

Diocesan Building and Historic Property Committees Act 1985

No. 3 of 1985

Serial No. 123

Reprinted as at 1 May 2019 incorporating amendments up to No. 5/2016²

Diocesan Building and Historic Property Committees Act 1985

AN ACT

to provide for a Diocesan Building Committee and Historic Church Property Committee.

Short Title

- 1 This Act may be cited as the **Diocesan Building and Historic Property Committees Act 1985**.

Building Committee

s.2 substituted by No. 8/1992

- 2 There shall be a Building Committee of the Diocese which shall comprise:
- (a) the territorial archdeacons of the diocese;
 - (b) 6 lay persons appointed annually by the Archbishop in Council; and
 - (c) if the Committee so determines in any year, a person co-opted by the Committee for that year.

Chairman of Building Committee

- 3 The Committee shall appoint one of its members to be Chairman.

Quorum of Building Committee

- 4 Six members, of whom not less than three shall be clergy and not less than three shall be laity, shall be a quorum of the Building Committee.

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Executive officer of the Building Committee

- 5 The Registrar or an officer of the Diocese nominated by the Registrar shall be the executive officer of the Building Committee.

Building Committee to advise Archbishop in Council

- 6 The Building Committee shall advise the Archbishop in Council on all matters concerning the design, construction, erection, maintenance and repair of buildings within the Diocese, including all matters dealing with town planning, building regulations and other statutory controls on buildings provided that in matter related to the designation and preservation of historic church property it shall take full account of the advice of the Historic Church Property Advisory Committee established under this Act.

Sub-committees of Building Committee

- 7 The Building Committee shall have power to appoint subcommittees for purposes specified in any regulations made by the Archbishop in Council under this Act.

Building Committee may recommend regulations

- 8 The Building Committee may make recommendations to the Archbishop in Council as to the form and content of regulations made and to be made by the Archbishop in Council concerning any of the matters mentioned in Section 6 of this Act.

Historic Church Property Advisory Committee

- 9 There shall be an Historic Church Property Advisory Committee (in this Act call the Historic Property Committee) of the Diocese which shall comprise not less than eight nor more than ten members appointed annually by the Archbishop in Council. Not less than two of the members shall be clergy, and not less than two shall be laity; not less than one member shall be a member of the Building Committee.

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Executive office of Historic Property Committee

- 10 The Registrar or an officer of the Diocese appointed by the Registrar shall be the executive officer of the Historic Property Committee.

Historic Property Committee to advise Building Committee

- 11 The Historic Property Committee shall advise the Building Committee on all matters affecting the preservation, repair and maintenance of buildings which are designated by public statutory authorities or private bodies or by the Committee itself as being of historic importance.

Historic Property Committee to advise Archbishop in Council

- 12 The Historic Property Committee shall advise the Archbishop in Council on all matters relating to property of the Church, whether real or personal, which the Committee deems to be of historic value and, subject to any direction of the Archbishop in Council it shall –
- (a) make recommendations to the Archbishop in Council as to the form and content of regulations made and to be made by the Archbishop in Council concerning the creation and amendment of a Register of Historic Church Property;
 - (b) in accordance with any regulations made by the Archbishop in Council authorise additions to and deletions from the Register of Historic Church Property;
 - (c) advise parishes and other diocesan bodies on all matters concerning historic church property;
 - (d) advise the Archbishop in Council on matters referred to it concerning appeals to the public for funds in relation to historic church property.

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Regulations for inspection of buildings

s 13 am 1/2016 and 5/2016

- 13 (1) As soon as may be after the passing of this Act the Archbishop in Council shall by making appropriate regulations establish a scheme to provide for the inspection of every building vested in the Trusts Corporation for the Diocese of Melbourne (referred to in this section as “the buildings”) at least once in every five years.
- (2) The scheme –
- (a) shall provide for the establishment of a fund by means of contribution from parochial, diocesan and other sources;
 - (b) shall provide for the payment out of such fund or otherwise of the cost of the inspection of the buildings pursuant to the scheme;
 - (c) shall provide for the appointment of an appropriate adviser or advisers approved by the Building Committee of the Diocese to inspect the buildings and to make a report to the Archbishop in Council on every building inspected;
 - (d) shall provide in the case of every church and other parochial building inspected for a copy of the report so made to be sent to the Archdeacon of the Archdeaconry and the Parish Council of the parish in which the building is situate; and
 - (e) may contain such other provisions not inconsistent with this section as the Archbishop in Council shall think fit.

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- (3) Any scheme made in pursuance of this section shall come into operation as from the date fixed by the Archbishop in Council.

Regulations

- 14 The Archbishop in Council may at any time and from time to time make amend and revoke regulations prescribing practice and procedure and forms in respect of all matters arising under this Act including regulations concerning applications for authority to build, to repair, to reconstruct or to demolish buildings or parts of buildings.

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NOTES

¹ The **Diocesan Building and Historic Property Committees Act 1985** was assented to on 22 March 1985 and came into operation on 22 March 1985.

² This reprint incorporates the amendments made to the **Diocesan Building and Historic Property Committees Act 1985** by the following Acts:

Name	No	Date of Assent	Date of Commencement
<i>Diocesan Building and Historic Property Committees (Amendment) Act 1992</i>	8/1992	15 October 1992	15 October 1992
<i>Interpretation of Diocesan Legislation Act 2016</i>	1/2016	15 December 2016	15 December 2016
<i>Diocesan Acts (Revisions and Repeals) Act 2016</i>	5/2016	15 December 2016	16 December 2016