



Western Australia.

ANNO PRIMO ET SECUNDO

EDWARDI VII. REGIS.

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*PRIVATE ACT.*

AN ACT to amend the Ordinance 22nd Victoria, No. 4, and the Roman Catholic Church Lands Act, 1895, and to enable the Bishop, for the time being, of each Diocese of the Roman Catholic Church to exercise, in respect of the lands within his Diocese, the powers granted by the said Act.

[Assented to, 19th February, 1902.]

**W**HEREAS at the respective times of the passing of the said Ordinance and Act there was only one Roman Catholic diocese in Western Australia embracing the whole of the State, and one Bishop administering the ecclesiastical affairs of the Roman Catholic Church in Western Australia: And whereas the State is now divided into two dioceses, viz., the dioceses of Perth and Geraldton, and other dioceses may hereafter be created in the said State: And it is expedient that the lands and premises of the said church within each diocese should be vested in the Bishop for the time being of the diocese: And that such Bishop should be enabled

Preamble.

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to exercise in respect of all buildings, lands, and premises situate within his diocese and belonging to the Roman Catholic Church the powers granted by the said Roman Catholic Church Lands Act, 1895: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. THIS Act may be cited as the Roman Catholic Church Lands Amendment Act, 1902.

Lands in the diocese of Geraldton vested in the Bishop thereof.

2. ALL the estate and interest in all buildings, lands, and premises belonging to the Roman Catholic Church, situate within the diocese of Geraldton, shall, without the necessity of any formal deed of assurance or transfer, from the time of the passing of this Act absolutely and indefeasibly vest in the Bishop of Geraldton and his successors in the said office, subject to the trusts mentioned and contained in the several deeds or other assurances in the law affecting the same.

Lands in any new diocese to vest in the bishop thereof.

3. HEREAFTER on the creation of a new diocese of the Roman Catholic Church, and the appointment of a bishop thereof, all the buildings, lands, and premises belonging to the said Church, situate within such new diocese, shall, without the necessity of any formal deed of assurance or transfer, vest absolutely and indefeasibly in such bishop and his successors in office, subject to the trusts in the several deeds or other assurances in the law affecting the same; and the estate and interest in all buildings, lands, and premises situate within a diocese which may hereafter be given, granted, or transferred by the Crown, or any person or persons, for Roman Catholic Church purposes, shall vest and be vested in the bishop, and his successors in office, of the diocese within which such buildings, lands, and premises are situate, under and subject to such trusts as may be imposed by the donors, grantors, or transferrors thereof.

Lands hereafter given or granted or transferred for church purposes to be vested in bishop of diocese in which such lands situated.

Lands in the diocese of Perth to continue vested in the bishop of Perth.

4. SUBJECT to the provisions of this Act all buildings, lands, and premises situate in the diocese of Perth, and belonging to the Roman Catholic Church, shall continue vested in the bishop of the diocese of Perth, or his successors in office, subject to the trusts affecting the same.

Powers conferred by the Roman Catholic Church Lands Act, 1895, may be exercised by the bishop of any diocese in respect of lands situate within his diocese.

5. ALL or any of the powers and authorities granted by the Roman Catholic Church Lands Act, 1895, to the bishop for the time being administering the ecclesiastical affairs of the Roman Catholic Church in Western Australia, and his successors in office, may from time to time be exercised by the bishop of the diocese in

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respect of the lands vested in him within his diocese. but subject always to the provisions of the said Act and the obligations, restrictions, and exceptions therein contained.

6. NO purchaser, mortgagee, or lessee shall be bound to inquire whether the buildings, lands, and premises to be affected by any dealing or dealings are within the diocese of the bishop exercising, or purporting to exercise any of the aforesaid powers and authorities with respect to lands vested in him, nor as to the appointment of such bishop, nor be affected by notice that the person purporting to exercise any such powers or authorities has not been duly and properly appointed the bishop of the diocese.

Protection to purchasers and others.

7. THIS Act shall be incorporated and read together with the Roman Catholic Church Lands Act, 1895.

Incorporation.

In the name and on behalf of the King I hereby assent to this Act.

ARTHUR LAWLEY, Governor.