

## CHAPTER 46

**An Act respecting  
The Anglican Church of Canada***Assented to June 14th, 1979*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) All the rights, powers and privileges conferred upon any religious organization by *The Religious Organizations' Lands Act, 1979* or any predecessor thereof extend and apply to The Anglican Church of Canada, formerly or otherwise called The Church of England in Canada, or the United Church of England and Ireland in Canada, or the United Church of England and Ireland in Upper Canada, or the Church of England in Upper Canada.

Rights  
extended to  
The Anglican  
Church of  
Canada  
1979, c. 45

(2) The parson or other incumbent of the church for the time being and the churchwardens thereof shall, for the purposes of *The Religious Organizations' Lands Act, 1979* be deemed to be trustees within the meaning thereof.

Incumbent  
and church-  
wardens to  
be trustees

(3) In cases within section 16 of the Act passed in the third year of the reign of Her late Majesty Queen Victoria, chaptered 74, intituled *An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in this Province, and for other purposes therein mentioned*, the bishop, parson, rector or incumbent or any successor or other person in whom the legal title or estate is vested, by, from or under any of them, shall also be deemed to be a trustee with the same powers and duties as trustees under *The Religious Organizations' Lands Act, 1979*.

Bishop, etc.,  
to be trustees  
under 3 V.,  
c. 74, s. 16

(4) In cases of property vested in the bishop of any diocese in trust, not covered by subsection 3, the bishop shall also be deemed to be a trustee with the same powers as trustees under *The Religious Organizations' Lands Act, 1979*.

Property  
vested in  
the bishop  
in trust

Property  
vested in the  
synod in  
trust within  
7 V., c. 68  
and 32 V., c. 51

1979, c. 45

How land  
may be  
sold or  
encumbered,  
consent  
requisite

Evidence of  
consent

Commence-  
ment

Short title

(5) In cases of property vested in the synod of any diocese within the Act passed in the seventh year of the reign of Her late Majesty Queen Victoria, chaptered 68, intituled *An Act to Incorporate the Church Societies of the United Church of England and Ireland, in the Dioceses of Quebec and Toronto*, and the Act passed in the thirty-second year of the reign of Her late Majesty Queen Victoria, chaptered 51, intituled *An Act to Incorporate the Synod of the Diocese of Toronto, and to Unite the Church Society of the Diocese of Toronto therewith*, the synod shall also be deemed to be a trustee with the same powers and duties as trustees under *The Religious Organizations' Lands Act, 1979* and the powers of the synod under this subsection may be exercised by and through such boards and committees as the synod may by by-law appoint for that purpose. R.S.O. 1970, c. 411, s. 19 (1-5), *amended*.

2.—(1) Land shall not be sold or leased, mortgaged or otherwise encumbered under the powers conferred by *The Religious Organizations' Lands Act, 1979*, except with the consent of the vestry of the church or congregation interested therein and of the bishop of the diocese and the executive committee of the synod of the diocese, and the consent of the vestry given in accordance with the rules and canons of the church shall be deemed to be the consent of the congregation.

(2) The execution of a conveyance of land by the bishop, coadjutor bishop or a suffragan bishop of the diocese and by the secretary or secretaries of the synod, or a memorandum of consent endorsed thereon and signed by them, is, in favour of the grantee, his heirs and assigns, conclusive evidence of the consent of the vestry, the bishop and the executive committee. R.S.O. 1970, c. 411, s. 19 (6), *amended*.

3. This Act comes into force on the day it receives Royal Assent.

4. The short title of this Act is *The Anglican Church of Canada Act, 1979*.