

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

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 February, 1972.*

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. , 1972.

An Act with respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith.

BE it enacted by the Queen'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**
5 follows:—

1. (1) This Act may be cited as the "Presbyterian Short title. Church of Australia (Amendment) Act, 1972".

(2)

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

- Amendment
of Act No.
42, 1971.
- 5 (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days"; Sec. 3.
(Federal union.)
- (ii) by inserting in subsection two of the same section after the word "before" the words "the second";
- 10 (iii) by inserting in subsection three of the same section after the word "before" the words "the second";
- (b) (i) by omitting subsection one of section four; Sec. 4.
- 15 (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,"; (Union with other branches of the Christian church.)
- 20 (iii) by inserting in the same subsection after the word "held" where secondly occurring the words ", and shall be deemed to have been on and from that day so held,";
- 25
- (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph :— Sec. 5.
(Gifts, etc., subsequent to union.)
- 30 (a) a certificate is twice published in accordance with section three of this Act;

(ii)

Presbyterian Church of Australia (Amendment).

- 5 (ii) by omitting from the same section the words
“the section under which the certificate was
published” wherever occurring and by
inserting in lieu thereof the words “that
section”;
- (iii) by inserting in the same section after the word
“before” where thirdly occurring the words
“the second”;
- 10 (iv) by inserting at the end of the same section the
following new subsection :—
- (2) Where—
- 15 (a) by the operation of a will or other
instrument made or executed before
or after the third day of December,
one thousand nine hundred and
seventy-one, a gift, devise, bequest or
declaration of trust took effect after
that day in respect of an interest in
property; and
- 20 (b) if the gift, devise, bequest or declara-
tion of trust had taken effect before
that day that interest in property would
have been an interest to which section
four of this Act would apply,
- 25 the gift, devise, bequest or declaration of trust
shall, for the purposes of that section, be
deemed to have taken effect immediately
before that day.

30 **3.** The proclamation published in the Gazette on the
seventeenth day of December, one thousand nine hundred and
seventy-one, whereby the Governor appointed that day as
the day for the commencement of sections seven, eight and
nine of the Principal Act is hereby revoked and shall be
deemed never to have had any force or effect.

Commence-
ment of
certain
provisions
of Principal
Act.

4.

Presbyterian Church of Australia (Amendment).

4. The amendments made by paragraph (a) of section Commence-
two of this Act shall be deemed to have commenced on the ment.
second day of December, one thousand nine hundred and
seventy-one.

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

[5c]

No. , 1972.

A BILL

With respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith.

[MR McCaw—22 February, 1972.]

BE it enacted by the Queen'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:—

1. (1) This Act may be cited as the "Presbyterian Church of Australia (Amendment) Act, 1972".

(2)

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment
of Act No.
42, 1971.

- 5 (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days"; Sec. 3.
(Federal union.)
- (ii) by inserting in subsection two of the same section after the word "before" the words "the second";
- 10 (iii) by inserting in subsection three of the same section after the word "before" the words "the second";
- (b) (i) by omitting subsection one of section four; Sec. 4.
- 15 (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,"; (Union with other branches of the Christian church.)
- 20 (iii) by inserting in the same subsection after the word "held" where secondly occurring the words ", and shall be deemed to have been on and from that day so held,";
- 25 (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph :— Sec. 5.
(Gifts, etc., subsequent to union.)
- 30 (a) a certificate is twice published in accordance with section three of this Act;
- (ii)

Presbyterian Church of Australia (Amendment).

- 5 (ii) by omitting from the same section the words
“the section under which the certificate was
published” wherever occurring and by
inserting in lieu thereof the words “that
section”;
- (iii) by inserting in the same section after the word
“before” where thirdly occurring the words
“the second”;
- 10 (iv) by inserting at the end of the same section the
following new subsection :—
- (2) Where—
- 15 (a) by the operation of a will or other
instrument made or executed before
or after the third day of December,
one thousand nine hundred and
seventy-one, a gift, devise, bequest or
declaration of trust took effect after
that day in respect of an interest in
property; and
- 20 (b) if the gift, devise, bequest or declara-
tion of trust had taken effect before
that day that interest in property would
have been an interest to which section
four of this Act would apply,
- 25 the gift, devise, bequest or declaration of trust
shall, for the purposes of that section, be
deemed to have taken effect immediately
before that day.

