

**CHURCHES OF CHRIST IN NEW SOUTH WALES
INCORPORATION (AMENDMENT) BILL, 1982**

No. , 1982.

A BILL FOR

An Act to amend the Churches of Christ in New South Wales Incorporation Act, 1947, so as to facilitate dealings with property of the Churches of Christ in New South Wales.

[MR WALKER—26 *August*, 1982.]

Churches of Christ in New South Wales Incorporation (Amendment).

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:—

5 Short title.

1. This Act may be cited as the "Churches of Christ in New South Wales Incorporation (Amendment) Act, 1982".

Principal Act.

2. The Churches of Christ in New South Wales Incorporation Act, 1947,
10 is referred to in this Act as the Principal Act.

Schedules.

3. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO PART I OF THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO PART II OF THE PRINCIPAL ACT.

15 SCHEDULE 3.—AMENDMENT TO PART III OF THE PRINCIPAL ACT.

SCHEDULE 4.—AMENDMENTS TO PART IV OF THE PRINCIPAL ACT.

SCHEDULE 5.—AMENDMENTS TO PART V OF THE PRINCIPAL ACT.

SCHEDULE 6.—INSERTION OF PART VA INTO THE PRINCIPAL ACT.

SCHEDULE 7.—AMENDMENTS TO PART VI OF THE PRINCIPAL ACT.

20 SCHEDULE 8.—INSERTION OF SCHEDULE 6 INTO THE PRINCIPAL
ACT.

Amendment of Act No. 2, 1947.

4. The Principal Act is amended in the manner set forth in Schedules
1-8.

*Churches of Christ in New South Wales Incorporation (Amendment).***Validation.****5.** Any act, matter or thing—

- (a) which was done on or after 1st January, 1955, and before the commencement of this Act; and
- 5 (b) which could have lawfully been done only if a reference in the Principal Act to “The Constitution of the Conference of Churches of Christ in New South Wales and the Australian Capital Territory” had been a reference to “The Constitution of the Conference of Churches of Christ in New South Wales” when the act, matter or
- 10 thing was done,

is hereby validated.

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO PART I OF THE PRINCIPAL ACT.

15 (1) Section 1 (3)—

After the matter relating to Part V, insert:—

**PART VA.—CONFERENCE, CONFERENCE COMMITTEES AND
CONFERENCE AUXILIARIES.**

20 (2) (a) Section 3, definition of “Church of Christ”—

Omit the definition, insert instead:—

25 “Church of Christ” means the whole of the members whose names are for the time being on the roll of any particular congregation of a church known or styled as a Church of Christ at any particular place in the State of New South Wales, being a church which is affiliated under the Constitution.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

(b) Section 3, definition of “Churches of Christ in New South Wales”—

Omit the definition, insert instead:—

5 “Churches of Christ in New South Wales” means the associa-
tion of Churches of Christ affiliated at the commence-
ment of the Churches of Christ in New South Wales
Incorporation (Amendment) Act, 1982, under the
10 Constitution together with such other Churches of Christ
as may from time to time be admitted thereto in accord-
ance with the conditions of admission for the time being
in force, but does not include any church whose
affiliation has been terminated.

(c) Section 3, definition of “Conference”—

15 Omit “constitution known as ‘The Constitution of the Conference
of Churches of Christ in New South Wales and the Australian
Capital Territory.’”, insert instead “Constitution.”.

(d) Section 3, definition of “Conference Auxiliary”—

Omit the definition, insert instead:—

20 “Conference Auxiliary” means any committee or organisation
(not being a Conference Committee) consisting wholly
of members of Churches of Christ in New South Wales
or elsewhere or any committee or organisation that has
for its objects the furtherance of the principles or work
25 of the Churches of Christ in New South Wales or else-
where or of any Conference Committee and, without
limiting the generality of the foregoing, includes the
Federal Conference of Churches of Christ in Australia,
any Conference of Churches of Christ in any other State
30 or Territory of Australia, any committee or organisa-
tion appointed by or formed by the Federal Conference
of Churches of Christ in Australia or by any Conference
of Churches of Christ in any other State, Territory or
Trust Territory of Australia.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

(e) Section 3, definition of “Conference Committee”—

5 From the definition of “Conference Department”, omit “Department”, insert instead “Committee”.

(f) Section 3, definitions of “Conference Executive”, “Constitution”—

Before the definition of “Member”, insert:—

10 “Conference Executive” means the committee of that name constituted in accordance with the Constitution.
“Constitution” means the constitution known as “The Constitution of the Conference of Churches of Christ in New South Wales”.

(g) Section 3 (2), (3)—

At the end of section 3, insert:—

15 (2) Where a church (in this subsection referred to as “the new church”) known or styled as a Church of Christ at a particular place in the State of New South Wales is established by—

20 (a) any church affiliated under the Constitution; or
(b) any committee established by or under the direction of the Churches of Christ in New South Wales,

a reference in this Act to a Church of Christ includes a reference to the whole of the members whose names are for the time being on the roll of the congregation of the new church, until—

25 (c) the new church is affiliated under the Constitution; or
(d) the end of the next annual meeting of Conference called after the new church is established,

whichever first occurs.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

- 5 (3) When the Trust is the only Church Trustee of any Church of Christ, a reference in this Act to the Church Trustees of that Church of Christ shall be construed as a reference to the Trust.

SCHEDULE 2.

(Sec. 4.)

AMENDMENTS TO PART II OF THE PRINCIPAL ACT.

10 (1) Section 5A—

After section 5, insert:—

Contracts.

5A. (1) Contracts on behalf of the Trust may be made as follows:—

- 15 (a) a contract which, if made between private persons, would be by law required to be in writing under seal may be made on behalf of the Trust in writing under the common seal of the Trust;
- 20 (b) a contract which, if made between private persons, would be by law required to be in writing signed by the parties to be charged thereby may be made on behalf of the Trust in writing signed by any person acting under its express authority, given in writing under the common seal of the Trust.
- 25 (2) Any contract made on behalf of the Trust in accordance with subsection (1) (a) or (b) shall be effectual in law and shall bind the Trust and its successors and all other parties thereto and may be varied or discharged in the manner in which it is authorised to be made.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO PART II OF THE PRINCIPAL ACT—*continued.*

(2) Section 6 (3A), (3B)—

After section 6 (3), insert:—

5 (3A) A decision supported by the majority of the votes cast by the members of the Trust present and voting at a meeting of the Trust at which a quorum is present shall be the decision of the Trust.

10 (3B) The chairman for a meeting of the Trust shall, in the event of an equality of votes, have, in addition to a deliberative vote, a second or casting vote at the meeting.

(3) Section 6A—

After section 6, insert:—

Chairman.

