

Chapter 1046.  
***Roman Catholic Diocese of Lae Act 1981.***

Certified on: / /20 .



INDEPENDENT STATE OF PAPUA NEW GUINEA.



Chapter 1046.

***Roman Catholic Diocese of Lae Act 1981.***

ARRANGEMENT OF SECTIONS.

1. Interpretation.
  - “the Bishop”
  - “the corporation”
  - “Diocesan property”
  - “the Diocese”
2. Incorporation.
3. Holding of Diocesan property.
4. Powers of corporation.
5. Rents, etc.
6. Seal of corporation.
7. Conditions of grant, etc.
8. Dealings with Bishop.
9. Vesting of Diocesan property.
10. Repeal.



INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

*Roman Catholic Diocese of Lae Act 1981,*

Being an Act to incorporate the Roman Catholic Diocese of Lae, and for related purposes.

1. **INTERPRETATION.**

In this Act, unless the contrary intention appears—

“**the Bishop**” means the person for the time being holding the office of Roman Catholic Bishop of Lae and his successors in office or a person acting for the time being in that office;

“**the corporation**” means the corporation constituted by this Act;

“**Diocesan property**” includes—

- (a) all churches, dwellings and other buildings; and
- (b) all freehold and leasehold lands and premises; and
- (c) all personal property,

in the country belonging to or used in connection with the Diocese and vested in any person as trustee, and all property acquired by the corporation under this Act;

“**the Diocese**” means the Roman Catholic Diocese of Lae, whether called by that name or any other.

2. **INCORPORATION.**

(1) The Bishop is a corporation by the name of the “Roman Catholic Diocese of Lae”.

(2) The corporation—

- (a) has perpetual succession; and

- (b) shall have a seal; and
- (c) has power to acquire, hold, manage and control, and may grant, transfer, mortgage, demise, sell, dispose of, create or reserve easements in or over or otherwise deal with, property of any kind; and
- (d) may sue and be sued in its corporate name.

### **3. HOLDING OF DIOCESAN PROPERTY.**

The corporation shall hold all Diocesan property on trust to use and appropriate it, or permit the use and appropriation of it, for the purposes of the erection and maintenance of houses, schools, convents, presbyteries, rest-houses and other buildings and in connection with or for the benefit or maintenance of the Diocese.

### **4. POWERS OF CORPORATION.**

The corporation has power—

- (a) to purchase, take on lease, acquire by gift, devise, exchange or otherwise, property in the country; and
- (b) to sell the Diocesan property or any part of it, together or in parcels, by public auction or private contract, for cash or on credit on such terms and subject to such conditions as the corporation thinks proper; and
- (c) to exchange the property or any part of it for other property; and
- (d) to transfer and assure the property when sold or exchanged to the purchaser or to the person taking the exchange, freed and discharged from any trusts affecting it; and
- (e) for all or any of the purposes referred to in Paragraphs (a), (b), (c) and (d)—to sign, seal and execute all such contracts, transfers and other deeds, documents and instruments as are necessary; and
- (f) to raise sums of money when and on such terms as the corporation thinks proper, by deposit of the deeds or by mortgage, with or without power of sale, of the Diocesan property or any part of it, and to execute all proper assurances for that purpose; and
- (g) to demise and lease the Diocesan property or any part of it for such periods, at such rents and on such terms and conditions as the corporation thinks proper; and
- (h) to appoint by instrument under the seal of the corporation any person as the attorney of the corporation, generally or in respect of specified matters, and to act in any place, and all deeds signed by the attorney on behalf of the corporation and under his seal are binding on the corporation and have the same effect as if they were under the seal of the corporation.

**5. RENTS, ETC.**

A lessee, mortgagee, purchaser, person taking on exchange or other person paying rent or other money to the corporation is not bound to see to the application of the rent or other money, and the receipt of the corporation or of the Bishop is a sufficient discharge.

**6. SEAL OF CORPORATION.**

The Bishop shall provide for the safe custody of the seal of the corporation, and every instrument to which the seal is affixed shall be signed by the Bishop.

**7. CONDITIONS OF GRANT, ETC.**

This Act does not affect—

- (a) the trusts, conditions or restrictions on or imposed by the original grant, dedication or gift of any Diocesan property; or
- (b) the provisions of any law under which any land forming part of the Diocesan property has been granted or leased.

**8. DEALINGS WITH BISHOP.**

On the sale, mortgage, lease or other dealing by the Bishop of or with any property, a purchaser, mortgagee or lessee or other person dealing with the Bishop is not bound in any way to inquire into the necessity or propriety of the sale, mortgage, lease or other dealings or the purposes for which, or the circumstances in which, the Bishop proposes to enter into, make, give or execute a sale, mortgage, lease or other dealing.

**9. VESTING OF DIOCESAN PROPERTY.**

All the estate, right, title and interest, both legal and equitable, in and to—

- (a) any property which, immediately before 2 March 1981, was vested in The Catholic Mission of Mariannahill Lae under the *Roman Catholic Mission of Mariannahill Lae Act* and was used or held for use in connection with the Mission; and
- (b) any property now vested in any person on trust for or on behalf of the Mission,

is, by virtue of this Act and without the necessity of a formal deed of assurance, divested from The Catholic Mission of Mariannahill Lae or that person and vested in the corporation and shall be held on trust and dealt with for the purposes of carrying on, benefiting, advancing, extending or making more effectual the working and objects of the Diocese.

**10. REPEAL.**

The *Roman Catholic Mission of Mariannahill Lae Act* is repealed.

s. 10.

*Roman Catholic Diocese of Lae 9999*

Office of Legislative Counsel, PNG