



Churches of Christ, Scientist, Incorporation Act 1964

Reprinted as in force on 11 January 1996

Reprint No. 1^{*}

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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 11 January 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

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

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use gender neutral office names (s 25)
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- 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 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.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of renumbered provisions.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Churches of Christ, Scientist, Incorporation Act 1964

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Churches of Christ, Scientist, Incorporation Act 1964

[as amended by all amendments that commenced on or before 11 January 1996]

An Act to incorporate certain Churches of Christ, Scientist, and to provide for the incorporation of other Churches of Christ, Scientist, in the State of Queensland, and for other purposes

Preamble

Whereas certain persons being members of the religious body or denomination accepting and holding the principles, faith, and doctrines known as Christian Science and in particular adhering to the tenets set forth in the schedule and acknowledging and adopting the principles of church organisation, discipline, teaching, worship, service, procedure, and practice laid down in the Church manual of the First Church of Christ, Scientist, in Boston, Massachusetts, in the United States of America, and known as the Mother Church (the *said manual*) have formed themselves into separate bodies or associations called respectively First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba.

And whereas certain members being officers of the said bodies or associations and their successors for ever in such offices are by such names respectively incorporated separately under the *Religious, Educational and Charitable Institutions Act 1861*.

And whereas from time to time other associations or bodies may be formed in other places in Queensland by persons accepting, holding, and adhering to the said principles, faith, and doctrines and the said tenets and acknowledging and adopting the principles of church organisation, discipline, teaching, worship, service, procedure, and practice laid down

in the said manual and may acquire real and personal property and have such real and personal property held by trustees in trust for each such association or body respectively.

And whereas it is expedient that the said First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba, should be incorporated as separate corporations and invested respectively with the powers and authorities hereinafter set forth and that the real and personal property of each such church be vested in such church as incorporated under this Act, and that the real and personal property of such other and further associations or bodies when formed and incorporated should be vested in such other and further associations or bodies when incorporated.

1 Short title

This Act may be cited as the *Churches of Christ, Scientist, Incorporation Act 1964*.

2 Certain Churches of Christ, Scientist, to be incorporated

- (1) On and from the date of the passing of this Act, and by virtue of this Act, all persons who are members of the said—
 - (a) First Church of Christ, Scientist, Brisbane; and
 - (b) Second Church of Christ, Scientist, Brisbane; and
 - (c) Third Church of Christ, Scientist, Brisbane; and
 - (d) First Church of Christ, Scientist, Toowoomba;

accepting and holding the principles, faith, and doctrines known as Christian Science and adhering to the tenets set forth in the schedule to this Act and acknowledging and adopting the principles of church organisation, discipline, teaching, worship, service, procedure, and practice laid down in the said manual and who now or hereafter constitute the bodies or associations called respectively First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba

shall become and be incorporated under this Act and shall be separate bodies corporate by the names respectively of First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba, and each shall have perpetual succession and a common seal and under such name may sue and be sued prosecute and defend and take and suffer all other proceedings in all courts civil and criminal within the said State.

- (1A) The persons who are at the passing of this Act incorporated under the *Religious, Educational and Charitable Institutions Act 1861*, as First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba, shall cease to be so incorporated and all real and personal property belonging to or held in trust for the church in question and all rights and obligations shall be divested from such corporation and shall vest in the corporation of the members of such church constituted by this Act, and any legal proceedings that might have been commenced or continued by or against the corporation constituted under the *Religious, Educational and Charitable Institutions Act 1861*, prior to the passing of this Act may be commenced or continued against the corporation constituted under this Act in respect of the church in question.
- (2) Each such body corporate (the ***said church***) may by resolution as hereinafter provided make by-laws and rules to provide for the following—
- (a) the admission to, expulsion from, or re-admission to membership of the said church;
 - (b) the conduct of the officers of the said church and the election and duties of officers;
 - (c) the appointment, rotation, and duties of readers, librarians, and Sunday school superintendents;
 - (d) the keeping of accounts and records;
 - (e) the appointment of auditors;
 - (f) the convening and conduct of meetings;
 - (g) the custody, care, and maintenance of church property;