15 6A. (1) A chairman of the Trust shall be elected by the members of the Trust from among their number—

- (a) at the first meeting of the Trust held after each annual meeting of Conference; and
- (b) at the next meeting of the Trust held after the office of chairman becomes vacant pursuant to subsection (2).

20 (2) The office of chairman of the Trust shall be deemed to have become vacant if the person holding that office for the time being—

- (a) ceases to be a member of the Trust; or
- 25 (b) resigns that office by giving written notice of his resignation to the Trust.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO PART II OF THE PRINCIPAL ACT—*continued.*

(3) A person elected under subsection (1) shall hold office as chairman of the Trust until—

- 5 (a) the election under subsection (1) of his successor in that office; or
- (b) that office becomes vacant pursuant to subsection (2),
- whichever first occurs.

(4) The chairman for a meeting of the Trust shall be—

- 10 (a) except as provided by paragraph (b)—the chairman of the Trust; or
- (b) where the chairman of the Trust is absent from the meeting —another member of the Trust elected to act as chairman
- 15 by the majority of the votes cast by the members of the Trust present and voting at the meeting.

SCHEDULE 3.

(Sec. 4.)

AMENDMENT TO PART III OF THE PRINCIPAL ACT.

Section 11 (c), (d)—

- 20 Omit the paragraphs, insert instead:—
- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- 25 (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act; or
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Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 4.

(Sec. 4.)

AMENDMENTS TO PART IV OF THE PRINCIPAL ACT.

(1) Section 17 (c), (d)—

5 Omit the paragraphs, insert instead:—

(c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;

10 (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;

(2) Sections 18 (1), 19 (b), (c) (i), (d), (g), (h)—

15 Omit "Conference Department" wherever occurring, insert instead "Conference Committee".

(3) (a) Section 19 (g)—

Omit "so to do", insert instead "that it shall not so refuse".

(b) Section 19 (h) (iii)—

20 After "loans to", insert "Conference, or to".

(c) Section 19 (h) (iii)—

25 Omit ", or Church of Christ in New South Wales", insert instead "or Church of Christ in New South Wales with or without security and on such terms and conditions as may be determined by the Trust".

(d) Section 19 (h) (iv)—

Omit "and".

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 4—*continued.*AMENDMENTS TO PART IV OF THE PRINCIPAL ACT—*continued.*

(e) Section 19 (i)–(k)—

Omit section 19 (i), insert instead:—

- 5 (i) to borrow money for the purposes of the Trust;
- (j) to enter into any agreement, contract, guarantee or other undertaking on behalf of and under the direction of any Church of Christ or of Conference or of any Conference Committee or Conference Auxiliary; and
- 10 (k) in the event of default being made in the repayment to the Trust of principal or interest in respect of any loan made to any Church of Christ or to Conference or to any Conference Committee or Conference Auxiliary and if that default has not been remedied within 60 days of written notice having been given to the person liable to make the repayment requiring repayment of the principal or interest, as the case may be, to sell, mortgage, lease or otherwise deal with the property of any such defaulting Church of Christ or of Conference or of any such Conference Committee or Conference Auxiliary, as the case may be, without any direction from that Church of Christ or Conference or that Conference Committee or Conference Auxiliary as if the Trust were the absolute owner thereof, but the Trust shall thereupon hold any excess money arising from any such sale, mortgage, leasing or other dealing in trust for that defaulting Church of Christ or for Conference or for that Conference Committee or Conference Auxiliary, as the case may be.
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- 20
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SCHEDULE 5.

(Sec. 4.)

AMENDMENTS TO PART V OF THE PRINCIPAL ACT.

(1) (a) Section 23 (b)—

Omit “situated.”, insert instead “situated;”.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

(b) Section 23 (b)—

5 Omit “Every such notice shall state the nature of the business to be considered at such special meeting;”.

(c) Section 23 (b1), (b2)—

After section 23 (b), insert:—

- (b1) written notice of the special meeting shall be given to the Registrar at least 14 days before the date of the meeting;
- 10 (b2) each notice referred to in paragraph (b) or (b1) shall state the nature of the business to be considered at the special meeting to which it relates;

(d) Section 23 (c)—

Omit “twenty-one”, insert instead “18”.

15 (e) Section 23 (c1)—

After section 23 (c), insert:—

- (c1) any 2 members of the Trust appointed for the purpose by the Registrar may attend and take part in the special meeting, but shall not be entitled to vote at the meeting;

20 (2) (a) Section 27—

Omit “Any Church”, insert instead “(1) Subject to subsections (3) and (4), any Church”.

(b) Section 27—

25 Omit “The Trust”, insert instead “(2) Subject to subsection (3), the Trust”.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

(c) Section 27 (3), (4)—

After “Church of Christ.”, insert:—

5 (3) When a Church of Christ makes its initial appointment of Church Trustees after the commencement of the Churches of Christ in New South Wales Incorporation (Amendment) Act, 1982, it may only appoint the Trust as its Church Trustee.

10 (4) Where the Trust is or becomes the only Church Trustee of any Church of Christ, no other or additional Church Trustee of that Church of Christ may be appointed, unless the prior approval of Conference or of the Conference Executive has been obtained to the appointment.

(d) Section 27—

15 Omit “The Registrar”, insert instead “(5) The Registrar”.

(3) (a) Section 29 (a)—

Omit the paragraph, insert instead:—

20 (a) Upon trust at all times to permit the lands and buildings of which they are the trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith, doctrine, customs and usages of the Churches of Christ in New South Wales and for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes and for such other purposes as that Church of Christ or its officers shall from time to time decide, provided those purposes are consistent with the faith, doctrine, customs and usages of the Churches of Christ in New South Wales, and, upon the passing of a special resolution of that Church of Christ, to permit those buildings to be

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Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

5 altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon those lands for the use or benefit of that Church of Christ.

(b) Section 29 (2)—

At the end of section 29, insert:—

10 (2) A resolution of the Conference Executive passed by not less than three-fourths of its members shall be conclusive evidence, for the purposes of subsection (1) (a), of whether or not—

15 (a) a form of worship specified in the resolution constitutes worship according to the faith, doctrine, customs and usages of the Churches of Christ in New South Wales; or

(b) a kind of use of land and buildings, being a kind of use specified in the resolution, is a use of land and buildings—

20 (i) for the promotion of religious and philanthropic objects and purposes; or

(ii) for a purpose consistent with the faith, doctrine, customs and usages of the Churches of Christ in New South Wales.

25 (4) Sections 29A–29D—

After section 29, insert:—

Directions of Conference Executive.

