

No. **13** of 2014

Roman Catholic Diocese of Kimbe Act 2014.

Certified on: **19 SEP 2014**



No. **23** of 2014

Roman Catholic Diocese of Kimbe Act 2014.

ARRANGEMENT OF SECTIONS.

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 - “Corporation”
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No. **23** of 2014

AN ACT

entitled

Roman Catholic Diocese of Kimbe Act 2014,

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

MADE by the National Parliament.

1. INTERPRETATION.

In this Act, unless the contrary intention appears -

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

“Corporation” means the Corporation established by Section 2;

“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;

“Diocese” means the Roman Catholic Diocese of Kimbe;

“Roman Catholic Diocese of Kimbe” means the Diocese of Kimbe in West New Britain, Papua New Guinea created by the Holy Father, Pope John Paul II on the 12th day of June 2003 consisting of two civil districts, and is a suffragan of the Roman Catholic Archdiocese of Rabaul, Papua New Guinea.

2. INCORPORATION.

(1) The Diocese is a Corporation by the name of the “Roman Catholic Diocese of Kimbe”.

(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.

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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. OBJECTS OF THE CORPORATION.

For the purposes of this Act, the objects of the Corporation are -

- (a) to encourage, promote and provide facilities within the Diocese -
 - (i) for religious purposes connected with the aims of the Diocese; and
 - (ii) for study and education whether of a formal, informal, professional or technical nature; and
- (b) to provide instruction and education for persons to enable them to qualify to teach in schools in the Diocese; and
- (c) to establish and maintain schools, colleges and other educational institutions in the Diocese; and
- (d) to improve health, to prevent diseases, alleviate suffering and relieve poverty in the Diocese; and
- (e) to promote, encourage or undertake such other charitable or religious purposes or activities within the Diocese as to the Corporation may seem fit.

5. POWERS OF THE CORPORATION.

The Corporation has power to do all things necessary or convenient to be done for providing and maintaining an efficient organisation for the objects of the Corporation and in particular, and without limiting the generality of the foregoing, power -

- (a) to purchase, take on lease, acquire by gift, devise, exchange or otherwise, property in the country; and
- (b) to sell Diocesan property or any part of it, together or in parcels, by public auction 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; and
- (i) to invest money in such lands, shares, bonds, stocks or other securities as it thinks proper; and

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- (j) to insure Corporation property against such risks and to insure against claims for damages or compensation by employees.

6. 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.

7. SEAL OF THE CORPORATION.

This 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.

8. 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.

9. DEALINGS WITH THE 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.

10. VESTING OF PROPERTIES IN THE CORPORATION.

- (1) All the estate, right, title and interest, both legal and equitable, in and to -

- (a) any property which, immediately before the 12th day of October 2003, was vested in the entity known as the Catholic Mission of Kimbe under the *Roman Catholic Archdiocese of Rabaul Act 1969* and was used or held for use in connection with, and for the purposes of, that entity, is, by virtue of this Act and without the necessity or a formal deed of assurance, divested from the Roman Catholic Archdiocese of Rabaul and vested in the Corporation and shall be held in trust and dealt with for the purposes of carrying on, benefiting, advancing, extending or making more effectual the working and objects of the Diocese.

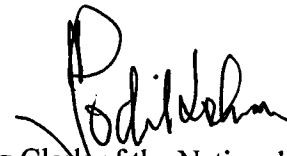
- (2) Where a property referred to in Subsection (1) is land the subject of, or intended to be the subject of, a State Lease, certificate or title or other instrument evidencing title issued under the *Land Act 1996* -

- (a) the parcel or parcels of land comprising the property are vested in the Corporation; and
- (b) the parcels or parcels of land comprising the property -
 - (i) are deemed to have been the subject of a State Lease, certificate of title or other instrument evidencing title issued under the *Land Act 1996*, and the Department responsible for land matters shall, on application in that behalf

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- by the Corporation, issue a lease, certificate of title, or other instruments evidencing title to the property in accordance with that Act; and
- (ii) where the properties are vested in the Corporation by virtue of Subparagraph (i), the provisions of Section 25 of the *Land Registration Act 1981*, in relation to the registration of title, shall have been satisfied or complied with the production to the Registrar of Titles of a copy of the titles and the Registrar of Titles shall, on the production of such copies of titles, register the titles in the name of the Corporation without any further requirement; and
- (c) no stamp duty or other duty, tax or fee is payable on the issuance or registration of titles made under Paragraph (b).

I hereby certify that the above is a fair print of the *Roman Catholic Diocese of Kimbe Act 2014*, which has been made by the National Parliament.



Acting Clerk of the National Parliament.

19 SEP 2014

I hereby certify that the *Roman Catholic Diocese of Kimbe Act 2014* was made by the National Parliament on 5 September, 2014.



Speaker of the National Parliament.

19 SEP 2014