



Irish Church Act 1869

1869 CHAPTER 42

Powers of Church after passing of Act

19 Repeal of laws prohibiting holding of synods, &c.

From and after the passing of this Act there shall be repealed and determined any Act of Parliament, law, or custom whereby the archbishops, bishops, clergy, or laity of the said Church are prohibited from holding assemblies, synods, or conventions, or electing representatives thereto, for the purpose of making rules for the well-being and ordering of the said Church; and nothing in any Act, law, or custom shall prevent the bishops, the clergy, and laity of the said Church, by such representatives, lay and clerical, and to be elected as they the said bishops, clergy, and laity shall appoint, from meeting in general synod or convention, and in such synod or convention framing constitutions and regulations for the general management and good government of the said Church, and property and affairs thereof, and the future representation of the members thereof in diocesan synods, general convention, or otherwise.

20 Existing law to subsist by contract.

The present ecclesiastical law of Ireland, and the present articles, doctrines, rites, rules, discipline, and ordinances of the said Church, with and subject to such (if any) modification or alteration as after the first day of January one thousand eight hundred and seventy-one may be duly made therein according to the constitution of the said Church for the time being, shall be deemed to be binding on the members for the time being thereof in the same manner as if such members had mutually contracted and agreed to abide by and observe the same, and shall be capable of being enforced in the temporal courts in relation to any property which under and by virtue of this Act is reserved or given to or taken and enjoyed by the said Church or any members thereof, in the same manner and to the same extent as if such property had been expressly given, granted, or conveyed upon trust to be held, occupied, and enjoyed by persons who should observe and keep and be in all respects bound by the said ecclesiastical law, and the said articles, doctrines, rites, rules, discipline, and ordinances of the said Church, subject as aforesaid; but nothing herein contained shall be construed to confer on any archbishop, bishop, or other ecclesiastical person any coercive jurisdiction

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whatsoever : Provided always, that no alteration in the articles, doctrines, rites, or, save in so far as may be rendered necessary by the passing of this Act, in the formularies of the said Church, shall be binding on any ecclesiastical person now licensed as a curate or holding any archbishopric, bishopric, benefice, or cathedral preferment in Ireland, being an annuitant or person entitled to compensation under this Act, who shall within one month after the making of such alteration signify in writing to the Church body hereafter mentioned his dissent therefrom, so as to deprive such person of any annuity or other compensation to which under this Act he may be entitled.

21 Abolition of ecclesiastical courts and ecclesiastical law.

On and after the first day of January one thousand eight hundred and seventy-one all jurisdiction, whether contentious or otherwise, of all the ecclesiastical, peculiar, exempt, and other courts and persons in Ireland at the time of the passing of this Act having any jurisdiction whatsoever exerciseable in any cause, suit, or matter, matrimonial, spiritual, or ecclesiastical, or in any way connected with or arising out of the ecclesiastical law of Ireland, shall cease ; and on and after the said first day of January one thousand eight hundred and seventy-one the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter fifty-four, shall be repealed, and on and after the last-mentioned day the ecclesiastical law of Ireland, except in so far as relates to matrimonial causes and matters, shall cease to exist as law.

22 Incorporation of Church body.

If at any time it be shown to the satisfaction of Her Majesty that the bishops, clergy, and laity of the said Church in Ireland, or the persons who, for the time being, may succeed to the exercise and discharge of the episcopal functions of such bishops, and the clergy and laity in communion with such persons, have appointed any persons or body to represent the said Church, and to hold property for any of the uses or purposes thereof, it shall be lawful for Her Majesty by charter to incorporate such body, with power, notwithstanding the statutes of mortmain, to hold lands to such extent as is in this Act provided, but not further or otherwise.