



# Queensland Congregational Union Act 1967

**Current as at 19 December 1967—revised version**

**Reprint note—**

This reprint has been reformatted to reflect current drafting styles.  
This version was updated on 13 February 2014.





Queensland

# Queensland Congregational Union Act 1967

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## Queensland Congregational Union Act 1967

**An Act to make provision for the utilisation of the proceeds of the sale of certain church lands and premises by the corporation styled ‘The President Secretary and Treasurer of the Queensland Congregational Union’ for the furtherance of Congregationalism anywhere in Queensland and for other purposes**

### Preamble

- 1 Whereas pursuant to trusts in terms of the schedule of trusts set out in the model trust deed adopted at the annual meeting of the Queensland Congregational Union held at Goodna in the State on 19 October 1880, the corporation of ‘The President Secretary and Treasurer of the Queensland Congregational Union’, a corporation duly constituted under the *Religious Educational and Charitable Institutions Act 1861* holds, and has held for considerable periods of time, certain moneys that are the proceeds of the sale of certain lands and premises at one time held by the corporation on behalf of churches of the Congregational Order existing at Charters Towers, Imbil, Maryborough, Roma and Tinana, respectively, in the said State.
- 2 And whereas the said corporation holds or purports to hold and has held or has purported to hold for a considerable period of time on trust for the Congregational Church and its welfare and extension moneys that are the proceeds of the sale, by the local trustees thereof with the consent of the Queensland Congregational Union, of the lands and premises of a church of the Congregational Order at Charters Towers, formerly the Charters Towers Welsh Church which about the year 1919 applied for and was granted admission as a Congregational Church within the Queensland Congregational Union.

- 3 And whereas the said churches at Charters Towers, Imbil, Maryborough, Roma and Tinana have been closed without directions having been given under the trusts thereof in terms of the said schedule of trusts or under any other trusts applicable thereto as to the application of the said proceeds of sale.
- 4 And whereas it is desirable and expedient that provision be made to authorise the said corporation to apply the said moneys and any other moneys that may hereafter be held by the corporation under trusts in terms of the said schedule of trusts that are the proceeds of the sale of lands and premises held by the corporation at or before the commencement of this Act on behalf of churches that are hereafter closed without directions as to the application of such moneys having been given in accordance with the said trusts.
- 5 And whereas in the case of lands and premises held at the date of the commencement of this Act by the corporation under trusts in terms of the said schedule of trusts, the proceeds of the sale thereof may be laid out, at the direction of the church on whose behalf those lands and premises were held, in or towards the erection or purchase of other chapel land and premises (the same being situated within 20 miles of the land and premises sold as provided in the trusts thereof).
- 6 And whereas it is desirable and expedient that the church on whose behalf the proceeds of sale of land and premises are held be authorised to direct, with the approval of the executive committee of the Queensland Congregational Union, the laying out of those proceeds for certain purposes anywhere in the State although not appertaining to a place situate within 20 miles of the land and premises from the sale of which those proceeds arise.

## 1 Short title

This Act may be cited as the *Queensland Congregational Union Act 1967*.

## 2 Interpretation

In this Act—

*corporation* means the corporation duly constituted under the *Religious Educational and Charitable Institutions Act 1861* on 25 November 1862 and styled ‘The President Secretary and Treasurer of the Queensland Congregational Union’.

*executive committee* means the executive committee for the time being of the Union.

*proceeds of sale* includes the residue of any proceeds of sale and any accumulations of any proceeds of sale, or the residue thereof, howsoever arising.

*schedule of trusts* means the schedule of trusts set out in the model schedule of trusts adopted at the annual meeting of the Queensland Congregational Union held at Goodna in the State on 19 October 1880 in terms of which the corporation may hold property in trust for any church or congregation desiring the Union to accept such trust.

*Union* means the Queensland Congregational Union duly constituted in accordance with the constitution of the Queensland Congregational Union of the year 1961.

## 3 Application of moneys held by corporation on behalf of churches that have ceased to exist

- (1) The sums of money held by the corporation that are the proceeds of the sale by the corporation or by local trustees with the consent of the corporation, of church lands and premises at Charters Towers, Imbil, Maryborough, Roma and Tinana in the State and that are held, or purport to be held, by the corporation on behalf of churches of the Congregational Order at those places (including the church at Charters Towers formerly Charters Towers Welsh Church) which have been closed without directions having been given under the trusts thereof as set out in the schedule of trusts or under any other trusts applicable thereto as to the application of the said sums of money, shall be laid out or applied by the corporation in or towards such purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland as

the executive committee may direct including, but without limiting the generality hereof, the purchase or acquisition of lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences for Ministers whether situate adjacent to other church premises or not), the establishment and carrying on of church book depots and the sustentation of Ministers.

