

New South Wales.



ANNO SECUNDO

GEORGI VI REGIS.

* * * * *

An Act to amend the Congregational Union Incorporation Act, 1882; and for purposes connected therewith. [Assented to, 6th September, 1938.]

WHEREAS the spiritual and temporal affairs of the Preamble.
religious body or denomination called Congregationalists or Independents in the State of New South Wales are regulated by "The Congregational Union Incorporation Act of 1882" AND WHEREAS such Act has been found not sufficiently wide to cover the present activities of the said religious body AND WHEREAS it is expedient in relation to the said religious body to set forth less controversially the doctrines held as its general tenets AND WHEREAS such

The Congregational Union Incorporation (Amendment).

Act makes no provision for properties acquired subsequent thereto by Trustees for Congregational Churches being transferred to the corporate body AND WHEREAS the method prescribed by such Act for the transferring of properties thereunder is cumbersome and in some cases inapplicable AND WHEREAS such Act does not attach any trusts to properties acquired in the name of the Union although such properties or property may have been either originally or at a later stage paid for by a particular Church AND WHEREAS it is expedient to amend the said Act to provide for the matters hereinbefore referred to: 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 of the same, as follows:—

Short title.

1. This Act may be cited as "The Congregational Union Incorporation (Amendment) Act, 1938."

Amendment of Act.

2. The Congregational Union Incorporation Act, 1882, is amended by omitting sections two, three, four and five and by inserting in lieu thereof the following new sections:—

Trust property how held.

2. (1) All lands now or hereafter vested in the said body corporate and used by or for the purpose of or in connection with any Church connected with the said body or denomination called Independents or Congregationalists and not held upon express trusts shall be held upon the trusts and subject to the provisions of Schedule C of the Principal Act.

Vesting of property in body corporate.

(2) All lands now or hereafter held in trust for the said body or denomination or for any Church connected therewith shall subject to the provisions of section three of this Act be vested in the said body corporate for the same estates for which they are respectively held in trust for the said body or denomination or Church immediately before such vesting and be held upon the trusts and subject to the provisions of Schedule C of the Principal Act and thereupon the trusts upon which such lands had been theretofore held shall cease and determine.

(3)

The Congregational Union Incorporation (Amendment).

3. (1) The vesting mentioned in subsection two of section two of this Act shall not affect the estate interest, rights, powers or remedies of any person by virtue of any lien mortgage encumbrance charge or lease existing at the time of such vesting and shall not take effect without the assent of the body corporate of which assent a certificate under the hand of the Ministerial or Lay Secretary for the time being of the Congregational Union of New South Wales shall be conclusive evidence, and, when the lands are held upon trust for or for the purposes of or in connection with an existing Church without the assent by resolution of the majority of members of such Church present and voting at a duly convened meeting. Saving.

(2) The provisions of clause twelve of Schedule C of the Principal Act which relate to the calling of meetings and the provisions of clauses thirteen and fourteen of such Schedule shall apply to every meeting convened for the purpose of subsection one of this section. Calling of meetings.

4. Schedule C of the Principal Act is amended as follows:— Amendment of Schedule C of Principal Act.

(a) by inserting therein—

(i) in clause ten the words “or the receipt of the duly appointed agent of the said body corporate for rent so payable” after the words “the said trust premises”;

(ii) in clause sixteen the words “or the vesting of the land in” after the words “conveyance of the land to”;

(b) (i) by omitting from clause eleven the words “be required to” and by inserting therein after the words “pay any money for which they” the words “or any other person”:

(ii)

The Congregational Union Incorporation (Amendment).

- (ii) by omitting from clause seventeen the words "from the date hereof or if the said Church" and by inserting therein in their place the words "from the vesting of the land in the body corporate or if Church".

Repeal of
Schedule A
of Principal
Act.

5. Schedule A to the Principal Act is hereby repealed and the Schedule hereto is substituted therefor.

Saving
clause.