3. The proclamation published in the Gazette on the
30 seventeenth day of December, one thousand nine hundred and
seventy-one, whereby the Governor appointed that day as
the day for the commencement of sections seven, eight and
nine of the Principal Act is hereby revoked and shall be
deemed never to have had any force or effect.

Commence-
ment of
certain
provisions
of Principal
Act.

4.

Presbyterian Church of Australia (Amendment).

4. The amendments made by paragraph (a) of section Commence-
two of this Act shall be deemed to have commenced on the ment.
second day of December, one thousand nine hundred and
seventy-one.

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

[5c]

PROOF

**PRESBYTERIAN CHURCH OF AUSTRALIA (AMENDMENT)
BILL, 1972**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to overcome the effect of an inadvertent failure by church authorities to comply with certain formal requirements of the Principal Act;
- (b) to validate certain acts done on the basis that those formal requirements had been complied with;
- (c) to make provisions consequential upon or ancillary to the foregoing.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20535
MAY 19 1962

PROOF

No. , 1972.

A BILL

With respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith.

[Mr McCaw—22 February, 1972.]

5 **BE** it enacted by the Queen'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:—

1. (1) This Act may be cited as the "Presbyterian Short title. Church of Australia (Amendment) Act, 1972".

(2)

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment of Act No. 42, 1971.

- 5 (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days"; Sec. 3. (Federal union.)
- (ii) by inserting in subsection two of the same section after the word "before" the words "the second";
- 10 (iii) by inserting in subsection three of the same section after the word "before" the words "the second";
- (b) (i) by omitting subsection one of section four; Sec. 4.
- 15 (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,"; (Union with other branches of the Christian church.)
- 20 (iii) by inserting in the same subsection after the word "held" where secondly occurring the words ", and shall be deemed to have been on and from that day so held,";
- 25 (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph :— Sec. 5. (Gifts, etc., subsequent to union.)
- 30 (a) a certificate is twice published in accordance with section three of this Act;

(ii)

Presbyterian Church of Australia (Amendment).

- 5 (ii) by omitting from the same section the words
“the section under which the certificate was
published” wherever occurring and by
inserting in lieu thereof the words “that
section”;
- (iii) by inserting in the same section after the word
“before” where thirdly occurring the words
“the second”;
- 10 (iv) by inserting at the end of the same section the
following new subsection :—
- (2) Where—
- (a) by the operation of a will or other
instrument made or executed before
15 or after the third day of December,
one thousand nine hundred and
seventy-one, a gift, devise, bequest or
declaration of trust took effect after
that day in respect of an interest in
property; and
- 20 (b) if the gift, devise, bequest or declara-
tion of trust had taken effect before
that day that interest in property would
have been an interest to which section
four of this Act would apply,
- 25 the gift, devise, bequest or declaration of trust
shall, for the purposes of that section, be
deemed to have taken effect immediately
before that day.

30 **3.** The proclamation published in the Gazette on the
seventeenth day of December, one thousand nine hundred and
seventy-one, whereby the Governor appointed that day as
the day for the commencement of sections seven, eight and
nine of the Principal Act is hereby revoked and shall be
deemed never to have had any force or effect.

Commence-
ment of
certain
provisions
of Principal
Act.

4.

Presbyterian Church of Australia (Amendment).

4. The amendments made by paragraph (a) of section two of this Act shall be deemed to have commenced on the second day of December, one thousand nine hundred and seventy-one.

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 9, 1972.

An Act with respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith. [Assented to, 16th March, 1972.]

BE it enacted by the Queen'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 :—

1. (1) This Act may be cited as the "Presbyterian Church of Australia (Amendment) Act, 1972". Short title.

(2)

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971, is in this Act referred to as the Principal Act.

Amendment
of Act No.
42, 1971.

2. The Principal Act is amended—

Sec. 3.
(Federal
union.)

- (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days";
- (ii) by inserting in subsection two of the same section after the word "before" the words "the second";
- (iii) by inserting in subsection three of the same section after the word "before" the words "the second";

Sec. 4.
(Union with
other
branches
of the
Christian
church.)