- (2) Where at any time after the passing of this Act, the corporation holds under trusts as set out in the schedule of trusts the proceeds of the sale of church lands and premises that were held by the corporation at or before the commencement of this Act on behalf of a church of the Congregational Order at any place in Queensland whereat the church as been closed without directions having been given in accordance with those trusts as to the application of those proceeds, the corporation shall lay out or apply such proceeds of sale in or towards such purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland as the executive committee may direct including, but without limiting the generality hereof, the purchase or acquisition of lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences of Ministers whether situate adjacent to other church premises or not), the establishment and carrying on of church book depots and the sustentation of Ministers.
- (3) The provisions of subsections (1) and (2) shall apply notwithstanding the terms of the applicable trusts under which the said sums of money or proceeds of sale are held or purport to be held and, to the extent necessary to give effect to those provisions, those trusts shall be deemed to have been varied accordingly.

#### **4 Application of proceeds of sale beyond 20 miles of land sold**

- (1) Where at any time after the commencement of this Act, the corporation holds, under trusts as set out in the schedule of



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trusts, the proceeds of sale of church lands and premises and the corporation held those lands and premises at or before the commencement of this Act under the said trusts on behalf of a church of the Congregational Order, the directions which that church may give to the corporation as to the laying out of the proceeds of sale may, with the approval of the executive committee, include directions to lay out or apply those proceeds in or towards any purpose or purposes whatsoever for the furtherance of Congregationalism anywhere in Queensland including, but without limiting the generality hereof, the purchase or acquisition of other lands (whether freehold or leasehold) and premises for church purposes, the erection, enlargement, rebuilding, improvement, furnishing and repair of church premises (including residences of Ministers whether situate adjacent to other church premises or not), situate at any place in Queensland whatsoever whether or not those lands or premises are situate within 20 miles of the lands and premises from the sale of which the proceeds of sale arose, the establishment and carrying on of church book depots and the sustentation of Ministers, at any place in Queensland whatsoever, whether or not situate within 20 miles of the lands and premises from the sale of which the proceeds of sale arose, and the corporation may comply with such directions.

- (2) The provisions of subsection (1) shall apply notwithstanding the terms of the applicable trusts under which the proceeds of sale are held and to the extent necessary to give effect to those provisions, those trusts shall be deemed to have been varied accordingly.

## 1 Index to endnotes

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## 2 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= <b>Acts Interpretation Act 1954</b>	<b>(prev)</b>	= <b>previously</b>
<b>amd</b>	= <b>amended</b>	<b>proc</b>	= <b>proclamation</b>
<b>amd</b>	= <b>amendment</b>	<b>prov</b>	= <b>provision</b>
<b>t</b>			
<b>ch</b>	= <b>chapter</b>	<b>pt</b>	= <b>part</b>
<b>def</b>	= <b>definition</b>	<b>pubd</b>	= <b>published</b>
<b>div</b>	= <b>division</b>	<b>R[X]</b>	= <b>Reprint No.[X]</b>
<b>exp</b>	= <b>expires/expired</b>	<b>RA</b>	= <b>Reprints Act 1992</b>
<b>gaz</b>	= <b>gazette</b>	<b>reloc</b>	= <b>relocated</b>
<b>hdg</b>	= <b>heading</b>	<b>renu</b>	= <b>renumbered</b>
		<b>m</b>	
<b>ins</b>	= <b>inserted</b>	<b>rep</b>	= <b>repealed</b>
<b>lap</b>	= <b>lapsed</b>	<b>(retro</b>	= <b>retrospectively</b>
		<b>)</b>	
<b>notf</b>	= <b>notified</b>	<b>rv</b>	= <b>revised version</b>
<b>d</b>			

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>o in c</b>	= <b>order in council</b>	<b>s</b>	= <b>section</b>
<b>om</b>	= <b>omitted</b>	<b>sch</b>	= <b>schedule</b>
<b>orig</b>	= <b>original</b>	<b>sdiv</b>	= <b>subdivision</b>
<b>p</b>	= <b>page</b>	<b>SIA</b>	= <b>Statutory Instruments Act 1992</b>
<b>para</b>	= <b>paragraph</b>	<b>SIR</b>	= <b>Statutory Instruments Regulation 2012</b>
<b>prec</b>	= <b>preceding</b>	<b>SL</b>	= <b>subordinate legislation</b>
<b>pres</b>	= <b>present</b>	<b>sub</b>	= <b>substituted</b>
<b>prev</b>	= <b>previous</b>	<b>unnum</b>	= <b>unnumbered</b>

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Reprint No.</b>	<b>Amendments to</b>	<b>Effective</b>	<b>Reprint date</b>
1	none	19 December 1967	18 March 1996

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
18 March 1996 rv	none	RA s 35

## **4 List of legislation**

### **Queensland Congregational Union Act 1967**

date of assent 19 December 1967

commenced on date of assent

## **5 Table of obsolete and redundant provisions**

under the Reprints Act 1992 s 39

<b>Omitted provision</b>	<b>Provision making omitted provision obsolete/ redundant</b>
definitions to be read in context	Acts Interpretation Act 1954 s 32A
references to Queensland implied	Acts Interpretation Act 1954 s 35

## **6 Table of renumbered provisions**

under the Reprints Act 1992 s 43

### **Previous Renumbered as**

Preamble

1st unnum para 1

2nd unnum para 2

3rd unnum para 3

4th unnum para 4

5th unnum para 5

**Previous Renumbered as**

6th unnum para 6

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