30 29A. (1) If at any time it appears to the Conference Executive that a Church of Christ is using its lands and buildings for the teaching or dissemination of doctrines or for practices which in the opinion

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

5 of the Conference Executive are contrary to the faith, doctrine,
customs and usages of the Churches of Christ in New South Wales
in a material manner then the Conference Executive may, by resolu-
tion, written notice of which is given to the Church Trustees of that
Church of Christ, require the Church Trustees to take such specified
steps as the Conference Executive may deem expedient to ensure
10 that those lands and buildings are not so used and to furnish to the
Conference Executive such evidence as the Conference Executive
may from time to time require as to whether that resolution has been
complied with.

15 (2) A resolution, written notice of which has been given to
the Church Trustees of a Church of Christ under subsection (1), may
be revoked by a subsequent resolution of the Conference Executive,
of which subsequent resolution written notice shall be given to those
Church Trustees.

Directions to vary trusts.

20 29B. (1) Subject to subsection (2), a Church of Christ may, by
special resolution, direct its Church Trustees to transfer any specified
property real or personal of that Church of Christ to the Trust to be
held (or may, by special resolution, direct its Church Trustee, being
the Trust, to hold that property) upon trust for or for the benefit of
25 some other Church of Christ or Churches of Christ in New South
Wales or for any Conference Committee or Conference Auxiliary as
specified in that special resolution and, upon receipt of notice in
writing of that special resolution, the Church Trustees or Church
Trustee shall do all such things as may be required to give effect
30 thereto, but the Trust shall not accept that property or begin to hold
it in trust for that other Church of Christ or for Churches of Christ
in New South Wales or for that Conference Committee or Conference
Auxiliary, as the case may require, until—

- 35 (a) that other Church of Christ is registered under this Part,
has appointed the Trust as its only Church Trustee and
has, by special resolution, agreed to accept that property;
or

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

- 5 (b) Conference or that Conference Committee or Conference Auxiliary, as the case may be, has, by resolution duly passed, agreed to accept that property.

(2) A Church of Christ may not give a direction under subsection (1) with respect to any property held subject to a condition imposed by a will, deed of gift, deed of trust or other instrument, unless the Conference Executive has certified in writing—

- 10 (a) that the direction is not inconsistent with the condition; or
(b) that it is impracticable or inexpedient to comply with the condition.

Churches ceasing to exist.

15 29c. (1) Subject to subsection (2), in the event of any Church of Christ—

- (a) deciding to disband as a Church of Christ and by special resolution declaring its intention of so doing;
- (b) failing for 3 months to meet for worship; or
- (c) being reduced to a membership of less than 20 persons,
- 20 the Conference Executive may, by resolution, direct the Church Trustees of that Church of Christ to transfer the property of that Church to the Trust to be held (or, being the Trust, to hold that property) upon trust for such one or more of the purposes prescribed by subsection (3) as it may decide, and thereupon the property of
- 25 that Church shall be so transferred and held (as the case may require) and, in so far as the purposes declared in that resolution do not apply or cease to be applicable to any part of that property, that part shall be held upon trust for the general purposes of the Churches of Christ in New South Wales.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

5 (2) The Conference Executive may not give a direction under subsection (1) with respect to any property held subject to a condition imposed by a will, deed of gift, deed of trust or other instrument, unless it has certified in writing—

- (a) that the direction is not inconsistent with the condition; or
- (b) that it is impracticable or inexpedient to comply with the condition.

10 (3) The purposes prescribed by this subsection are the following:—

- 15 (a) the purposes of any particular Church of Christ or Churches of Christ in New South Wales;
- (b) the support or advancement of any of the activities, work or objects of Conference;
- (c) the support or advancement of any of the activities, work or objects of any Conference Committee or Conference Auxiliary.

Churches ceasing to be affiliated.

20 29D. (1) In the event of any Church of Christ ceasing for any reason whatsoever to be affiliated under the Constitution, then, until Conference directs otherwise, the Church Trustee or Church Trustees of that Church of Christ shall manage, administer, sell, exchange, mortgage, lease, dispose of or otherwise deal with any
25 property of that Church of Christ and apply any proceeds arising therefrom in accordance with the directions given by a resolution of the Conference Executive and not otherwise.

30 (2) The Conference Executive shall, under subsection (1), give directions relating to the management, administration, sale, exchanging, mortgaging, leasing or disposal of or dealing with property of a Church of Christ referred to in that subsection and to the

*Churches of Christ in New South Wales Incorporation (Amendment).*SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

5 application of the proceeds, if any, arising therefrom so as to preserve any rights in that property as it considers equitable, taking into consideration such assistance as has been given by the Conference Committees, Churches of Christ in New South Wales and members of Churches of Christ to that Church of Christ.

Intervention by Conference Executive.

10 29E. (1) If, after 3 months from the service of notice of a resolution referred to in section 29A (1), 29B (1), 29C (1) or 29D (1) on Church Trustees of a Church of Christ, the Conference Executive is satisfied that any of the requirements made by the resolution and which is capable of being lawfully complied with has not been
15 complied with, the Conference Executive, in order to ensure that those requirements are complied with may, by resolution, written notice of which is given to those Church Trustees—

- 20 (a) if the Trust is not the only Church Trustee of that Church of Christ, remove those Church Trustees and appoint in their place the Trust, which shall not be replaced as the Church Trustee without the approval of Conference or the Conference Executive; and
- 25 (b) in any case, require that, until Conference directs otherwise, the Church Trustee or Church Trustees shall deal with the real or personal property to which those requirements relate in accordance with the directions of the Conference Executive and not otherwise.

(2) Any breach of a direction given under subsection (1)
30 (b) by the Conference Executive with respect to any real or personal property shall be deemed to be a breach of the trust imposed, by the operation of section 29 (1), with respect to that property.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6.

(Sec. 4.)

INSERTION OF PART VA INTO THE PRINCIPAL ACT.

Part VA—

5 After Part V, insert:—

PART VA.

CONFERENCE, CONFERENCE COMMITTEES AND CONFERENCE
AUXILIARIES.**Dealings with property, generally.**

10 34A. (1) No Conference Committee shall buy or sell real estate without the prior consent of either Conference or the Conference Executive.

15 (2) No dealing with any property held by the Trust upon trust for any Conference Committee or Conference Auxiliary shall be effected except pursuant to a resolution passed as provided by this section.

20 (3) A resolution referred to in subsection (2) shall be passed at a duly constituted meeting of the Conference Committee or Conference Auxiliary concerned by a number of votes at least equal to three-fourths of the total number of members of the Conference Committee or Conference Auxiliary.

