

THE CONGREGATIONAL UNION  
INCORPORATION (AMENDMENT)  
ACT.

An Act to amend the Congregational Union George VI.  
Incorporation Act, 1882; and for purposes  
connected therewith. [Assented to, 6th  
September, 1938.]

**W**HEREAS the spiritual and temporal affairs of the Preamble.  
religious body or denomination called Congrega-  
tionalists or Independents in the State of New South  
Wales are regulated by "The Congregational Union  
Incorporation Act of 1882" AND WHEREAS such  
Act has been found not sufficiently wide to cover the  
present activities of the said religious body AND  
WHEREAS it is expedient in relation to the said  
religious body to set forth less controversially the doc-  
trines held as its general tenets AND WHEREAS such  
Act makes no provision for properties acquired subse-  
quent thereto by Trustees for Congregational Churches  
being transferred to the corporate body AND  
WHEREAS the method prescribed by such Act for the  
transferring of properties thereunder is cumbersome  
and in some cases inapplicable AND WHEREAS such  
Act does not attach any trusts to properties acquired  
in the name of the Union although such properties or  
property may have been either originally or at a later  
stage paid for by a particular Church AND WHEREAS  
it is expedient to amend the said Act to provide for the  
matters hereinbefore referred to: BE it therefore  
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 Congregational Short title.  
Union Incorporation (Amendment) Act, 1938."

**2.**

**The Congregational Union Incorporation  
(Amendment) Act.**

George VI.

Amendment  
of Act.

**2.** The Congregational Union Incorporation Act, 1882, is amended by omitting sections two, three, four and five and by inserting in lieu thereof the following new sections:—

Trust  
property  
how held.

2. (1) All lands now or hereafter vested in the said body corporate and used by or for the purpose of or in connection with any Church connected with the said body or denomination called Independents or Congregationalists and not held upon express trusts shall be held upon the trusts and subject to the provisions of Schedule C of the Principal Act.

Vesting of  
property in  
body  
corporate.

(2) All lands now or hereafter held in trust for the said body or denomination or for any Church connected therewith shall subject to the provisions of section three of this Act be vested in the said body corporate for the same estates for which they are respectively held in trust for the said body or denomination or Church immediately before such vesting and be held upon the trusts and subject to the provisions of Schedule C of the Principal Act and thereupon the trusts upon which such lands had been theretofore held shall cease and determine.

Saving.

3. (1) The vesting mentioned in subsection two of section two of this Act shall not affect the estate interest, rights, powers or remedies of any person by virtue of any lien mortgage encumbrance charge or lease existing at the time of such vesting and shall not take effect without the assent of the body corporate of which assent a certificate under the hand of the Ministerial or Lay Secretary for the time being of the Congregational Union of New South Wales shall be conclusive evidence, and, when the lands are held upon trust for or for the purposes of or in connection with an existing Church without the assent by resolution of the majority of members of such Church present and voting at a duly convened meeting.

Calling of  
meetings.

(2) The provisions of clause twelve of Schedule C of the Principal Act which relate to the calling of meetings and the provisions of clauses thirteen and fourteen of such Schedule shall apply to every meeting convened for the purpose of subsection one of this section.

4.

**The Congregational Union Incorporation  
(Amendment) Act.**

569

**George VI.**

4. Schedule C of the Principal Act is amended as follows:—

Amendment  
of  
Schedule C  
of Principal  
Act.

(a) by inserting therein—

(i) in clause ten the words “or the receipt of the duly appointed agent of the said body corporate for rent so payable” after the words “the said trust premises”;

(ii) in clause sixteen the words “or the vesting of the land in” after the words “conveyance of the land to”;

(b) (i) by omitting from clause eleven the words “be required to” and by inserting therein after the words “pay any money for which they” the words “or any other person”;

(ii) by omitting from clause seventeen the words “from the date hereof or if the said Church” and by inserting therein in their place the words “from the vesting of the land in the body corporate or if any Church”.

5. Schedule A to the Principal Act is hereby repealed and the Schedule hereto is substituted therefor.

Repeal of  
Schedule A  
of Principal  
Act.

6. Nothing contained in this Act shall apply to lands now or hereafter vested in the body corporate upon any express trusts or now or hereafter vested in the President and Fellows of Camden College or held upon trust for or in connection with such college.

Saving  
clause.

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**SCHEDULE A.**

(1) The existence of one only God, Father, Son and Holy Spirit.

(2) The Incarnation of the Divine Word as our Lord and Saviour Jesus Christ, Who lived, died and rose again, enabling man to enter into full communion with God, redeeming him from sin and death, and making him an inheritor of Life Eternal.

(3) Man's moral responsibility; the free invitation of the Gospel; man's ability to respond to the Gospel through the grace of God; and the influence and teaching of the Holy Spirit.

(4)

**The Congregational Union Incorporation  
(Amendment) Act.**

**George VI.**

(4) The Holy Scriptures as the record of God's revealed Will and Word, and as containing all truth needful to make us wise unto salvation.

(5) The Church of Jesus Christ, "Which is His Body" to which belong all who acknowledge Him as Lord and Saviour; the divinely appointed means for the preaching of the Word; the ministry of the Sacraments and the promotion of the Kingdom of God.

(6) The right of every local Church to manage its own affairs.

(7) The baptism of infants and of adult believers who were not baptised in infancy.

(8) The open confession of discipleship in the observance of the Lord's Supper.

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