

PRESBYTERIAN CHURCH OF AUSTRALIA
(AMENDMENT) ACT.

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 9, 1972.

An Act with respect to the publication of certain certificates under the Presbyterian Church of Australia Act, 1971, and the commencement of certain provisions of that Act; to amend that Act; and for purposes connected therewith. [Assented to, 16th March, 1972.]

BE it enacted by the Queen'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:—

Short title. **1.** (1) This Act may be cited as the "Presbyterian Church of Australia (Amendment) Act, 1972".

(2)

Presbyterian Church of Australia (Amendment).

(2) The Presbyterian Church of Australia Act, 1971, No. 9, 1972 is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

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| | Amendment
of Act No.
42, 1971. |
| (a) (i) by inserting in subsection one of section three after the word "Gazette" the words "on two different days"; | Sec. 3.
(Federal union.) |
| (ii) by inserting in subsection two of the same section after the word "before" the words "the second"; | |
| (iii) by inserting in subsection three of the same section after the word "before" the words "the second"; | |
| (b) (i) by omitting subsection one of section four; | Sec. 4. |
| (ii) by omitting from subsection two of the same section the words "Upon compliance with the prescribed conditions, all interests in property that, immediately before publication of the certificate referred to in subsection one of this section" and by inserting in lieu thereof the words "All interests in property that, immediately before the third day of December, one thousand nine hundred and seventy-one,"; | (Union with other branches of the Christian church.) |
| (iii) by inserting in the same subsection after the word "held" where secondly occurring the words ", and shall be deemed to have been on and from that day so held,"; | |
| (c) (i) by omitting paragraph (a) of section five and by inserting in lieu thereof the following paragraph : — | Sec. 5.
(Gifts, etc., subsequent to union.) |
| (a) a certificate is twice published in accordance with section three of this Act; | |

(ii)

Presbyterian Church of Australia (Amendment).

No. 9, 1972

- (ii) by omitting from the same section the words "the section under which the certificate was published" wherever occurring and by inserting in lieu thereof the words "that section";
- (iii) by inserting in the same section after the word "before" where thirdly occurring the words "the second";
- (iv) by inserting at the end of the same section the following new subsection :—

(2) Where—

- (a) by the operation of a will or other instrument made or executed before or after the third day of December, one thousand nine hundred and seventy-one, a gift, devise, bequest or declaration of trust took effect after that day in respect of an interest in property; and
- (b) if the gift, devise, bequest or declaration of trust had taken effect before that day that interest in property would have been an interest to which section four of this Act would apply,

the gift, devise, bequest or declaration of trust shall, for the purposes of that section, be deemed to have taken effect immediately before that day.

Commence-
ment of
certain
provisions
of Principal
Act.

3. The proclamation published in the Gazette on the seventeenth day of December, one thousand nine hundred and seventy-one, whereby the Governor appointed that day as the day for the commencement of sections seven, eight and nine of the Principal Act is hereby revoked and shall be deemed never to have had any force or effect.

4.

Presbyterian Church of Australia (Amendment).

4. The amendments made by paragraph (a) of section No. 9, 1972 two of this Act shall be deemed to have commenced on the second day of December, one thousand nine hundred and seventy-one. ^{Commence-}ment.

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