

*Repealing Act Application.*

3 | 1895

AN ORDINANCE for accepting and adopting a certain Ordinance passed by the Provincial Synod, Session 1895, intituled "An Ordinance to provide for making application to Parliament to pass an Act to repeal certain Church Acts and to make certain other provisions."

*(Assented to 2 October, 1895.)*

WHEREAS a certain Ordinance was made by The Provincial Synod of the Province of New South Wales on the eighteenth day of July 1895 intituled "An Ordinance to provide for making application to Parliament to pass an Act to repeal certain Church Acts and to make certain other provisions" a copy of which is contained in the Schedule attached to this Ordinance. And whereas it is expedient that the said Ordinance shall be accepted by the Church in this Diocese. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of The United Church of England and Ireland within the Colony of New South Wales ordains and rules as follows:—

That the said Ordinance shall be and is hereby accepted and adopted and shall so far as the same is applicable be applied to the management of the Church in this Diocese in like manner as if the said Ordinance had been ordained and ruled by the Synod of this Diocese.

SCHEDULE.

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SCHEDULE.

AN ORDINANCE to provide for making application to Parliament to pass an Act to repeal certain Church Acts and to make certain other provisions.

WHEREAS it is necessary to make provision for the several matters hereinafter mentioned the Provincial Synod of the Province of New South Wales ordains and rules as follows:—

*Application to Parliament for Repealing Act.*

1.—Application shall be made to Parliament to pass an Act providing for the repeal of the Act 8 William iv. No. 5, and of the Act 7. William iv. No. 3 (so far as the same has not already been repealed by the Act 26 Victoria No. 19), and of the Act 21 Victoria No. 4, but without prejudice to anything done under the said Acts before the repeal thereof.

*Application to Parliament for certain other provisions.*

2.—In the said Repealing Act provision shall be made for bringing under the provisions of any Ordinance or Ordinances now or hereafter to be from time to time in that behalf passed by the Synod of any Diocese in the Province, or by the Provincial Synod at the instance of any such Diocese all lands held for the benefit of the Church in such Diocese (save and except such lands as may be by the said Ordinance or Ordinances or any amending Ordinance exempted from the provisions thereof), whether the said lands are held upon the trusts of the repealed Acts, or upon any other trusts, but without prejudice to anything done under such trusts respectively before the said repeal.

*Validating of appointment of Trustees.*

3. In the said Repealing Act provision shall be made

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for validating all appointments of Trustees heretofore made or purporting to be made under the Act 8 William iv. No. 5, notwithstanding that such appointments of Trustees were not in place of original Trustees nominated or elected under Section one of the said Act, and notwithstanding that the lands and hereditaments the subject of the trust may not have been conveyed to or vested in such first mentioned Trustees, and notwithstanding any other irregularity or defect in their appointment.

*Executive Committee to apply.*

4. The Executive Committee of the Synod is hereby authorised and empowered to carry into effect the provisions of this Ordinance, and for this purpose to incur such expense as may be necessary, so soon as, and not before, the Metropolitan shall have reported to them that in every Diocese in the Province provision has been made for the matters provided for in the Acts herein enumerated and for the formation of a Tribunal for the administration of Ecclesiastical Discipline, and that every Diocese in the Province has either accepted this Ordinance or has duly referred the matters herein contained to this Synod.

*Short Title.*

5. This Ordinance may be cited as "The Repealing Act Application Ordinance of 1895."