

CHURCH OF ENGLAND TRIBUNAL (VALIDATION OF ELECTION) BILL.

EXPLANATORY MEMORANDUM.

THE sole purpose of this Bill is to validate an irregularity which occurred in the first election of the Tribunal constituted to hear appeals under the Church of England Empowering Act, 1928.

By section 5 (2) of that Act the Tribunal referred to should have been elected at the session of the General Synod that was held in Christchurch in February, 1931. The proceedings at that session were disorganized by reason of the series of earthquakes that occurred in Hawke's Bay during that month, and the first election was not held until the session of the General Synod that took place in Napier in 1934. This Bill merely provides that the session of 1934 shall, for the purposes of the election of the Tribunal, be deemed to be the first session held after the passing of the 1928 Act.

The matter is a mere technicality, and the Bill is designed to prevent any question at any time arising as to the legality of the constitution of the Tribunal on the ground that the "first election" was not duly held.

This PRIVATE BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
10th August, 1934.*

Right Hon. Mr. Forbes.

CHURCH OF ENGLAND TRIBUNAL (VALIDATION
OF ELECTION).

[PRIVATE BILL.]

ANALYSIS.

Title.
Preamble.

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| | 1. Short Title. |
| | 2. Validation of election. |
| | 3. This Act a private Act. |

A BILL INTITULED

AN ACT to validate the First Election of the Tribunal
elected under the Church of England Empowering
Act, 1928, to hear and determine Appeals under
5 that Act. Title.

WHEREAS by the Church of England Empowering Preamble.
Act, 1928 (hereinafter in this recital referred to as the
said Act), the powers of the General Synod of the Church
of the Province of New Zealand, commonly called the
10 Church of England, in relation to the Formularies of that
Church and to certain other matters are defined: And
whereas by the said Act provision is made for the election
of a representative Tribunal to hear and determine appeals
15 from proposals adopted by the General Synod in relation
to the exercise of the powers hereinbefore referred to:
And whereas by subsection two of section five of the
said Act it was provided that the first election of the
aforesaid tribunal should take place at the first session
of the General Synod after the passing of the said Act:

2 Church of England Tribunal (Validation of Election)

And whereas such first session was held at Christchurch in the month of February, nineteen hundred and thirty-one, in which month occurred the series of earthquakes referred to in the Hawke's Bay Earthquake Act, 1931 :
And whereas the proceedings of the General Synod at the said session were to some extent disorganized by reason of the said earthquakes, and the first election of the Tribunal hereinbefore referred to was not held in accordance with the said Act, but was held at the session of the General Synod which took place at Napier in the month of April, nineteen hundred and thirty-four :
And whereas it is desirable that the validity of the election held in the month of April, nineteen hundred and thirty-four, should not be questioned on the ground that the provisions of the said Act as to the first election have not been complied with :

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 Church of England Tribunal (Validation of Election) Act, 1934, and shall form part of and be read together with the Church of England Empowering Act, 1928.

Validation of election.

2. The session of the General Synod of the Church of the Province of New Zealand, held at Napier, in the month of April, nineteen hundred and thirty-four, shall for all the purposes of the Church of England Empowering Act, 1928, and the election of a Tribunal for the purposes of that Act, be deemed to have been the first session of the General Synod held after the passing of the said Act, and the Tribunal elected at that session shall accordingly be deemed to have been as validly elected as if it had been elected at the first session which was in fact held after the passing of the said Act.

This Act a private Act.

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