6. Nothing contained in this Act shall apply to lands now or hereafter vested in the body corporate upon any express trusts or now or hereafter vested in the President and Fellows of Camden College or held upon trust for or in connection with such college.

SCHEDULE A.

- (1) The existence of one only God, Father, Son and Holy Spirit.
- (2) The Incarnation of the Divine Word as our Lord and Saviour Jesus Christ, Who lived, died and rose again, enabling man to enter into full communion with God, redeeming him from sin and death, and making him an inheritor of Life Eternal.
- (3) Man's moral responsibility; the free invitation of the Gospel; man's ability to respond to the Gospel through the grace of God; and the influence and teaching of the Holy Spirit.
- (4) The Holy Scriptures as the record of God's revealed Will and Word, and as containing all truth needful to make us wise unto salvation.
- (5) The Church of Jesus Christ, "Which is His Body" to which belong all who acknowledge Him as Lord and Saviour; the divinely appointed means for the preaching of the Word; the ministry of the Sacraments and the promotion of the Kingdom of God.
- (6) The right of every local Church to manage its own affairs.
- (7) The baptism of infants and of adult believers who were not baptised in infancy.
- (8) The open confession of discipleship in the observance of the Lord's Supper.

By Authority:

DAVID HAROLD PAISLEY, Government Printer, Sydney, 1938.

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.

C. H. H. CALVERT,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 23rd August, 1938.*

New South Wales.



ANNO SECUNDO

GEORGII VI REGIS.

An Act to amend the Congregational Union
Incorporation Act, 1882; and for purposes
connected therewith.

WHEREAS the spiritual and temporal affairs of the **Preamble.**
religious body or denomination called Congrega-
tionalists or Independents in the State of New South
Wales are regulated by "The Congregational Union
5 Incorporation Act of 1882" AND WHEREAS such
Act has been found not sufficiently wide to cover the
present activities of the said religious body AND
WHEREAS it is expedient in relation to the said
religious body to set forth less controversially the doc-
10 trines held as its general tenets AND WHEREAS such

The Congregational Union Incorporation (Amendment).

Act makes no provision for properties acquired subsequent thereto by Trustees for Congregational Churches being transferred to the corporate body AND WHEREAS the method prescribed by such Act for the
 5 transferring of properties thereunder is cumbersome and in some cases inapplicable AND WHEREAS such Act does not attach any trusts to properties acquired in the name of the Union although such properties or
 10 property may have been either originally or at a later stage paid for by a particular Church AND WHEREAS it is expedient to amend the said Act to provide for the matters hereinbefore referred to: BE it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council
 15 and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "The Congregational Union Incorporation (Amendment) Act, 1938." Short title.
- 20 2. The Congregational Union Incorporation Act, 1882, is amended by omitting sections two, three, four and five and by inserting in lieu thereof the following new sections:— Amendment of Act.
- 25 2. (1) All lands now or hereafter vested in the said body corporate and used by or for the purpose of or in connection with any Church connected with the said body or denomination called Independents or Congregationalists and not held upon express trusts shall be held upon the trusts and subject to the provisions of Schedule C of the Principal Act. Trust property how held.
- 30 (2) All lands now or hereafter held in trust for the said body or denomination or for any Church connected therewith shall subject to the provisions of section three of this Act be vested in the said body corporate for the same estates for which they are respectively held in trust for the said body or denomination or Church immediately before such vesting and be held upon the trusts and subject to the provisions of Schedule C of the Principal Act and thereupon the trusts upon which such lands
 35 had been theretofore held shall cease and determine. Vesting of property in body corporate.
- 40

(3)

The Congregational Union Incorporation (Amendment).

