



Anglican Church of Australia Act 1895 Amendment Act 1901

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Reprint note—

This reprint has been reformatted to reflect current drafting styles.

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Queensland

Anglican Church of Australia Act 1895 Amendment Act 1901

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Anglican Church of Australia Act 1895 Amendment Act 1901

An Act to amend the Anglican Church of Australia Act 1895

Preamble

WHEREAS by the *Anglican Church of Australia Act 1895*, passed in the 59th year of the reign of Her late Majesty Queen Victoria, it was (amongst other things) enacted that all property which was thereby or should thereafter be vested in or in any manner acquired by any synod constituted a corporation under the provisions of that Act should, so far as the same was subject to any express trusts created by the original donor thereof or declared or contained in any Act of Parliament in which such property was specifically mentioned, be held, managed, and dealt with by such synod in conformity with such trusts, and should, so far as the same was not subject to any such trusts as aforesaid or so far as any such trusts should not extend, be held and managed and might be mortgaged, charged, alienated, or otherwise dealt with and disposed of in such manner as the synod, or any committee to which the synod might delegate its functions in that behalf, might from time to time direct, and that all property so vested in such synod should as to the management thereof be subject to the acts, canons, and resolutions of the synod for the time being in force and applicable thereto, and that, subject as aforesaid, all moneys in respect of any sale, mortgage, or lease of such property should be applied for such purposes, and generally in such manner for the benefit of the church, as the synod or any such committee as aforesaid might from time to time direct.

And whereas divers lands have been and other lands may hereafter be vested in or acquired by synods constituted corporations under the provisions of the said Act upon trust

for Anglican Church purposes, and for no other purposes whatsoever.

And whereas doubts have arisen as to the powers exercisable by such synods in respect of lands held by them upon such trusts as last aforesaid, and it is expedient to remove such doubts and to declare more particularly the powers exercisable by such synods in respect of such lands as aforesaid.

1 Short title and construction

- (1) This Act may be cited as the *Anglican Church of Australia Act 1895 Amendment Act 1901*, and shall be read and construed with and as an amendment of the *Anglican Church of Australia Act 1895* (the *principal Act*).
- (2) The principal Act and this Act may together be cited as the *Anglican Church of Australia Acts 1895 to 1901*.

2 Declaration of synod's powers with reference to lands held on trust for Anglican Church of Australia purposes and no other purposes whatsoever

- (1) It is hereby declared that it shall be and shall be deemed to have always been lawful for any synod constituted a corporation under the provisions of the principal Act to sell, mortgage, and lease, in such manner as the synod, or any committee to which the synod may have delegated its functions in that behalf, may from time to time direct, or may from time to time have directed, any lands for the time being vested in the synod upon trust for Anglican Church of Australia purposes, and for no other purposes whatsoever.
- (2) However, nothing in this section shall be construed to confer upon any synod any further or other power to sell the lands specified in the schedule than could have been exercised by such synod if this Act had not been passed.

3 Application of moneys arising from sales, mortgages, or leases

All moneys arising from any sale, mortgage, or lease hereby declared to be lawful shall and may be applied, and shall be deemed to have always been applicable, for such Anglican Church of Australia purposes as the synod or any such committee as aforesaid may from time to time direct or may from time to time have directed, and for no other purposes whatsoever.

Schedule

That piece of land in the county of Stanley, parish of South Brisbane and city of Brisbane, containing by admeasurement 1ac, 3rd, 8p more or less, and known as allotments 1, 2, 3, 16, 17, 18, 19, and 20 of section 14.