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*"Incorporation Application Ordinance 1935."*

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No. 14, 1935.

AN ORDINANCE to authorise an application to Parliament to pass an Act to incorporate the "Glebe Administration Board" the "Sydney Church of England Girls' Grammar School Council" "The Council of Abbotsleigh" and certain other bodies and for purposes connected therewith.

WHEREAS by the "Glebe Administration Ordinance 1930" the Board therein referred to was authorised to take all appropriate steps for the incorporation of the said Board and vesting of the Glebes therein mentioned in such corporation.

AND WHEREAS by the Sydney Church of England Girls' Grammar School Ordinances of 1895 1910 1919 and 1920 provision was made for a Council with the powers therein mentioned.

AND WHEREAS by the Abbotsleigh College Ordinances of 1924 and 1933 provision was made for a Council with the powers therein mentioned.

AND WHEREAS it is expedient that the said Councils should be incorporated and that the respective school properties should be vested in such corporations.

AND WHEREAS it is also expedient for the better control and management of Church Trust Property that other bodies from time to time should be incorporated without the necessity for obtaining an Act of Parliament in each case.

AND WHEREAS the Standing Committee has prepared a draft Bill a copy whereof is contained in the Schedule hereto for the purpose of achieving these objects.

AND WHEREAS it is expedient to make the provision hereinafter contained for promoting the said Bill with or without modification in the Parliament of New South Wales.

WHEREFORE the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the constitutions for the management and good government of the Church of England within the State of New South Wales and of all other powers thereunto enabling it ordains and rules as follows:—

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1. Application shall be made to the Parliament of New South Wales to pass an Act in the terms of the draft Bill contained in the Schedule hereto with such modifications if any as shall be approved by the Standing Committee of this Diocese.

2. The Standing Committee of this Diocese is hereby authorised and empowered to promote in the Parliament of New South Wales a Bill in the terms of the said draft Bill with such modifications if any as aforesaid and for the said purposes in the discretion of the said Standing Committee to confer and act in conjunction with the Bishops and Chancellors of the Dioceses of the Province of New South Wales or any of them or any other person or persons and to do all such things and incur all such expense as may seem expedient under the circumstances.

3. The Standing Committee may apportion the whole or any part of the said expenses incurred between the Glebe Administration Board the Sydney Church of England Girls' Grammar School Council and the Council of Abbotsleigh.

4. This Ordinance may be cited as the "Incorporation Application Ordinance 1935."

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SCHEDULE REFERRED TO.

An Act to incorporate the Glebe Administration Board the Sydney Church of England Girls' Grammar School Council the Council of Abbotsleigh and certain other bodies and to vest therein certain property held upon any trust for or for the use benefit or purposes of the Church of England in Dioceses within New South Wales and for other purposes.

WHEREAS it is expedient for the better control and management of Church Trust Property within the meaning of the Church of England Trust Property Act 1917 that certain bodies should be incorporated and certain Church Trust Property vested in them and that provision be made for the incorporation of such other bodies as the Synod of a Diocese may with the approval of the Governor desire.

Be it therefore enacted by The King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and

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Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the—
2. (1) Upon the commencement of this Act the present members of each of the bodies mentioned in the schedule to this Act and such persons as shall from time to time be members thereof shall be a body corporate with the corporate name therein indicated.  
(2) Upon the publication of an Order in the Gazette in pursuance of section nine adding the name of a body to the schedule the members of such body and such persons as shall from time to time be members thereof shall be a body corporate with the corporate name set out in the order.  
(3) Each such body as aforesaid shall have perpetual succession and a Common Seal and may enter into contracts in its corporate name sue and be sued and take and hold any real or personal property or any estate or interest therein.
3. Each such corporate body shall have and exercise the powers and duties from time to time given to it by ordinance of the Synod of the Diocese or contained in any deed or trust instrument as the case may be affecting any real or personal property at any time vested in it and for such purposes and subject to the provisions of the "Church of England Trust Property Act 1917" shall have power to sell exchange mortgage lease or otherwise deal with any property real or personal at any time vested in it.
4. The members for the time being of each corporate body constituted by or under this Act shall have the custody of the common seal of such corporate body and the form of such seal and all other matters relating thereto shall from time to time be determined at a meeting of the said corporate body and the members present at any meeting of the said corporate body shall have the power to use the common seal of the said corporate body for the affairs and concerns of the said corporate body.
5. (1) Any deed or instrument executed or signed and any other act matter or thing done by any three members of any such corporate body as aforesaid in

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pursuance of a resolution of the said body shall be as effectual as if the same had been executed signed or done by all the members of the said corporate body.

- (2) The receipt in writing under the seal of any such corporate body as aforesaid shall be a legal discharge for the money therein acknowledged to have been received and all persons paying such money shall be exonerated from all liability in respect of the application thereof.

6. A certificate signed by the Bishop of the Diocese for which a body corporate has been constituted by or under this Act shall be prima facie evidence and in favour of all persons purchasing advancing moneys on leasing or otherwise acquiring any estate or interest in any property vested in such corporate body as aforesaid and the Registrar-General shall be conclusive evidence that the persons named in such certificate are the duly constituted members of such corporate body and that they became such members at the date or respective dates mentioned in such certificate.

7. It shall be lawful for the Corporate body of Trustees for a diocese by deed or deeds under its corporate seal to assign and transfer to a corporate body constituted by or under this Act at one time or from time to time all or any part or parts of real and personal property now or hereafter to be held by the said Corporate body of Trustees for a diocese upon any trust for the purposes for which the said corporate body constituted by or under this Act exists.

8. Upon the constitution of a body corporate by or under this Act all real and personal property which is vested in any person or persons other than the Corporate Body of Trustees for a Diocese upon any trust for the purposes for which the said body corporate constituted by or under this Act exists shall by virtue of this Act and without any other instrument vest as Church Trust Property within the meaning of "the Church of England Trust Property Act 1917" in the said body corporate upon the same trusts.

PROVIDED that where any portion of the said property is subject to any mortgage charge or other encumbrance such portion shall not vest under this Act unless and until the said Mortgage charge or other encumbrance is discharged or removed.

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9. It shall be lawful for the Synod of a Diocese by Ordinance to declare that it is expedient for the better control and management of Church Trust Property within the meaning of the "Church of England Trust Property Act 1917" that the persons named therein should be constituted a body corporate in the corporate name therein set out and the Governor may on the passing of the said Ordinance by order published in the Gazette add the name of such body to the schedule and this Act shall upon such publication apply to such body.

SCHEDULE.

Body Incorporated.	Corporate Name.
Board appointed under the Glebe Administration Ordinance 1930.	"Glebe Administration Board."
Council appointed under the Sydney Church of England Girls' Grammar School Ordinances of 1895, 1910, 1919 and 1920.	"Sydney Church of England Girls' Grammar School Council."
Council appointed under the "Abbotsleigh College Ordinance of 1924" as amended by the "Abbotsleigh (Amendment) Ordinance of 1933."	"The Council of Abbotsleigh."

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

R. C. ATKINSON,  
Chairman of Committees.

We certify that this Ordinance was passed this Twenty-seventh day of September, 1935.

S. H. DENMAN  
HARINGTON B. COWPER } Secretaries of  
the Synod.

I assent to this Ordinance.

HOWARD SYDNEY.

30th September, 1935.