



Queensland Congregational Union Act 1967

Reprinted as in force on 18 March 1996

Reprint No. 1*

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
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* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 18 March 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- update citations and references (pt 4, div 2)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit unnecessary referential words (s 41)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43).

This page is specific to this reprint. A table of reprints is included in the endnotes.

See endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of obsolete and redundant provisions**
 - **table of renumbered provisions.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’).



Queensland

Queensland Congregational Union Act 1967

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Queensland Congregational Union Act 1967

[reprinted as in force on 18 March 1996]

An Act to make provision for the utilisation of the proceeds of the sale of certain church lands and premises by the corporation styled 'The President Secretary and Treasurer of the Queensland Congregational Union' for the furtherance of Congregationalism anywhere in Queensland and for other purposes

Preamble

- 1 Whereas pursuant to trusts in terms of the schedule of trusts set out in the model trust deed adopted at the annual meeting of the Queensland Congregational Union held at Goodna in the State on 19 October 1880, the corporation of 'The President Secretary and Treasurer of the Queensland Congregational Union', a corporation duly constituted under the *Religious Educational and Charitable Institutions Act 1861* holds, and has held for considerable periods of time, certain moneys that are the proceeds of the sale of certain lands and premises at one time held by the corporation on behalf of churches of the Congregational Order existing at Charters Towers, Imbil, Maryborough, Roma and Tinana, respectively, in the said State.
- 2 And whereas the said corporation holds or purports to hold and has held or has purported to hold for a considerable period of time on trust for the Congregational Church and its welfare and extension moneys that are the proceeds of the sale, by the local trustees thereof with the consent of the Queensland Congregational Union, of the lands and premises of a church of the Congregational Order at Charters Towers, formerly the Charters Towers Welsh Church which about the year 1919

applied for and was granted admission as a Congregational Church within the Queensland Congregational Union.

- 3 And whereas the said churches at Charters Towers, Imbil, Maryborough, Roma and Tinana have been closed without directions having been given under the trusts thereof in terms of the said schedule of trusts or under any other trusts applicable thereto as to the application of the said proceeds of sale.
- 4 And whereas it is desirable and expedient that provision be made to authorise the said corporation to apply the said moneys and any other moneys that may hereafter be held by the corporation under trusts in terms of the said schedule of trusts that are the proceeds of the sale of lands and premises held by the corporation at or before the commencement of this Act on behalf of churches that are hereafter closed without directions as to the application of such moneys having been given in accordance with the said trusts.
- 5 And whereas in the case of lands and premises held at the date of the commencement of this Act by the corporation under trusts in terms of the said schedule of trusts, the proceeds of the sale thereof may be laid out, at the direction of the church on whose behalf those lands and premises were held, in or towards the erection or purchase of other chapel land and premises (the same being situated within 20 miles of the land and premises sold as provided in the trusts thereof).
- 6 And whereas it is desirable and expedient that the church on whose behalf the proceeds of sale of land and premises are held be authorised to direct, with the approval of the executive committee of the Queensland Congregational Union, the laying out of those proceeds for certain purposes anywhere in the State although not appertaining to a place situate within 20 miles of the land and premises from the sale of which those proceeds arise.

1 Short title

This Act may be cited as the *Queensland Congregational Union Act 1967*.

2 Interpretation

In this Act—

corporation means the corporation duly constituted under the *Religious Educational and Charitable Institutions Act 1861* on 25 November 1862 and styled ‘The President Secretary and Treasurer of the Queensland Congregational Union’.

executive committee means the executive committee for the time being of the Union.

proceeds of sale includes the residue of any proceeds of sale and any accumulations of any proceeds of sale, or the residue thereof, howsoever arising.

schedule of trusts means the schedule of trusts set out in the model schedule of trusts adopted at the annual meeting of the Queensland Congregational Union held at Goodna in the State on 19 October 1880 in terms of which the corporation may hold property in trust for any church or congregation desiring the Union to accept such trust.

Union means the Queensland Congregational Union duly constituted in accordance with the constitution of the Queensland Congregational Union of the year 1961.

3 Application of moneys held by corporation on behalf of churches that have ceased to exist

- (1) The sums of money held by the corporation that are the proceeds of the sale by the corporation or by local trustees with the consent of the corporation, of church lands and premises at Charters Towers, Imbil, Maryborough, Roma and Tinana in the State and that are held, or purport to be held, by the corporation on behalf of churches of the Congregational Order at those places (including the church at Charters Towers formerly Charters Towers Welsh Church) which have been closed without directions having been given under the trusts thereof as set out in the schedule of trusts or under any other trusts applicable thereto as to the application of the said sums of money, shall be laid out or applied by the corporation in or towards such purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland as

[s 4]

the executive committee may direct including, but without limiting the generality hereof, the purchase or acquisition of lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences for Ministers whether situate adjacent to other church premises or not), the establishment and carrying on of church book depots and the sustentation of Ministers.

- (2) Where at any time after the passing of this Act, the corporation holds under trusts as set out in the schedule of trusts the proceeds of the sale of church lands and premises that were held by the corporation at or before the commencement of this Act on behalf of a church of the Congregational Order at any place in Queensland whereat the church as been closed without directions having been given in accordance with those trusts as to the application of those proceeds, the corporation shall lay out or apply such proceeds of sale in or towards such purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland as the executive committee may direct including, but without limiting the generality hereof, the purchase or acquisition of lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences of Ministers whether situate adjacent to other church premises or not), the establishment and carrying on of church book depots and the sustentation of Ministers.
- (3) The provisions of subsections (1) and (2) shall apply notwithstanding the terms of the applicable trusts under which the said sums of money or proceeds of sale are held or purport to be held and, to the extent necessary to give effect to those provisions, those trusts shall be deemed to have been varied accordingly.

4 Application of proceeds of sale beyond 20 miles of land sold

- (1) Where at any time after the commencement of this Act, the corporation holds, under trusts as set out in the schedule of

trusts, the proceeds of sale of church lands and premises and the corporation held those lands and premises at or before the commencement of this Act under the said trusts on behalf of a church of the Congregational Order, the directions which that church may give to the corporation as to the laying out of the proceeds of sale may, with the approval of the executive committee, include directions to lay out or apply those proceeds in or towards any purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland including, but without limiting the generality hereof, the purchase or acquisition of other lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences of Ministers whether situate adjacent to other church premises or not), situate at any place in Queensland whatsoever whether or not those lands or premises are situate within 20 miles of the lands and premises from the sale of which the proceeds of sale arose, the establishment and carrying on of church book depots and the sustentation of Ministers, at any place in Queensland whatsoever, whether or not situate within 20 miles of the lands and premises from the sale of which the proceeds of sale arose, and the corporation may comply with such directions.

- (2) The provisions of subsection (1) shall apply notwithstanding the terms of the applicable trusts under which the proceeds of sale are held and to the extent necessary to give effect to those provisions, those trusts shall be deemed to have been varied accordingly.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Queensland Congregational Union Act 1967 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	19 December 1967	18 March 1996

5 List of legislation

Queensland Congregational Union Act 1967

date of assent 19 December 1967

commenced on date of assent

6 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A
references to Queensland implied	Acts Interpretation Act 1954 s 35

7 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
Preamble	
1st unnum para	1
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