3. (1) The vesting mentioned in subsection two of section two of this Act shall not affect the estate interest, rights, powers or remedies of any person by virtue of any lien mortgage encumbrance charge or lease existing at the time of such vesting and shall not take effect without the assent of the body corporate of which assent a certificate under the hand of the Ministerial or Lay Secretary for the time being of the Congregational Union of New South Wales shall be conclusive evidence, and, when the lands are held upon trust for or for the purposes of or in connection with an existing Church without the assent by resolution of the majority of members of such Church present and voting at a duly convened meeting.
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- 10
- 15
- (2) The provisions of clause twelve of Schedule C of the Principal Act which relate to the calling of meetings and the provisions of clauses thirteen and fourteen of such Schedule shall apply to every meeting convened for the purpose of subsection one of this section.
- 20
4. Schedule C of the Principal Act is amended as follows:—
- (a) by inserting therein—
- 25
- (i) in clause ten the words “or the receipt of the duly appointed agent of the said body corporate for rent so payable” after the words “the said trust premises”;
- 30
- (ii) in clause sixteen the words “or the vesting of the land in” after the words “conveyance of the land to”;
- (b) (i) by omitting from clause eleven the words “be required to” and by inserting therein after the words “pay any money for which they” the words “or any other person”;
- 35
- (ii)

Saving.

Calling of meetings.

Amendment of Schedule C of Principal Act.

The Congregational Union Incorporation (Amendment).

- 5 (ii) by omitting from clause seventeen the words "from the date hereof or if the said Church" and by inserting therein in their place the words "from the vesting of the land in the body corporate or if any Church".

5. Schedule A to the Principal Act is hereby repealed and the Schedule hereto is substituted therefor. Repeal of Schedule A of Principal Act.

- 10 6. Nothing contained in this Act shall apply to lands now or hereafter vested in the body corporate upon any express trusts or now or hereafter vested in the President and Fellows of Camden College or held upon trust for or in connection with such college. Saving clause.

15

SCHEDULE A.

- (1) The existence of one only God, Father, Son and Holy Spirit.
- (2) The Incarnation of the Divine Word as our Lord and Saviour Jesus Christ, Who lived, died and rose again, enabling man to enter into full communion with God, redeeming him from sin and death, and making him an inheritor of Life Eternal.
- 20 (3) Man's moral responsibility; the free invitation of the Gospel; man's ability to respond to the Gospel through the grace of God; and the influence and teaching of the Holy Spirit.
- (4) The Holy Scriptures as the record of God's revealed Will and
- 25 Word, and as containing all truth needful to make us wise unto salvation.
- (5) The Church of Jesus Christ, "Which is His Body" to which belong all who acknowledge Him as Lord and Saviour; the divinely appointed means for the preaching of the Word; the ministry of the
- 30 Sacraments and the promotion of the Kingdom of God.
- (6) The right of every local Church to manage its own affairs.
- (7) The baptism of infants and of adult believers who were not baptised in infancy.
- (8) The open confession of discipleship in the observance of the
- 35 Lord's Supper.

Legislative Council.

—
1938.

A BILL

To amend the Congregational Union Incorporation Act, 1882; and for purposes connected therewith.

(As agreed to in Select Committee.)

WHEREAS the spiritual and temporal affairs of the religious body or denomination called Congregationalists or Independents in the State of New South Wales are regulated by "The Congregational Union Incorporation Act of 1882" AND WHEREAS such Act has been found not sufficiently wide to cover the present activities of the said religious body AND WHEREAS it is expedient in relation to the said religious body to set forth less controversially the doctrines held as its general tenets AND WHEREAS such

Preamble.

Act makes no provision for properties acquired subsequent thereto by Trustees for Congregational Churches being transferred to the corporate body AND WHEREAS the method prescribed by such Act for the transferring of properties thereunder is cumbersome 5 and in some cases inapplicable AND WHEREAS such Act does not attach any trusts to properties acquired in the name of the Union although such properties or property may have been either originally or at a later stage paid for by a particular Church AND WHEREAS 10 it is expedient to amend the said Act to provide for the matters hereinbefore referred to: BE it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of this Legislative Council and Legislative Assembly of New South Wales in 15 Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "The Congregational Union Incorporation (Amendment) Act, 1938."