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- (h) the execution and authentication of documents;
 - (i) the authorisation of expenditure;
 - (j) the rescission or amendment of by-laws and rules;
 - (k) the remuneration of officers and employees.
- (3) Any such by-laws or rule or any rescission or amendment thereof shall be made by a resolution carried at a meeting of the members of the said church convened as hereinafter provided by the majority so provided.
- (4) It shall be further lawful for the said church to take, purchase, receive, hold, and enjoy real and personal property of any description whatsoever and also to sell, grant, transfer, convey, exchange, demise (whether by way of building lease, or otherwise), give easements over or otherwise dispose of either absolutely or by way of mortgage, charge, lien, or other encumbrance any of the property real or personal at any time belonging to the said church provided that if any such property is subject to any trust such trust shall be carried out by the said church in accordance with the trust deed, or other instrument creating such trust, and generally to exercise subject to this Act all powers, rights, and privileges incident to a body corporate.
- (5) The administration of the affairs and the exercise of the powers of the said church shall be vested in the executive board duly appointed pursuant to the by-laws and rules of the said church for the time being, subject to any by-law or resolution of the said church or any resolution of the members thereof carried at a meeting of such members convened as provided by section 7 for meetings to which that section applies.
- (6) The said board shall have the custody and use of the common seal of the said church and a majority of the members of such board present at any meeting duly convened shall have power to use or direct the use of such seal for all purposes for which the use of such seal is required.
- (7) The seal shall only be affixed by virtue of a resolution of the said majority and in the presence of 2 members of the board and of the chairperson or the clerk for the time being of the said church and the said 2 members and the chairperson or

clerk shall sign their names to the document to which the seal has been affixed.

3 Property of the said churches

- (1) All real and personal property belonging to or held in trust for First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, or First Church of Christ, Scientist, Toowoomba, or the executive board or any committee of any of the said churches whether for any special purpose or generally for the church in question, and whether held by the corporation constituted under the *Religious, Educational and Charitable Institutions Act 1861*, or by any other person, shall from and after the passing of this Act vest in the First Church of Christ, Scientist, Brisbane, Second Church of Christ, Scientist, Brisbane, Third Church of Christ, Scientist, Brisbane, and First Church of Christ, Scientist, Toowoomba, respectively, without the necessity for any conveyance, transfer, or other assurance of such property.
- (2) Where any property vested under this section in any church mentioned in subsection (1) consists of land or any estate or interest in land the registrar of titles or, if a person or authority other than the registrar of titles is legally charged with registering instruments of title to such land, such person or authority upon application made to him, her or it in that behalf and proof to his, her or its satisfaction of the facts relating thereto and on payment of the necessary fees, shall give effect to such vesting by registering such church as proprietor of the land or estate or interest in land so vested.

4 Incorporation of churches to be formed

After the passing of this Act if and when any number of persons not less than 16 and including at least 4 members of the Mother Church, the First Church of Christ, Scientist, in Boston, Massachusetts, United States of America, accepting and holding the said principles, faith, and doctrines and adhering to the said tenets and acknowledging and adopting the principles of church organisation, discipline, teaching, worship, service, procedure, and practice laid down in the said

manual shall form themselves into a body or association to be known as a Church of Christ, Scientist such body of association may subject to the conditions stated section 5 become a corporate body with the same powers, authorities, and privileges and subject to the same duties and liabilities mutatis mutandis as those provided in this Act in respect of the churches mentioned in section 2.

5 Conditions for incorporation

- (1) The conditions referred to in section 4 shall be as follows—
 - (a) the body or association shall have been in existence for at least 6 months prior to the date of the resolution hereinafter mentioned;
 - (b) the bona fides of such body or association shall be certified in writing under the seal of the Mother Church, the First Church of Christ, Scientist, in Boston, Massachusetts, United States of America;
 - (c) a resolution that it is expedient that such body or association should be incorporated shall be carried by a vote of three-fourths of the members of such body or association present at a special meeting convened as hereinafter provided;
 - (d) a copy of the said resolution together with a certificate under the hand of the chairperson of the said meeting stating that the said meeting was duly convened and that the said resolution was carried by a vote of at least three-fourths of those present at the said meeting, and a copy of the rules of such body or association shall be filed in the office of the chief executive¹ together with the certificate referred to in paragraph (b) and the statement referred to in paragraph (e);
 - (e) a statement shall be made and certified by the clerk and the treasurer of such body or association setting forth the real and personal property belonging to or held in trust for such body or association or any committee thereof and giving the names of the trustee or trustees

¹ The chief executive is the chief executive of the department.

holding any such property and stating the objects and purposes of each trust or trusts.

- (2) Upon the filing in the chief executive's office of the document specified in subsection (1)(d), the chief executive shall issue a receipt therefor, stating in such receipt the name of the body or association to which the documents relate.
- (2A) Such receipt shall be proof for all purposes that the conditions referred to in section 4 have been complied with in relation to the body or association named in the receipt and, in the absence of proof to the contrary, shall be conclusive such proof.
- (3) Upon the production of such receipt the Governor in Council may, if the Governor in Council shall think fit by regulation declare such body or association to be a body corporate by such name and style as may in and by such regulation be given to such corporation and thereupon such body or association shall become and be incorporated under this Act as a Church of Christ, Scientist.

