

Hon. Mr. Jones.

OTAGO PRESBYTERIAN CHURCH BOARD OF
PROPERTY AMENDMENT.

[PRIVATE BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Otago Presbyterian Church Board of Property Act, 1906, and the Otago Presbyterian Church Board of Property Amendment Act, 1930. Title.

WHEREAS in certain cases the management of the temporal affairs of a congregation cannot be carried on by a Deacons' Court as contemplated by the Otago Presbyterian Church Board of Property Act, 1906 (hereinafter referred to as the principal Act), but such management is carried on by a Board of Managers within the meaning of that term as used in the Book of Order of the Presbyterian Church of New Zealand, Preamble.

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and the Board desires that the definition of "Deacons' Court" in the principal Act should be extended to include such a Board of Managers: And whereas certain unavoidable delays have occurred when under the provisions of sections twenty-seven, twenty-eight, and thirty-nine of the principal Act because the Otago Presbyterian Church Board of Property is empowered to do certain acts, matters, or things either with the concurrence or direction or consent of the Synod, and both the Synod and the Board desire to obviate such delays: And whereas under section twenty-two of the principal Act the objects to which the Ecclesiastical Fund as therein constituted are limited in such a manner that other objects of a similar nature but not contemplated in 1906 and necessary for carrying out religious worship or religious education are not provided for in the said section, and the Synod desires that they should be included in the provisions of the said section along with those objects already therein included: And whereas the Board and the Synod desire that the provisions of the Otago Presbyterian Church Board of Property Amendment Act, 1930, which expires on the thirty-first day of July, nineteen hundred and forty, should be extended for a period of twenty-five years from that date:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Otago Presbyterian Church Board of Property Amendment Act, 1939, and shall be read together with and deemed part of the Otago Presbyterian Church Board of Property Act, 1906 (hereinafter referred to as the principal Act), and of the Otago Presbyterian Church Board of Property Amendment Act, 1930 (hereinafter referred to as the Amendment Act).

Deacon's Court to include Board of Managers.

2. Section five of the principal Act is hereby amended by adding to the definition of "Deacons' Court" the following: "and shall be deemed to include the Board of Managers of a congregation within the meaning of that term as used in the Book of Order of the Presbyterian Church of New Zealand".

3. That in any case or cases under the provisions of sections twenty-seven, twenty-eight, and thirty-nine of the principal Act when any act, matter, or thing to be done by the said Board requires the concurrence, 5 direction, or consent of the Synod, then the Synod may either generally or in any particular case or cases, by resolution, delegate, either absolutely or subject to any such conditions as the Synod by resolution may impose, and subject always to the powers of variation 10 and revocation hereinafter reserved to any presbytery or to a special commission appointed in accordance with the usages of the Synod or to a special committee of the Synod, its powers and authority to give the necessary concurrence, direction, or consent, with full 15 power and authority in all or any of the said matters, and any concurrence, direction, or consent given by such presbytery, special commission, or special committee in accordance with the terms and conditions (if any) of such resolutions shall be deemed to be an 20 exercise by the Synod of such powers so delegated as fully and effectually as if such delegation had not been made, and the concurrence, direction, or consent had been given by the Synod itself, and any such delegation by the Synod may at any time be varied or revoked 25 by resolution of the Synod, but until notice of any variation or revocation shall have been given to such presbytery, special commission, or special committee all or any acts, matters, and things done, executed, or performed under and by virtue of the powers and 30 authority so delegated shall be binding on the Synod in like manner as if such delegation had not been made. Any such delegation and the terms thereof, as well as any variation or revocation of such delegation (if any), shall be evidenced by a certificate 35 under the hand of the Moderator or Clerk for the time being of the Synod.

Synod empowered to delegate powers of concurrence, direction, or consent.

4. Section twenty-two of the principal Act is hereby repealed, and in lieu therefor there shall be substituted the following:—

Extending objects of Ecclesiastical Fund.

40 “ 22. Two-thirds of the clear proceeds of the said rents, issues, and profits shall each year be applied by the said Board in accordance with such regulations to be made in manner hereinafter mentioned as the

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said Synod shall from time to time prescribe for the purpose of building and repairing manses, churches, church halls, and other buildings used for religious purposes in the Provincial District of Otago, the endowing or aiding in the endowment of any theological chair or chairs or any lectureship or lectureships in connection with the Presbyterian Church of New Zealand in any college or university which has been or may be erected in the Provincial District of Otago, and paying any salaries and other moneys to the holder or holders or occupier or occupiers of such theological chair or chairs or lectureship or lectureships which may in the opinion of the said Synod be necessary for the more effectual working, management, and maintenance of such college or university, or any or either of such purposes, or any other purposes consistent with the above purposes as may from time to time be determined by the said Synod according to the said regulations, and shall be called "the Ecclesiastical Fund."

Amendment
Act of 1930
extended.

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5. Section three of the Amendment Act is hereby amended by deleting therefrom the words "within a period of ten years from the thirty-first day of July, nineteen hundred and thirty", and substituting therefor the words "within a period of twenty-five years from the thirty-first day of July, nineteen hundred and forty".

Private Act.

6. This Act is hereby declared to be a private Act.