Amendment of Act.

2. The Congregational Union Incorporation Act, 1882, is amended by omitting sections two, three, four and five and by inserting in lieu thereof the following new sections:—

Trust property how held.

2. (1) All lands now or hereafter vested in the said body corporate and used by or for the purpose 25 of or in connection with any Church connected with the said body or denomination called Independents or Congregationalists and not held upon express trusts shall be held upon the trusts and subject to the provisions of Schedule C of the Principal Act. 30

Vesting of property in body corporate.

(2) All lands now or hereafter held in trust for the said body or denomination or for any Church connected therewith shall subject to the provisions of section three of this Act be vested in the said body corporate for the same estates for 35 which they are respectively held in trust for the said body or denomination or Church immediately before such vesting and be held upon the trusts and subject to the provisions of Schedule C of the Principal Act and thereupon the trusts upon which such lands 40 had been theretofore held shall cease and determine.

(3)

3. (1) The vesting mentioned in subsection two of section two of this Act shall not affect the estate interest, rights, powers or remedies of any person by virtue of any lien mortgage encumbrance charge or lease existing at the time of such vesting and shall not take effect without the assent of the body corporate of which assent a certificate under the hand of the Ministerial or Lay Secretary for the time being of the Congregational Union of New South Wales shall be conclusive evidence, and, when the lands are held upon trust for or for the purposes of or in connection with an existing Church without the assent by resolution of the majority of members of such Church present and voting at a duly convened meeting.

Saving.

(2) The provisions of clause twelve of Schedule C of the Principal Act which relate to the calling of meetings and the provisions of clauses thirteen and fourteen of such Schedule shall apply to every meeting convened for the purpose of subsection one of this section.

Calling of meetings.

4. Schedule C of the Principal Act is amended as follows:—

Amendment of Schedule C of Principal Act.

(a) by inserting therein—

(i) in clause ten the words “or the receipt of the duly appointed agent of the said body corporate for rent so payable” after the words “the said trust premises”;

(ii) in clause sixteen the words “or the vesting of the land in” after the words “conveyance of the land to”;

(b) (i) by omitting from clause eleven the words “be required to” and by inserting therein after the words “pay any money for which they” the words “or any other person”;

(ii)

- (ii) by omitting from clause seventeen the words "from the date hereof or if the said Church" and by inserting therein in their place the words "from the vesting of the land in the body corporate or if any Church". 5

Repeal of
Schedule A
of Principal
Act.

5. Schedule A to the Principal Act is hereby repealed and the Schedule hereto is substituted therefor.

Saving
clause.

6. Nothing contained in this Act shall apply to 10
lands now or hereafter vested in the body corporate upon any express trusts or now or hereafter vested in the President and Fellows of Camden College or held upon trust for or in connection with such college.

SCHEDULE A.

15

- (1) The existence of one only God, Father, Son and Holy Spirit.
- (2) The Incarnation of the Divine Word as our Lord and Saviour Jesus Christ, Who lived, died and rose again, enabling man to enter into full communion with God, redeeming him from sin and death, and making him an inheritor of Life Eternal. 20
- (3) Man's moral responsibility; the free invitation of the Gospel; man's ability to respond to the Gospel through the grace of God; and the influence and teaching of the Holy Spirit.
- (4) The Holy Scriptures as the record of God's revealed Will and Word, and as containing all truth needful to make us wise unto salvation. 25
- (5) The Church of Jesus Christ, "Which is His Body" to which belong all who acknowledge Him as Lord and Saviour; the divinely appointed means for the preaching of the Word; the ministry of the Sacraments and the promotion of the Kingdom of God. 30
- (6) The right of every local Church to manage its own affairs.
- (7) The baptism of infants and of adult believers who were not baptised in infancy.
- (8) The open confession of discipleship in the observance of the Lord's Supper. 35