25 (4) Notwithstanding anything provided in subsection (2) or (3), a resolution, if passed at a duly constituted meeting of a Conference Committee or Conference Auxiliary by a simple majority of the votes of the members present and voting, shall be deemed to have been passed by three-fourths of the total number of members of that Conference Committee or Conference Auxiliary if there be appended to a copy or copies of that resolution the signatures (signifying their concurrence with the resolution) of not less than three-fourths of that
30 total number of members.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6—*continued.*INSERTION OF PART VA INTO THE PRINCIPAL ACT—*continued.*

5 (5) The Trust shall be entitled to accept as correct and to act on a copy of any resolution of a Conference Committee or Conference Auxiliary certified under the hand of the Chairman or Secretary of that Conference Committee or Conference Auxiliary as being a true copy of a resolution duly passed or deemed to have been passed by the necessary number of members in accordance with this section.

10 **Directions creating trusts.**

15 34B. (1) Conference or a Conference Committee or Conference Auxiliary may, by a resolution duly passed or deemed to have been passed in accordance with section 34A, direct the Trust to hold any specified property real or personal of Churches of Christ in New South Wales or of that Conference Committee or Conference
20 Auxiliary, as the case may be, in trust for or for the benefit of some Church of Christ or for Churches of Christ in New South Wales or for any Conference Committee or Conference Auxiliary as specified in that resolution or for the Churches of Christ generally and, subject to subsection (2), upon receipt of a certified copy of that resolution, the Trust shall do all such things as may be required to give effect thereto.

25 (2) The Trust shall not begin to hold property referred to in subsection (1) in trust for a Church of Christ or for Churches of Christ in New South Wales or for a Conference Committee or Conference Auxiliary in accordance with a resolution referred to in that subsection until—

30 (a) any Church of Christ for which the property is to be held in trust is registered under Part V, has appointed the Trust as its only Church Trustee and has, by special resolution, agreed to the Trust's accepting that property; or

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6—*continued.*

INSERTION OF PART VA INTO THE PRINCIPAL ACT—*continued.*

- 5 (b) where the property is to be held in trust for Churches of Christ in New South Wales or for a Conference Committee or Conference Auxiliary, Conference or that Committee or Auxiliary, as the case may be, has, by resolution duly passed, agreed to the Trust's accepting that property.

SCHEDULE 7.

(Sec. 4.)

10 AMENDMENTS TO PART VI OF THE PRINCIPAL ACT.

- (1) Sections 36, 37, 38—

Omit "Conference Department" wherever occurring, insert instead "Conference Committee".

- (2) Sections 39, 40—

15 After section 38, insert:—

Notice on cessation of affiliation.

20 39. Upon any Church of Christ ceasing to be affiliated with the Churches of Christ in New South Wales, the Registrar shall cause to be published in the Gazette a notice in the form prescribed by Schedule 6.

Limitation on powers, etc., of Conference Executive.

40. The Conference Executive shall in the exercise and discharge of its powers, authorities, duties and functions be subject to the direction and control of Conference.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 8.

(Sec. 4.)

INSERTION OF SCHEDULE 6 INTO THE PRINCIPAL ACT.

Schedule 6—

5 After Schedule 5, insert:—

SCHEDULE 6.

(Sec. 39.)

CHURCHES OF CHRIST IN NEW SOUTH WALES
INCORPORATION ACT, 1947.

10 *Notice of Termination of Affiliation of Church.*

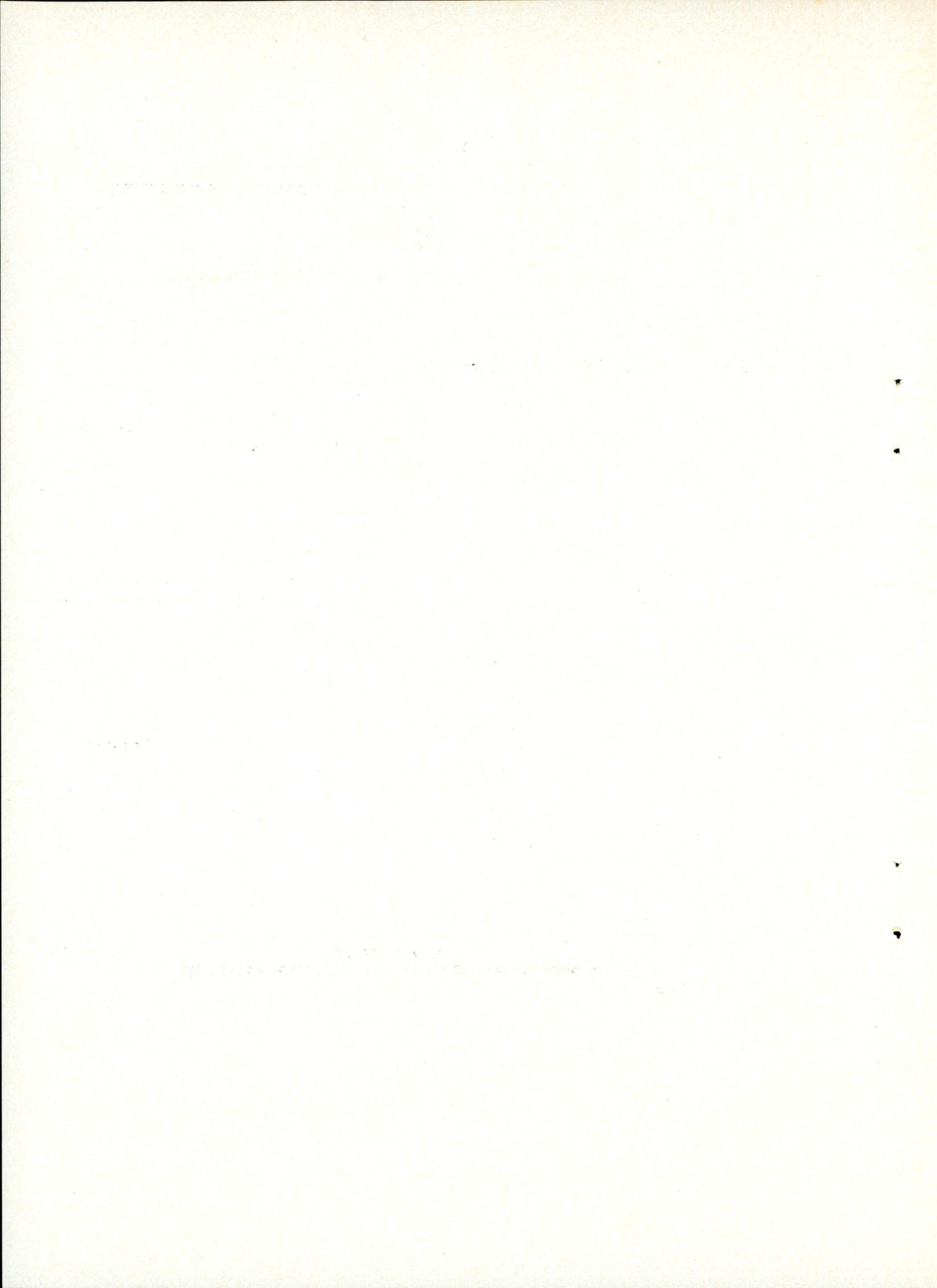
15 Notice is hereby given that the affiliation of the Church of Christ at
.....
..... under the above Act
has been terminated in accordance with the provisions of the Constitution of
the Conference of Churches of Christ in New South Wales.

