was advisable to extend the scope of the said Beneficiary Fund and the powers of the said General Assembly in relation thereto by Act of Parlia-
ment : And whereas by resolution of the said General Assembly in the said last-mentioned year it was affirmed
25 that ministers and widows and orphans of ministers of the Presbyterian Church of Australia in the State of Western Australia should be admitted to the benefits of the said Beneficiary Fund upon such terms and conditions as the said General Assembly might approve :
30 And whereas there stand to the credit of the said Beneficiary Fund large sums of money and valuable securities : And whereas there are many persons interested in the said Beneficiary Fund as beneficiaries pursuant to the regulations appertaining to the said
35 Fund, some of whom are infants or otherwise incapable of consenting to the arrangements and alterations hereinbefore mentioned : And whereas doubts have arisen as to the powers and authority of the said General Assembly in respect of the said amalgamation and the
40 said control, administration, and regulation of the said Beneficiary

Beneficiary Fund and the moneys and securities thereunto appertaining, and as to the admission to the said Beneficiary Fund of ministers and widows and orphans of ministers not belonging to the Presbyterian Church of Australia in the State of New South Wales: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority or the same as follows:—

Amalgamation of funds.

1. The amalgamation of the Aged and Infirm Ministers' Fund of the Presbyterian Church of Australia in the State of New South Wales and the funds of the Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales in a fund to be called the Beneficiary Fund of the Presbyterian Church of Australia in the State of New South Wales and hereinafter referred to as "The Beneficiary Fund," directed to be carried into execution by the General Assembly of the Presbyterian Church of Australia in the State of New South Wales, hereinafter referred to as the "General Assembly," and to take effect from the first day of July, one thousand nine hundred and twenty-one, and all transfers of the said funds and securities made to the corporate trustees of the said Church on account of the said amalgamated fund, and all acts done and arrangements made pursuant to the execution of the said scheme of amalgamation are hereby validated and declared to have been of full force and effect both at law and in equity according to the tenor of the resolutions of the said General Assembly and the regulations made in relation thereto as and from the first day of July in the year one thousand nine hundred and twenty-one, and the said regulations are hereby validated and are declared to have had full force and effect both at law and in equity from the said first day of July in the year one thousand nine hundred and twenty-one, or the date of their enactment if subsequent to the said date.

2.

- 2.** And the General Assembly is hereby empowered and authorised to control and administer the Beneficiary Fund and for such purpose to enact from time to time such regulations as it may deem expedient for the
- 5 government of the Beneficiary Fund, anything in the regulations of the Aged and Infirm Ministers' Fund and in the rules of the Association for the Relief of Widows and Orphans of Ministers of the Presbyterian Church of New South Wales notwithstanding, and in particular
- 10 (but without limiting the generality of the general power of control hereby conferred) for the determination or alteration of the basis or rate of contribution, the qualifications of membership, the amount of benefit, and the conditions attaching to the Beneficiary Fund.
- 3.** The General Assembly is hereby empowered to
- 15 delegate to such committee as it may from time to time appoint the general administration of the Beneficiary Fund, and the acts and arrangements of all committees appointed by the General Assembly to administer the
- 20 Beneficiary Fund since the said amalgamation are hereby validated and declared to have had full force and effect both at law and in equity.
- 4.** All moneys and securities or investments belonging to the Beneficiary Fund shall be and remain vested in
- 25 the corporate trustees of the Presbyterian Church of Australia in the State of New South Wales and shall be applied by them for the purposes of the Beneficiary Fund in accordance with the regulations for the time being of the General Assembly relating to the Bene-
- 30 ficiary Fund. The corporate trustees shall have such powers of investing the moneys belonging to the Beneficiary Fund and of varying the securities and investments thereunto belonging as they possess in relation to the properties, securities, and investments
- 35 of the Presbyterian Church of Australia in the State of New South Wales in general.
- 5.** The General Assembly is hereby empowered to admit to the benefits of the Beneficiary Fund such
- 40 persons or class of persons as it may approve, whether resident in the State of New South Wales or not, and upon such terms and conditions as to contributions, benefits, and otherwise as it may deem proper.

General Assembly empowered to control and administer fund.

General Assembly empowered to delegate administration of fund.

Moneys and securities or investments of fund shall be vested in corporate trustees.

General Assembly empowered to admit persons to benefit of fund.

