



THE CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899



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3. Power to hold and dispose of property.

THE CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899

¹ACT NO. XXIII OF 1899

[27th September, 1899]

An Act to provide for the Incorporation of Kirk Sessions of the Church of Scotland in ²[Pakistan].

WHEREAS there are in ²[Pakistan] Kirk Sessions of the Church of Scotland which have been duly constituted to be Church Courts for ecclesiastical purposes in pursuance of Acts of the General Assembly of the Church of Scotland;

And whereas it is expedient that such Kirk Sessions and any others which may hereafter be so constituted, should be incorporated with the powers hereinafter provided;

It is hereby enacted as follows:—

1. Short title and extent.—(1) This Act may be called the Church of Scotland Kirk Sessions Act, 1899 ;

³[(2) It extends to the whole of Pakistan] ; ⁴*

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2. Scotch Kirk Sessions to be bodie: corporate.—(1) Every Kirk Session which has been or may hereafter be, duly constituted to be a Church Court for ecclesiastical purposes in pursuance of an Act of the General Assembly of the Church of Scotland, is hereby declared to be, and the same shall be, a body corporate having perpetual succession and a common seal.

(2) A notification by the ⁵[Federal Government] in the ⁶[official Gazette] that a Kirk Session has been duly constituted⁷ in pursuance of an Act of the General Assembly of the Church of Scotland shall be conclusive proof that it has been so constituted.

¹ For Statement of Objects and Reasons, see Gaz. of India, 1899, Pt. V. p.79 ; for Proceedings in Council, see *ibid.*, Pt. VI, pp. 181, 212 and 213.

²Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for “the Provinces and the Capital of the Federation” which had been subs. by A.O., 1949, Arts. 3(2) and 4, for “British India”.

³Subs. by Ordinance 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section (2) as amended by A.O., 1949, Arts. 3(2) and 4.

⁴The word “and” and sub-section (3) rep. by the Repealing and Amending Act, 1914 (10 of 1914), s. 3 and Sch. II.

⁵Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government”, which had been subs. by A.O., 1937, for “G. G. in C”.

⁶Subs. *ibid.*, for “Gazette of India”.

⁷For notification declaring the Kirk Sessions at Rawalpindi and Karachi to be duly constituted, see Gazette of India, 1917, Pt. I, p. 1097, and *ibid.*, 1921, Pt. I. p. 856, respectively.

3. Power to hold and dispose of property.—(1) Every Kirk Session constituted as aforesaid shall, as a body corporate, have power to acquire and hold any property which has been, or may hereafter be, vested in it for the purposes of the Congregation for which it has been, or may hereafter be, constituted, or of any trust which may have been or may hereafter be, accepted by it, to transfer the same, to contract and to do all other things necessary for, or incidental to, the purposes of its constitution or of any such trust as aforesaid.

(2) The signature of the Moderator and Treasurer or Session-clerk for the time being of a Kirk Session constituted as aforesaid shall, if affixed on behalf and by order of the Kirk Session, be sufficient for all purposes for which the signature of the Kirk Session is required.