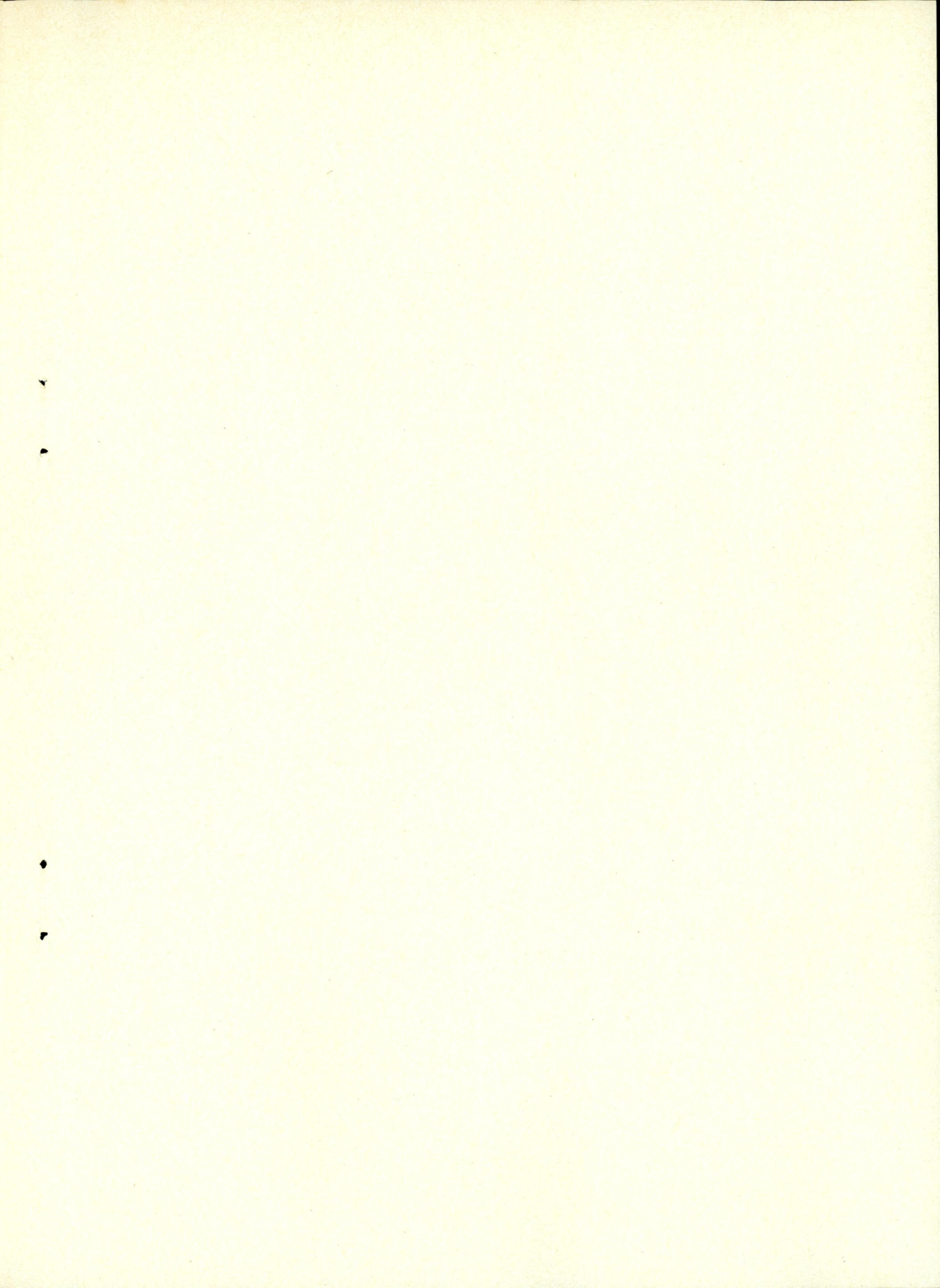
Dated at this
day of 19 .

Registrar.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1982





**CHURCHES OF CHRIST IN NEW SOUTH WALES
INCORPORATION (AMENDMENT) ACT, 1982, No. 100**

New South Wales



ANNO TRICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 100, 1982.

An Act to amend the Churches of Christ in New South Wales Incorporation Act, 1947, so as to facilitate dealings with property of the Churches of Christ in New South Wales. [Assented to, 5th October, 1982.]

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Amendment of Act No. 2, 1947.

4. The Principal Act is amended in the manner set forth in Schedules 1–8.

Churches of Christ in New South Wales Incorporation (Amendment).

Validation.

5. Any act, matter or thing—

- (a) which was done on or after 1st January, 1955, and before the commencement of this Act; and
- (b) which could have lawfully been done only if a reference in the Principal Act to “The Constitution of the Conference of Churches of Christ in New South Wales and the Australian Capital Territory” had been a reference to “The Constitution of the Conference of Churches of Christ in New South Wales” when the act, matter or thing was done,

is hereby validated.

SCHEDULE 1.**(Sec. 4.)****AMENDMENTS TO PART I OF THE PRINCIPAL ACT.**

(1) Section 1 (3)—

After the matter relating to Part V, insert:—

**PART VA.—CONFERENCE, CONFERENCE COMMITTEES AND
CONFERENCE AUXILIARIES.**

(2) (a) Section 3, definition of “Church of Christ”—

Omit the definition, insert instead:—

“Church of Christ” means the whole of the members whose names are for the time being on the roll of any particular congregation of a church known or styled as a Church of Christ at any particular place in the State of New South Wales, being a church which is affiliated under the Constitution.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

(b) Section 3, definition of “Churches of Christ in New South Wales”—

Omit the definition, insert instead:—

“Churches of Christ in New South Wales” means the association of Churches of Christ affiliated at the commencement of the Churches of Christ in New South Wales Incorporation (Amendment) Act, 1982, under the Constitution together with such other Churches of Christ as may from time to time be admitted thereto in accordance with the conditions of admission for the time being in force, but does not include any church whose affiliation has been terminated.

(c) Section 3, definition of “Conference”—

Omit “constitution known as ‘The Constitution of the Conference of Churches of Christ in New South Wales and the Australian Capital Territory.’”, insert instead “Constitution.”.

