

NEW ZEALAND.



QUADRAGESIMO

VICTORIÆ REGINÆ.

No. XXXVIII.

ANALYSIS.

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AN ACT to facilitate the Vesting and Transfer of Lands belonging to the Roman Catholic Church in New Zealand. Title.
[14th October, 1876.]

WHEREAS it is expedient that, for the purposes of the trusts of lands and hereditaments belonging to the Church of Rome within each diocese of such Church in New Zealand, the Bishop for the time being thereof should be a corporation sole, and have the power hereinafter mentioned, in addition to any other powers affecting such lands tenements and hereditaments: Preamble.

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

1. The Short Title of this Act shall be “The Roman Catholic Lands Act, 1876.” Short Title.

2. Whenever any lands tenements or hereditaments within any diocese for the time being of the Roman Catholic Church in New Zealand shall heretofore have been or shall hereafter be granted to or otherwise acquired by the Bishop for the time being of such diocese, upon any trusts for the purposes or benefit of the said Church, the Bishop for the time being of the diocese, whether original or afterwards established, within which any such lands shall be situated, shall hold the same lands tenements and hereditaments to him and his successors for ever in perpetual succession as a corporation sole, but subject nevertheless to the trusts and purposes for which such lands tenements or hereditaments may have been granted or acquired. Bishop shall hold lands acquired for the use of the Church as a corporation sole.

Roman Catholic Lands.

In case of vacancy
of Bishopric.

3. In case at the time of the passing of this Act, or at any time thereafter, there shall be a vacancy in the office of Bishop for any diocese of such Church, then all the lands tenements and hereditaments for the time being vested in such Bishop as a corporation sole by virtue of this Act shall cease to be so vested, and shall be and become vested upon the trusts affecting the same in the administrator of such diocese for the time being duly acting until a Bishop shall have been appointed, but no longer; and such administrator shall, during the period for which such lands tenements and hereditaments shall be vested in him, have and possess the same powers and authorities of dealing with the same as the Bishop for the time of the diocese has and possesses under this Act.

Power of Bishop to
lease lands

4. The Bishop or administrator for the time being only acting under this Act shall, in addition to any powers vested in him in relation to any lands tenements or hereditaments, have power from time to time to let any part of such lands tenements and hereditaments for any term or number of years not exceeding forty-two years in possession, and not in reversion, reserving the most improved annual rent, and so that the tenant shall not be authorized to commit waste.

Boundaries of each
diocese to be
registered.

5. Provided always that the boundaries of every diocese of the said Church in New Zealand shall from time to time be registered in the Land Registry Office of the district wherein any such lands are held in trust.

Registrar of Boun-
daries may be
appointed.

6. The Governor may from time to time, upon the recommendation of the Bishops of such Church in New Zealand, appoint a person who shall be the Registrar of Diocesan Boundaries for such Church, and who shall from time to time deposit in the Deeds Registry Office including or included in each such diocese, a description of the boundaries of such diocese certified under the hand of such person; and an office copy of such certificate, sealed with the Seal of the Deeds Registry Office for the district, shall be receivable as evidence of the boundaries of such diocese in any Court in New Zealand.

The fee payable for each such deposit and each such office copy shall be five shillings.

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