

THE CHURCH OF SCOTLAND KIRK SESSIONS ACT, 1899

[Act No. 23 Of 1899]

[AS ON 1959]

[27th September, 1899]

PREAMBLE

An Act to provide for the Incorporation of Kirk Sessions of the Church of Scotland in { Subs.by the A, O, 1950 for "the Provinces"}[India].

WHEREAS there are in { Subs.by the A, O, 1950 for "the Provinces".} [India] 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;

(2) It extends to the whole of India except {Subs, by the Adaptation of Laws (No.2) Order, 1956, for" Part B States"}[the territories which, immediately before the 1st November, 1956, were comprised in Part B States] { The word "and" and sub-section (3) rep. by Act 10 of 1914, s.3 and Sch. II.}.

{The word "and" and sub-section (3) rep. by Act 10 of 1914, s.3 and Sch. II.}

2. Scotch Kirk Sessions to be bodies 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 Central Government in the Official Gazette that a Kirk Session has been duly constituted { For notification declaring the Kirk Sessions at Calcutta Madras, Bombay and Allahabad to be duly constituted, see Gazette of Indian 1900 , Pt.I, p.706 respect of the Kirk Session Simla and the Kirk Session at Simla and the Kirk Session at Poona, see ibid 1905, Pt, I p, 706 respectively.} 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 Central Government in the Official Gazette that a Kirk Session has been duly constituted { For notification declaring the Kirk Sessions at Calcutta Madras, Bombay and Allahabad to be duly constituted, see Gazette of Indian 1900 , Pt.I, p.706 respect of the Kirk Session Simla and the Kirk Session at Simla and the Kirk Session at Poona, see ibid 1905, Pt, I p, 706 respectively.} In pursuance of an Act of the General Assembly of the Church of Scotland shall be conclusive proof that it has been so constituted.

3. Power to hold and dispose of property.- (1) Every Kirk Session constituted as aforesaid shall, as 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, accept by it' to transfer the same, to contract and to do all other thing necessary for, or incidental to, the purposes of its constitution or o 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