(d) Section 3, definition of “Conference Auxiliary”—

Omit the definition, insert instead:—

“Conference Auxiliary” means any committee or organisation (not being a Conference Committee) consisting wholly of members of Churches of Christ in New South Wales or elsewhere or any committee or organisation that has for its objects the furtherance of the principles or work of the Churches of Christ in New South Wales or elsewhere or of any Conference Committee and, without limiting the generality of the foregoing, includes the Federal Conference of Churches of Christ in Australia, any Conference of Churches of Christ in any other State or Territory of Australia, any committee or organisation appointed by or formed by the Federal Conference of Churches of Christ in Australia or by any Conference of Churches of Christ in any other State, Territory or Trust Territory of Australia.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

(e) Section 3, definition of “Conference Committee”—

From the definition of “Conference Department”, omit “Department”, insert instead “Committee”.

(f) Section 3, definitions of “Conference Executive”, “Constitution”—

Before the definition of “Member”, insert:—

“Conference Executive” means the committee of that name constituted in accordance with the Constitution.

“Constitution” means the constitution known as “The Constitution of the Conference of Churches of Christ in New South Wales”.

(g) Section 3 (2), (3)—

At the end of section 3, insert:—

(2) Where a church (in this subsection referred to as “the new church”) known or styled as a Church of Christ at a particular place in the State of New South Wales is established by—

- (a) any church affiliated under the Constitution; or
- (b) any committee established by or under the direction of the Churches of Christ in New South Wales,

a reference in this Act to a Church of Christ includes a reference to the whole of the members whose names are for the time being on the roll of the congregation of the new church, until—

- (c) the new church is affiliated under the Constitution; or
- (d) the end of the next annual meeting of Conference called after the new church is established,

whichever first occurs.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO PART I OF THE PRINCIPAL ACT—*continued.*

(3) When the Trust is the only Church Trustee of any Church of Christ, a reference in this Act to the Church Trustees of that Church of Christ shall be construed as a reference to the Trust.

SCHEDULE 2.

(Sec. 4.)

AMENDMENTS TO PART II OF THE PRINCIPAL ACT.

(1) Section 5A—

After section 5, insert:—

Contracts.

5A. (1) Contracts on behalf of the Trust may be made as follows:—

- (a) a contract which, if made between private persons, would be by law required to be in writing under seal may be made on behalf of the Trust in writing under the common seal of the Trust;
- (b) a contract which, if made between private persons, would be by law required to be in writing signed by the parties to be charged thereby may be made on behalf of the Trust in writing signed by any person acting under its express authority, given in writing under the common seal of the Trust.

(2) Any contract made on behalf of the Trust in accordance with subsection (1) (a) or (b) shall be effectual in law and shall bind the Trust and its successors and all other parties thereto and may be varied or discharged in the manner in which it is authorised to be made.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO PART II OF THE PRINCIPAL ACT—*continued.*

(2) Section 6 (3A), (3B)—

After section 6 (3), insert:—

(3A) A decision supported by the majority of the votes cast by the members of the Trust present and voting at a meeting of the Trust at which a quorum is present shall be the decision of the Trust.

(3B) The chairman for a meeting of the Trust shall, in the event of an equality of votes, have, in addition to a deliberative vote, a second or casting vote at the meeting.

(3) Section 6A—

After section 6, insert:—

Chairman.

6A. (1) A chairman of the Trust shall be elected by the members of the Trust from among their number—

- (a) at the first meeting of the Trust held after each annual meeting of Conference; and
- (b) at the next meeting of the Trust held after the office of chairman becomes vacant pursuant to subsection (2).

(2) The office of chairman of the Trust shall be deemed to have become vacant if the person holding that office for the time being—

- (a) ceases to be a member of the Trust; or
- (b) resigns that office by giving written notice of his resignation to the Trust.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO PART II OF THE PRINCIPAL ACT—*continued.*

(3) A person elected under subsection (1) shall hold office as chairman of the Trust until—

- (a) the election under subsection (1) of his successor in that office; or
 - (b) that office becomes vacant pursuant to subsection (2),
- whichever first occurs.

(4) The chairman for a meeting of the Trust shall be—

- (a) except as provided by paragraph (b)—the chairman of the Trust; or
- (b) where the chairman of the Trust is absent from the meeting—another member of the Trust elected to act as chairman by the majority of the votes cast by the members of the Trust present and voting at the meeting.

SCHEDULE 3.

(Sec. 4.)

AMENDMENT TO PART III OF THE PRINCIPAL ACT.

Section 11 (c), (d)—

Omit the paragraphs, insert instead:—

- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
 - (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act; or
-

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 4.

(Sec. 4.)

AMENDMENTS TO PART IV OF THE PRINCIPAL ACT.

(1) Section 17 (c), (d)—

Omit the paragraphs, insert instead:—

- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, or a person under detention under Part VII of that Act;

(2) Sections 18 (1), 19 (b), (c) (i), (d), (g), (h)—

Omit "Conference Department" wherever occurring, insert instead "Conference Committee".

(3) (a) Section 19 (g)—

Omit "so to do", insert instead "that it shall not so refuse".

(b) Section 19 (h) (iii)—

After "loans to", insert "Conference, or to".

(c) Section 19 (h) (iii)—

Omit ", or Church of Christ in New South Wales", insert instead "or Church of Christ in New South Wales with or without security and on such terms and conditions as may be determined by the Trust".

(d) Section 19 (h) (iv)—

Omit "and".

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 4—*continued.*AMENDMENTS TO PART IV OF THE PRINCIPAL ACT—*continued.*

(e) Section 19 (i)–(k)—

Omit section 19 (i), insert instead:—

- (i) to borrow money for the purposes of the Trust;
- (j) to enter into any agreement, contract, guarantee or other undertaking on behalf of and under the direction of any Church of Christ or of Conference or of any Conference Committee or Conference Auxiliary; and
- (k) in the event of default being made in the repayment to the Trust of principal or interest in respect of any loan made to any Church of Christ or to Conference or to any Conference Committee or Conference Auxiliary and if that default has not been remedied within 60 days of written notice having been given to the person liable to make the repayment requiring repayment of the principal or interest, as the case may be, to sell, mortgage, lease or otherwise deal with the property of any such defaulting Church of Christ or of Conference or of any such Conference Committee or Conference Auxiliary, as the case may be, without any direction from that Church of Christ or Conference or that Conference Committee or Conference Auxiliary as if the Trust were the absolute owner thereof, but the Trust shall thereupon hold any excess money arising from any such sale, mortgage, leasing or other dealing in trust for that defaulting Church of Christ or for Conference or for that Conference Committee or Conference Auxiliary, as the case may be.

SCHEDULE 5.

