



LAWS OF MALAYSIA

REPRINT

Act 492

ROMAN CATHOLIC BISHOPS (INCORPORATION) ACT 1957

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**ROMAN CATHOLIC BISHOPS (INCORPORATION)
ACT 1957**

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LAWS OF MALAYSIA**Act 492****ROMAN CATHOLIC BISHOPS (INCORPORATION)
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LAWS OF MALAYSIA**Act 492****ROMAN CATHOLIC BISHOPS (INCORPORATION)
ACT 1957**

An Act to incorporate in Malaysia the Titular Roman Catholic Bishop of Malacca Johore, the Titular Roman Catholic Bishop of Kuala Lumpur and the Titular Roman Catholic Bishop of Penang and to provide for matters connected therewith.

[15 August 1957]

Short title

1. This Act may be cited as the Roman Catholic Bishops (Incorporation) Act 1957.
2. *(Deleted by Act 131).*

Incorporation of the Roman Catholic Bishop of Kuala Lumpur

3. (1) The Right Reverend Monseigneur Dominic Aloysius Vendargon the Titular Roman Catholic Bishop of Kuala Lumpur and his successors in office shall be a body corporate (hereinafter called “the Kuala Lumpur Corporation”) and shall for the purpose of this Act have the name of “The Titular Roman Catholic Bishop of Kuala Lumpur” and by that name have perpetual succession and shall have and may use a corporate seal which may from time to time be broken, changed, altered and made anew as to the Kuala Lumpur Corporation deems fit.

(2) The Kuala Lumpur Corporation may acquire, purchase, take, hold and enjoy movable and immovable property of every description and may sell, convey, assign, surrender and yield up, mortgage, demise, re-assign, transfer or otherwise dispose of any movable or immovable property vested in it upon such terms as to such Corporation deems fit and may sue and be sued in respect of such property in any Court.

Change of name in respect of the Titular Roman Catholic Bishop of Kuala Lumpur

3A. (1) The Titular Roman Catholic Bishop of Kuala Lumpur, as incorporated under section 3 otherwise called “the Kuala Lumpur Corporation” for the purpose of the Act shall after 15 March 1974 be known as the Titular Roman Catholic Archbishop of Kuala Lumpur and shall continue to be called for the purpose of the Act “the Kuala Lumpur Corporation”.

(2) All immovable property that immediately before 15 March 1974 were vested in the Titular Roman Catholic Bishop of Kuala Lumpur shall on that day vest in the Titular Roman Catholic Archbishop of Kuala Lumpur.

(3) The change of name provided by this section shall not affect any rights or obligations of the Titular Roman Catholic Bishop of Kuala Lumpur or render defective any legal proceedings by or against it; and any legal proceedings that could have been continued or commenced by or against it prior to that day may be continued or commenced under its new name.

[Act 131, s. 2—in force from 15-03-1974]

Incorporation of the Roman Catholic Bishop of Penang

4. (1) The Right Reverend Monseigneur Francis Chan the Titular Roman Catholic Bishop of Penang and his successors in office shall be a body corporate (hereinafter called “the Penang Corporation”) and shall for the purpose of this Act have the name of “The Titular Roman Catholic Bishop of Penang” and by that name have perpetual succession and shall have and may use a corporate seal which may from time to time be broken, changed, altered and made anew as to the Penang Corporation deems fit.

(2) The Penang Corporation may acquire, purchase, take, hold and enjoy movable and immovable property of every description and may sell, convey, assign, surrender and yield up, mortgage, demise, re-assign, transfer or otherwise dispose of any movable or immovable property vested in it upon such terms as to such Corporation deems fit and may sue and be sued in respect of such property in any Court.

Incorporation of the Titular Roman Catholic Bishop of Malacca Johore

4A. (1) The Right Reverend Monseigneur James Chan the Titular Roman Catholic Bishop of Malacca Johore and his successors in office shall be a body corporate (hereinafter called “the Malacca Johore Corporation”) and shall for the purpose of this Act have the name of “The Titular Roman Catholic Bishop of Malacca Johore” and by that name have perpetual succession and shall have and may use a corporate seal which may from time to time be broken, changed, altered and made anew as to the Malacca Johore Corporation deems fit.

(2) The Malacca Johore Corporation may acquire, purchase, take, hold and enjoy all movable and immovable property of every description and may sell, convey, assign, surrender and yield up, mortgage, demise, re-assign, transfer or otherwise dispose of any movable or immovable property vested in it upon such terms as to such Corporation deems fit and may sue and be sued in respect of such property in any Court.

