

New Zealand.

ANALYSIS.

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1927, No. 1—*Private.*

AN ACT to amend the Church Property Trust (Canterbury) Act, 1879, and to extend the Powers of the Church Property Trustees and the Trusts and Purposes upon which certain Properties are held by the Church Property Trustees. Title.
[21st September, 1927.]

WHEREAS by the Church Property Trust (Canterbury) Act, 1879 (hereinafter referred to as the principal Act), it was enacted that certain persons therein referred to under the name of the "The Church Property Trustees" should hold certain lands, tenements, and hereditaments specified and described in Schedule A thereto and commonly known as the Bishopric Estate, upon certain trusts, intents, and purposes therein declared concerning the same; and should hold certain other lands, tenements, and hereditaments specified and described in Schedule B thereto and commonly known as the Dean and Chapter Estate, upon certain other trusts, intents, and purposes therein also declared concerning the same: And whereas it was also thereby enacted that the annual rents, issues, and profits, and all other sums becoming payable in respect of the said Bishopric Estate, and thereafter in Part II thereof referred to as "the said income," should, after payment thereof, in the first place, of all proper and necessary charges connected with the management of the said estate, and of a yearly sum of one thousand pounds to the Bishop of Christchurch, be held by the said Church Property Trustees upon the trusts and for the objects, intents, and purposes therein mentioned; and also that the rents and other annual income of the Dean and Chapter Estate (thereinafter in Part III thereof called "the said income") should, after payment thereof, in the first Preamble.

place, of all proper and necessary charges connected with the management of the said estate, and of a yearly sum of five hundred pounds to the Dean, and to each one of the Canons for the time being of the annual sum of one hundred pounds, be held by the said Church Property Trustees upon the trusts and for the objects, intents, and purposes therein mentioned: And whereas no provision has been made in the principal Act for payment out of the income of the Bishopric Estate of any moneys for a travelling allowance or allowances for the Bishop of Christchurch, or for any coadjutor, suffragan, or other Bishop mentioned in section ten thereof; or for the payment of any travelling or removal expenses of a person who has accepted nomination as the Bishop of Christchurch, or as any coadjutor, suffragan, or other Bishop as aforesaid; or for the payment of any pension or other allowance for the benefit of the widow or orphan children of the Bishop of Christchurch, or coadjutor, suffragan, or other Bishop as aforesaid; or for the maintenance and upkeep of the garden and grounds appertaining to the residence of the Bishop of Christchurch, or of any coadjutor, suffragan, or other Bishop as aforesaid; or for the provision of special training of any candidates for holy orders: And whereas it is desirable to extend the powers given by section ten thereof to the Synod of the Diocese of Christchurch, so as to enable such Synod to authorize under the said section ten the payment of moneys out of the income of the Bishopric Estate for all or any of the objects and purposes aforesaid, and that the trusts, purposes, and intents upon which the income of the Bishopric Estate is held should be extended accordingly: And whereas no provision has been made in the principal Act for payment out of the income of the Dean and Chapter Estate of any moneys for the maintenance of persons in holy orders, other than the Dean, Canons, and Minor Canons who may from time to time be appointed on the Cathedral staff; or for the provision, maintenance, repair, renewal, or replacement of any fittings, furniture, or furnishings required in the Cathedral; or for the payment of any pension or other allowance for the widow or orphan children of any Dean: And whereas it is desirable to extend the powers given by section twenty-one thereof to the Synod of the Diocese of Christchurch so as to enable such Synod to authorize under the said section twenty-one the payment out of the income of the Dean and Chapter Estate of any moneys for all or any of the objects and purposes last aforesaid, and that the trusts, purposes, and intents upon which the income of the Dean and Chapter Estate is held should be extended accordingly: And whereas by section fourteen of the Church Property Trust Amendment Ordinance, 1867, power is given to the Church Property Trustees in the manner and in accordance with the terms and provisions therein set out and prescribed to ordain a by-law for extending to any part of the Province of Canterbury beyond the limits of the Canterbury Settlement (as therein defined) the application and benefit of the whole or any part of the property of the Church Property Trustees: And whereas some parts of the Diocese of Christchurch, and in particular the Chatham Islands, have never been part either of the Canterbury Settlement or of the Province of Canterbury, and it is desirable that power should be given to the Church Property Trustees by by-law to extend the application and

benefit of all or any part of the property held by the Church Property Trustees to any part of the Diocese of Christchurch: And whereas it is expedient that all costs, charges, and expenses of and incidental to the preparing, obtaining, and passing of this Act should be paid out of the income of the Bishopric Estate and of the income of the Dean and Chapter Estate in equal shares:

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

1. This Act may be cited as the Church Property Trust (Canterbury) Amendment Act, 1927, and shall be read together with and deemed part of the Church Property Trust (Canterbury) Act, 1879 (hereinafter referred to as the principal Act).

Short Title.

2. Section ten of the principal Act is hereby amended by the addition thereto of the following new paragraphs, namely:—

Section 10 of the
Church Property
Trust (Canterbury)
Act, 1879, amended.

“(8) Towards the payment of a pension or other allowance to the widow or orphan children of the Bishop of Christchurch or of any other Bishop mentioned in paragraphs three and four hereof for any period, in the case of a widow, not exceeding the residue of her natural life, and in any case terminating on her marrying again; and, in the case of each orphan child, for any period not extending beyond the age of eighteen years:

“(9) Towards making provision for special training of candidates for holy orders:

“(10) Towards the provision or payment of any travelling allowance or allowances to the Bishop of Christchurch, or any coadjutor or suffragan or other Bishop mentioned in paragraphs three and four hereof:

“(11) Towards the provision and payment of any travelling or removal expenses of any person after his acceptance of nomination as Bishop of the Diocese of Christchurch, or as Bishop of any diocese formed on or by the subdivision of the Diocese of Christchurch, or as coadjutor or suffragan Bishop as aforesaid:

“(12) Towards the upkeep and maintenance of the garden and grounds appertaining to the residence of the Bishop of Christchurch, or of any coadjutor, suffragan, or other Bishop as aforesaid.”

3. Section twenty-one of the principal Act is hereby amended by the addition thereto of the following paragraphs, that is to say:—

Section 21 of the
Church Property
Trust (Canterbury)
Act, 1879, amended

“(11) Towards the maintenance of such person or persons in holy orders, other than the Dean, Canons, and Minor Canons, as may from time to time be appointed on the Cathedral staff for any work in connection with or undertaken by the Cathedral or Cathedral Chapter:

“(12) Towards the provision, maintenance, repair, renewal, or replacement of all or any fittings, furniture, or furnishings required in the Cathedral, inclusive of all present fittings, furniture, and furnishings:

“(13) Towards the provision and payment of a pension or other allowance to the widow or orphan children of any Dean or former Dean of Christchurch, in the case of a widow, for any period not exceeding the residue of her natural life, and in all cases terminating on her marrying again; and, in the case of any orphan child, for any period not extending beyond the age of eighteen years.”

Application of trust property may be extended to whole of the Diocese of Christchurch.

4. It shall be lawful for the Church Property Trustees at any meeting of which notice shall have been given as provided by section fourteen of the Church Property Trust Amendment Ordinance, 1867, in the manner and form and in strict compliance with the requirements of the said section fourteen, to ordain a by-law as therein mentioned for extending to any part of the Diocese of Christchurch beyond the area referred to in the said section the application and benefit of the whole or any part of the property of the Church Property Trustees; and any such by-law so made shall be good and effectual in law, and shall in all respects have the force of a by-law ordained under the said section fourteen, and may thereafter in accordance with such section be altered, revoked, and reordained as therein mentioned; and such property shall be held, administered, and applied accordingly as provided by the said section fourteen.

Costs and charges of Act, how to be paid.

5. All costs, charges, disbursements, and expenses of and incident to the preparing for, obtaining, and passing of this Act or otherwise in relation thereto shall be paid by the Church Property Trustees out of the income of the Bishopric Estate and the income of the Dean and Chapter Estate in equal shares.