

CHURCH OF ENGLAND TRUST  
PROPERTY (AMENDMENT)  
ACT (No. 2).

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Act No. 28, 1923.

George V, No. 28. An Act to amend the Church of England Trust Property Act, 1917, in certain respects; to validate the formation of existing dioceses, and to sanction the existing boundaries thereof; to provide for the formation of new dioceses, and for the alteration of boundaries of dioceses; to validate conveyances of trust property of the Church of England in certain cases; to waive conditions of forfeiture in Crown grants of trust property of the Church of England; and for purposes connected therewith. [Assented to, 14th December, 1923.]

BE

**Church of England Trust Property (Amendment)  
Act (No. 2).**

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No. 28.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and 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 “ Church of England Trust Property (Amendment) Act (No. 2), 1923.” Short title.

**2.** The Church of England Trust Property Act, 1917, is hereby amended by inserting after section forty-three thereof the following new sections :— Amendment of Act.

44. (1) Every diocese existing at the commencement of the Church of England Trust Property (Amendment) Act, 1923, shall be deemed to have been validly formed as from the date of its formation. Existing dioceses.

(2) Any alteration made before the commencement of that Act in the boundaries of any diocese shall be deemed to have been validly made as from the date of the alteration.

45. (1) A provincial synod convened or held in pursuance of the provisions of the Church of England Constitutions Act Amending Act of 1902, or any Act amending or taking the place of the same, may make ordinances for and with respect to— New dioceses.

- (a) the formation of new dioceses; and
- (b) the alteration of boundaries of dioceses.

(2) A new diocese shall not be formed by separation of any area from a diocese unless the synod of the diocese consents by an ordinance to the separation.

(3) A new diocese shall not be formed by the union of two or more dioceses, or parts of dioceses, unless the synod of each of those dioceses consents by an ordinance to the union.

(4) The boundaries of a diocese shall not be altered unless the synod of the diocese consents by an ordinance to the alteration.

(5) In the case of the Diocese of Sydney the consent shall not be valid unless the ordinance is passed with an absolute majority in each order.

**George V,  
No. 28.**  
Validation of  
conveyances.

46. No title to any land granted by the Crown for or for the use, benefit, or purposes of the United Church of England and Ireland or the Church of England shall be held bad either at law or in equity by reason of any breach or non-performance before or after the commencement of the Church of England Trust Property (Amendment) Act, 1923, of any condition, trust, or proviso contained in the Crown grant of the land, and any right of forfeiture or reverter in respect of any such condition, trust, or proviso shall be deemed to have been waived by the Crown as from the date of the Crown grant.

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