(Sec. 4.)

AMENDMENTS TO PART V OF THE PRINCIPAL ACT.

(1) (a) Section 23 (b)—

Omit “situated.”, insert instead “situated;”.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

(b) Section 23 (b)—

Omit “Every such notice shall state the nature of the business to be considered at such special meeting;”.

(c) Section 23 (b1), (b2)—

After section 23 (b), insert:—

(b1) written notice of the special meeting shall be given to the Registrar at least 14 days before the date of the meeting;

(b2) each notice referred to in paragraph (b) or (b1) shall state the nature of the business to be considered at the special meeting to which it relates;

(d) Section 23 (c)—

Omit “twenty-one”, insert instead “18”.

(e) Section 23 (c1)—

After section 23 (c), insert:—

(c1) any 2 members of the Trust appointed for the purpose by the Registrar may attend and take part in the special meeting, but shall not be entitled to vote at the meeting;

(2) (a) Section 27—

Omit “Any Church”, insert instead “(1) Subject to subsections (3) and (4), any Church”.

(b) Section 27—

Omit “The Trust”, insert instead “(2) Subject to subsection (3), the Trust”.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

(c) Section 27 (3), (4)—

After “Church of Christ.”, insert:—

(3) When a Church of Christ makes its initial appointment of Church Trustees after the commencement of the Churches of Christ in New South Wales Incorporation (Amendment) Act, 1982, it may only appoint the Trust as its Church Trustee.

(4) Where the Trust is or becomes the only Church Trustee of any Church of Christ, no other or additional Church Trustee of that Church of Christ may be appointed, unless the prior approval of Conference or of the Conference Executive has been obtained to the appointment.

(d) Section 27—

Omit “The Registrar”, insert instead “(5) The Registrar”.

(3) (a) Section 29 (a)—

Omit the paragraph, insert instead:—

- (a) Upon trust at all times to permit the lands and buildings of which they are the trustees as aforesaid to be used for the purpose of the worship of God in public by the members for the time being of the Church of Christ at the place where the lands and buildings are situated according to the faith, doctrine, customs and usages of the Churches of Christ in New South Wales and for the instruction of children and adults, and for the promotion of religious and philanthropic objects and purposes and for such other purposes as that Church of Christ or its officers shall from time to time decide, provided those purposes are consistent with the faith, doctrine, customs and usages of the Churches of Christ in New South Wales, and, upon the passing of a special resolution of that Church of Christ, to permit those buildings to be

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

altered, enlarged, repaired, taken down, and wholly or partially rebuilt, and also to permit any other building or buildings to be erected upon those lands for the use or benefit of that Church of Christ.

(b) Section 29 (2)—

At the end of section 29, insert:—

(2) A resolution of the Conference Executive passed by not less than three-fourths of its members shall be conclusive evidence, for the purposes of subsection (1) (a), of whether or not—

- (a) a form of worship specified in the resolution constitutes worship according to the faith, doctrine, customs and usages of the Churches of Christ in New South Wales; or
- (b) a kind of use of land and buildings, being a kind of use specified in the resolution, is a use of land and buildings—
 - (i) for the promotion of religious and philanthropic objects and purposes; or
 - (ii) for a purpose consistent with the faith, doctrine, customs and usages of the Churches of Christ in New South Wales.

(4) Sections 29A–29D—

After section 29, insert:—

Directions of Conference Executive.

29A. (1) If at any time it appears to the Conference Executive that a Church of Christ is using its lands and buildings for the teaching or dissemination of doctrines or for practices which in the opinion

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

of the Conference Executive are contrary to the faith, doctrine, customs and usages of the Churches of Christ in New South Wales in a material manner then the Conference Executive may, by resolution, written notice of which is given to the Church Trustees of that Church of Christ, require the Church Trustees to take such specified steps as the Conference Executive may deem expedient to ensure that those lands and buildings are not so used and to furnish to the Conference Executive such evidence as the Conference Executive may from time to time require as to whether that resolution has been complied with.

(2) A resolution, written notice of which has been given to the Church Trustees of a Church of Christ under subsection (1), may be revoked by a subsequent resolution of the Conference Executive, of which subsequent resolution written notice shall be given to those Church Trustees.

Directions to vary trusts.

29B. (1) Subject to subsection (2), a Church of Christ may, by special resolution, direct its Church Trustees to transfer any specified property real or personal of that Church of Christ to the Trust to be held (or may, by special resolution, direct its Church Trustee, being the Trust, to hold that property) upon trust for or for the benefit of some other Church of Christ or Churches of Christ in New South Wales or for any Conference Committee or Conference Auxiliary as specified in that special resolution and, upon receipt of notice in writing of that special resolution, the Church Trustees or Church Trustee shall do all such things as may be required to give effect thereto, but the Trust shall not accept that property or begin to hold it in trust for that other Church of Christ or for Churches of Christ in New South Wales or for that Conference Committee or Conference Auxiliary, as the case may require, until—

- (a) that other Church of Christ is registered under this Part, has appointed the Trust as its only Church Trustee and has, by special resolution, agreed to accept that property;
or

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

- (b) Conference or that Conference Committee or Conference Auxiliary, as the case may be, has, by resolution duly passed, agreed to accept that property.

(2) A Church of Christ may not give a direction under subsection (1) with respect to any property held subject to a condition imposed by a will, deed of gift, deed of trust or other instrument, unless the Conference Executive has certified in writing—

- (a) that the direction is not inconsistent with the condition; or
(b) that it is impracticable or inexpedient to comply with the condition.

Churches ceasing to exist.

29c. (1) Subject to subsection (2), in the event of any Church of Christ—

- (a) deciding to disband as a Church of Christ and by special resolution declaring its intention of so doing;
(b) failing for 3 months to meet for worship; or
(c) being reduced to a membership of less than 20 persons,

the Conference Executive may, by resolution, direct the Church Trustees of that Church of Christ to transfer the property of that Church to the Trust to be held (or, being the Trust, to hold that property) upon trust for such one or more of the purposes prescribed by subsection (3) as it may decide, and thereupon the property of that Church shall be so transferred and held (as the case may require) and, in so far as the purposes declared in that resolution do not apply or cease to be applicable to any part of that property, that part shall be held upon trust for the general purposes of the Churches of Christ in New South Wales.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

(2) The Conference Executive may not give a direction under subsection (1) with respect to any property held subject to a condition imposed by a will, deed of gift, deed of trust or other instrument, unless it has certified in writing—

- (a) that the direction is not inconsistent with the condition; or
- (b) that it is impracticable or inexpedient to comply with the condition.