- (b) (i) by omitting subsection one of section four;
- (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,";
- (iii) by inserting in the same subsection after the word "held" where secondly occurring the words "and shall be deemed to have been on and from that day so held,";

Sec. 5.
(Gifts, etc.,
subsequent
to union.)

- (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph :—
- (a) a certificate is twice published in accordance with section three of this Act;

(ii)

Presbyterian Church of Australia (Amendment).

- (ii) by omitting from the same section the words “the section under which the certificate was published” wherever occurring and by inserting in lieu thereof the words “that section”;
- (iii) by inserting in the same section after the word “before” where thirdly occurring the words “the second”;
- (iv) by inserting at the end of the same section the following new subsection :—

(2) Where—

- (a) by the operation of a will or other instrument made or executed before or after the third day of December, one thousand nine hundred and seventy-one, a gift, devise, bequest or declaration of trust took effect after that day in respect of an interest in property; and
- (b) if the gift, devise, bequest or declaration of trust had taken effect before that day that interest in property would have been an interest to which section four of this Act would apply,

the gift, devise, bequest or declaration of trust shall, for the purposes of that section, be deemed to have taken effect immediately before that day.

3. The proclamation published in the Gazette on the seventeenth day of December, one thousand nine hundred and seventy-one, whereby the Governor appointed that day as the day for the commencement of sections seven, eight and nine of the Principal Act is hereby revoked and shall be deemed never to have had any force or effect.

Commencement of certain provisions of Principal Act.

Presbyterian Church of Australia (Amendment).

Commence-
ment.

4. The amendments made by paragraph (a) of section two of this Act shall be deemed to have commenced on the second day of December, one thousand nine hundred and seventy-one.

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of New South Wales.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 7th March, 1972.*

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 9, 1972.

An Act with respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith. [Assented to, 16th March, 1972.]

BE it enacted by the Queen'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:—

1. (1) This Act may be cited as the "Presbyterian Short title. Church of Australia (Amendment) Act, 1972".

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971,
is in this Act referred to as the Principal Act.

Amendment
of Act No.
42, 1971.

Sec. 3.
(Federal
union.)

2. The Principal Act is amended—

- (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days";
- (ii) by inserting in subsection two of the same section after the word "before" the words "the second";
- (iii) by inserting in subsection three of the same section after the word "before" the words "the second";

Sec. 4.
(Union with
other
branches
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Christian
church.)

- (b) (i) by omitting subsection one of section four;
- (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,";
- (iii) by inserting in the same subsection after the word "held" where secondly occurring the words ", and shall be deemed to have been on and from that day so held,";

Sec. 5.
(Gifts, etc.,
subsequent
to union.)

- (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph :—
- (a) a certificate is twice published in accordance with section three of this Act;

(ii)

Presbyterian Church of Australia (Amendment).

- (ii) by omitting from the same section the words "the section under which the certificate was published" wherever occurring and by inserting in lieu thereof the words "that section";
- (iii) by inserting in the same section after the word "before" where thirdly occurring the words "the second";
- (iv) by inserting at the end of the same section the following new subsection :—

(2) Where—

- (a) by the operation of a will or other instrument made or executed before or after the third day of December, one thousand nine hundred and seventy-one, a gift, devise, bequest or declaration of trust took effect after that day in respect of an interest in property; and
- (b) if the gift, devise, bequest or declaration of trust had taken effect before that day that interest in property would have been an interest to which section four of this Act would apply,

the gift, devise, bequest or declaration of trust shall, for the purposes of that section, be deemed to have taken effect immediately before that day.

3. The proclamation published in the Gazette on the seventeenth day of December, one thousand nine hundred and seventy-one, whereby the Governor appointed that day as the day for the commencement of sections seven, eight and nine of the Principal Act is hereby revoked and shall be deemed never to have had any force or effect.

Commence-
ment of
certain
provisions
of Principal
Act.

4.

Presbyterian Church of Australia (Amendment).

Commence-
ment.

4. The amendments made by paragraph (a) of section two of this Act shall be deemed to have commenced on the second day of December, one thousand nine hundred and seventy-one.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 16th March, 1972.*