6 As to rights, powers etc. of other churches when incorporated

Upon incorporation under section 5—

- (a) such church shall have mutatis mutandis the same rights, powers, and privileges, and, be subject to the same duties and liabilities as those hereinbefore provided in this Act in respect of the churches mentioned in section 2; and
- (b) the administration of the affairs and the exercise of the powers of such church shall be vested in the executive board thereof and the provisions of section 2(5), (6) and (7) shall apply as if such church were a church mentioned in section 2; and
- (c) all the real and personal property belonging to or held in trust for the body or association on whose behalf the documents were filed shall vest in such church in its corporate name without the necessity for any conveyance, transfer, or other assurance; and

- (d) section 3(2) applies as if the church were a church mentioned in section 2.

7 Meetings

- (1) Any meeting required by this Act for the purpose of passing a resolution for incorporation of a body or association or for the making of any by-law or rule or for the amendment or rescission of any by-law or rule shall be convened by notice in writing which shall be forwarded by post to each member of such body or association at least 14 days before the date fixed in such notice for such meeting.
- (2) Such notice shall set out the terms of the proposed resolution and the names of the persons who intend at such meeting to propose and second such resolution.
- (3) Any such resolution shall be carried by a vote of three-fourths of the members present at such meeting, and a copy thereof shall within 14 days of the making thereof be filed in the office of the chief executive.

8 Regulation making power

The Governor in Council may make regulations under this Act.

Schedule**Tenets of the Mother Church
the First Church of Christ,
Scientist**

section 2

- 1 As adherents of Truth, we take the inspired Word of the Bible as our sufficient guide to eternal Life.
- 2 We acknowledge and adore one supreme and infinite God. We acknowledge His Son, one Christ; the Holy Ghost or divine Comforter; and man in God's image and likeness.
- 3 We acknowledge God's Forgiveness of sin in the destruction of sin and the spiritual understanding that casts out evil as unreal. But the belief in sin is punished so long as the belief lasts.
- 4 We acknowledge Jesus' atonement as the evidence of divine, efficacious Love, unfolding man's unity with God through Christ Jesus the Way shower: and we acknowledge that man is saved through Christ, through Truth, Life, and Love as demonstrated by the Galilean Prophet in healing the sick and overcoming sin and death.
- 5 We acknowledge that the crucifixion of Jesus and his resurrection served to uplift faith to understand eternal Life, even the allness of Soul, Spirit, and the nothingness of matter.
- 6 And we solemnly promise to watch, and pray for that Mind to be in us which was also in Christ Jesus; to do unto others as we would have them do unto us; and to be merciful, just and pure.

MARY BAKER EDDY

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). Accordingly, this reprint includes all amendments that commenced operation on or before 11 January 1996. Future amendments of the Churches of Christ, Scientist, Incorporation Act 1964 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	1995 Act No. 58	28 November 1995	11 January 1996

5 List of legislation

Churches of Christ, Scientist, Incorporation Act 1964

date of assent 6 April 1964

commenced on date of assent

amending legislation—

Churches of Christ, Scientist, Incorporation Act Amendment Act 1982

date of assent 20 April 1982

commenced on date of assent

Public Service (Administrative Arrangements) Act (No. 2) 1990 No. 80 s 3 sch 6

date of assent 14 November 1990

commenced 7 December 1989 (see s 2(4)(b))

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

6 List of annotations

Interpretation

s 1A ins 1990 No. 80 s 3 sch 6
om 1995 No. 58 s 4 sch 1

Certain Churches of Christ, Scientist, to be incorporated

s 2 amd 1995 No. 58 s 4 sch 1

Conditions for incorporation

s 5 amd Churches of Christ, Scientist, Incorporation Act Amendment Act 1982
s 2; 1990 No. 80 s 3 sch 6; 1995 No. 58 s 4 sch 1

As to rights, powers etc. of other churches when incorporated

s 6 amd 1995 No. 58 s 4 sch 1

Meetings

s 7 amd Churches of Christ, Scientist, Incorporation Act Amendment Act 1982
s 3; 1990 No. 80 s 3 sch 6

Regulation making power

s 8 ins 1995 No. 58 s 4 sch 1

7 Table of changed names and titles

under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
director-general	chief executive	see Reprints Act 1992 s 29 example 27

8 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
2(1), 2nd sentence	2(1A)
5(2), 2nd sentence	5(2A)
7, 1st sentence	7(1)
7, 2nd sentence	7(2)
7, 3rd sentence	7(3)