(3) The purposes prescribed by this subsection are the following:—

- (a) the purposes of any particular Church of Christ or Churches of Christ in New South Wales;
- (b) the support or advancement of any of the activities, work or objects of Conference;
- (c) the support or advancement of any of the activities, work or objects of any Conference Committee or Conference Auxiliary.

Churches ceasing to be affiliated.

29D. (1) In the event of any Church of Christ ceasing for any reason whatsoever to be affiliated under the Constitution, then, until Conference directs otherwise, the Church Trustee or Church Trustees of that Church of Christ shall manage, administer, sell, exchange, mortgage, lease, dispose of or otherwise deal with any property of that Church of Christ and apply any proceeds arising therefrom in accordance with the directions given by a resolution of the Conference Executive and not otherwise.

(2) The Conference Executive shall, under subsection (1), give directions relating to the management, administration, sale, exchanging, mortgaging, leasing or disposal of or dealing with property of a Church of Christ referred to in that subsection and to the

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 5—*continued.*AMENDMENTS TO PART V OF THE PRINCIPAL ACT—*continued.*

application of the proceeds, if any, arising therefrom so as to preserve any rights in that property as it considers equitable, taking into consideration such assistance as has been given by the Conference Committees, Churches of Christ in New South Wales and members of Churches of Christ to that Church of Christ.

Intervention by Conference Executive.

29E. (1) If, after 3 months from the service of notice of a resolution referred to in section 29A (1), 29B (1), 29C (1) or 29D (1) on Church Trustees of a Church of Christ, the Conference Executive is satisfied that any of the requirements made by the resolution and which is capable of being lawfully complied with has not been complied with, the Conference Executive, in order to ensure that those requirements are complied with may, by resolution, written notice of which is given to those Church Trustees—

- (a) if the Trust is not the only Church Trustee of that Church of Christ, remove those Church Trustees and appoint in their place the Trust, which shall not be replaced as the Church Trustee without the approval of Conference or the Conference Executive; and
- (b) in any case, require that, until Conference directs otherwise, the Church Trustee or Church Trustees shall deal with the real or personal property to which those requirements relate in accordance with the directions of the Conference Executive and not otherwise.

(2) Any breach of a direction given under subsection (1) (b) by the Conference Executive with respect to any real or personal property shall be deemed to be a breach of the trust imposed, by the operation of section 29 (1), with respect to that property.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6.

(Sec. 4.)

INSERTION OF PART VA INTO THE PRINCIPAL ACT.

Part VA—

After Part V, insert:—

PART VA.

CONFERENCE, CONFERENCE COMMITTEES AND CONFERENCE
AUXILIARIES.**Dealings with property, generally.**

34A. (1) No Conference Committee shall buy or sell real estate without the prior consent of either Conference or the Conference Executive.

(2) No dealing with any property held by the Trust upon trust for any Conference Committee or Conference Auxiliary shall be effected except pursuant to a resolution passed as provided by this section.

(3) A resolution referred to in subsection (2) shall be passed at a duly constituted meeting of the Conference Committee or Conference Auxiliary concerned by a number of votes at least equal to three-fourths of the total number of members of the Conference Committee or Conference Auxiliary.

(4) Notwithstanding anything provided in subsection (2) or (3), a resolution, if passed at a duly constituted meeting of a Conference Committee or Conference Auxiliary by a simple majority of the votes of the members present and voting, shall be deemed to have been passed by three-fourths of the total number of members of that Conference Committee or Conference Auxiliary if there be appended to a copy or copies of that resolution the signatures (signifying their concurrence with the resolution) of not less than three-fourths of that total number of members.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6—*continued.*

INSERTION OF PART VA INTO THE PRINCIPAL ACT—*continued.*

(5) The Trust shall be entitled to accept as correct and to act on a copy of any resolution of a Conference Committee or Conference Auxiliary certified under the hand of the Chairman or Secretary of that Conference Committee or Conference Auxiliary as being a true copy of a resolution duly passed or deemed to have been passed by the necessary number of members in accordance with this section.

Directions creating trusts.

34B. (1) Conference or a Conference Committee or Conference Auxiliary may, by a resolution duly passed or deemed to have been passed in accordance with section 34A, direct the Trust to hold any specified property real or personal of Churches of Christ in New South Wales or of that Conference Committee or Conference Auxiliary, as the case may be, in trust for or for the benefit of some Church of Christ or for Churches of Christ in New South Wales or for any Conference Committee or Conference Auxiliary as specified in that resolution or for the Churches of Christ generally and, subject to subsection (2), upon receipt of a certified copy of that resolution, the Trust shall do all such things as may be required to give effect thereto.

(2) The Trust shall not begin to hold property referred to in subsection (1) in trust for a Church of Christ or for Churches of Christ in New South Wales or for a Conference Committee or Conference Auxiliary in accordance with a resolution referred to in that subsection until—

- (a) any Church of Christ for which the property is to be held in trust is registered under Part V, has appointed the Trust as its only Church Trustee and has, by special resolution, agreed to the Trust's accepting that property; or

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 6—*continued.*INSERTION OF PART VA INTO THE PRINCIPAL ACT—*continued.*

- (b) where the property is to be held in trust for Churches of Christ in New South Wales or for a Conference Committee or Conference Auxiliary, Conference or that Committee or Auxiliary, as the case may be, has, by resolution duly passed, agreed to the Trust's accepting that property.

SCHEDULE 7.

(Sec. 4.)

AMENDMENTS TO PART VI OF THE PRINCIPAL ACT.

- (1) Sections 36, 37, 38—

Omit "Conference Department" wherever occurring, insert instead "Conference Committee".

- (2) Sections 39, 40—

After section 38, insert:—

Notice on cessation of affiliation.

39. Upon any Church of Christ ceasing to be affiliated with the Churches of Christ in New South Wales, the Registrar shall cause to be published in the Gazette a notice in the form prescribed by Schedule 6.

Limitation on powers, etc., of Conference Executive.

40. The Conference Executive shall in the exercise and discharge of its powers, authorities, duties and functions be subject to the direction and control of Conference.

Churches of Christ in New South Wales Incorporation (Amendment).

SCHEDULE 8.

(Sec. 4.)

INSERTION OF SCHEDULE 6 INTO THE PRINCIPAL ACT.

Schedule 6—

After Schedule 5, insert:—

SCHEDULE 6.

(Sec. 39.)

CHURCHES OF CHRIST IN NEW SOUTH WALES
INCORPORATION ACT, 1947.

Notice of Termination of Affiliation of Church.

Notice is hereby given that the affiliation of the Church of Christ at
.....
..... under the above Act
has been terminated in accordance with the provisions of the Constitution of
the Conference of Churches of Christ in New South Wales.

Dated at this
day of 19 ..

Registrar.

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

J. A. ROWLAND,
Governor.

Government House,
Sydney, 5th October, 1982.