Transfer of certain properties

4B. (1) The Titular Roman Catholic Archbishop of Singapore Malacca as previously incorporated under section 2 of the Act otherwise called the Singapore Malacca Corporation for the purpose of the Act in whom is vested all movable and immovable property situated in Johore and Malacca belonging to the Singapore Malacca Corporation immediately before 15 March 1974 is hereby divested of all such movable and immovable property and all estates rights and interests therein.

(2) All movable and immovable property referred to in subsection (1) and all estates rights and interests therein are hereby vested in the Malacca Johore Corporation for the respective estates rights and interests for which the same are held and the Malacca Johore Corporation shall have full power to deal with the said property.

[Act 131, s. 4—in force from 15-03-1974]

Successors in office

5. (1) The expression “successors in office” shall be deemed to include either an Administrator Apostolic or a Vicar Capitular of the Dioceses of Kuala Lumpur, Penang and Malacca Johore from the time when the office of the Titular Roman Catholic Archbishop of Kuala Lumpur, the office of the Titular Roman Catholic Bishop of Penang or the office of the Titular Roman Catholic Bishop of Malacca Johore becomes vacant by the resignation, absence or death of the holder of such office for the time being until the formal assumption of office by his successor.

(2) There shall not be in any one Diocese concurrent holders of any two of the offices of Archbishop or Bishop, as the case may be, and Administrator Apostolic or Vicar Capitular; and any power of attorney given by any one of them shall cease to be valid when the donor of the power of attorney ceases to administer the affairs of the Diocese concerned.

6. (*Deleted by Act 131*).

Use of corporate seals

7. (1) All deeds, documents and other instruments requiring the seal of the Kuala Lumpur Corporation shall be sealed with the seal of the Kuala Lumpur Corporation in the presence of the Titular Roman Catholic Archbishop of Kuala Lumpur for the time being or when the Archbishopric is vacant in the presence of the Administrator Apostolic or of the Vicar Capitular of the Diocese of Kuala Lumpur, as the case may be, or by the attorney of any one of them duly authorized by a power of attorney a true copy or an office copy of which has been deposited pursuant to section 4 of the Powers of Attorney Act 1949 [*Act 424*], and shall also be signed by the said Archbishop for the time being or by the said Administrator Apostolic or Vicar Capitular, as the case may be, or the attorney of any one of them so authorized as aforesaid.

(2) All deeds, documents and other instruments requiring the seal of the Penang Corporation shall be sealed with the seal of the Penang Corporation in the presence of the Titular Roman Catholic Bishop of Penang for the time being or when the Bishopric is vacant in the presence of the Administrator Apostolic or Vicar Capitular of the Diocese of Penang, as the case may be, or the attorney of any one

of them duly authorized by a power of attorney a true copy or an office copy of which has been deposited pursuant to section 4 of the Powers of Attorney Act 1949, and shall be signed by the said Bishop or by the Administrator Apostolic or Vicar Capitular, as the case may be, or the attorney of any one of them as aforesaid.

(3) All deeds, documents and other instruments requiring the seal of the Malacca Johore Corporation shall be sealed with the seal of the Malacca Johore Corporation in the presence of the Titular Roman Catholic Bishop of Malacca Johore for the time being or when the Bishopric is vacant in the presence of the Administrator Apostolic or Vicar Capitular of the Diocese of Malacca Johore, as the case may be, or the attorney of any one of them duly authorized by a power of attorney a true copy or an office copy of which has been deposited pursuant to section 4 of the Powers of Attorney Act 1949, and shall also be signed by the said Bishop or by the Administrator Apostolic or Vicar Capitular, as the case may be, or the attorney or any one of them as aforesaid.

(4) Such signing shall be and be taken as sufficient evidence that the said seal was duly and properly affixed and that the same is the lawful seal of the Kuala Lumpur Corporation, the Penang Corporation or the Malacca Johore Corporation, as the case may be.

Notification

8. A notification in the *Gazette* of the appointment of any person to exercise the office of the Roman Catholic Archbishop of Kuala Lumpur, the Roman Catholic Bishop of Penang or the Roman Catholic Bishop of Malacca Johore or of the Administrator Apostolic or Vicar Capitular of the Diocese of Kuala Lumpur, the Diocese of Penang or the Diocese of Malacca Johore, as the case may be, shall be conclusive evidence that such person was duly authorized to exercise the said office.

Offices in Malaysia

9. (1) The Kuala Lumpur Corporation shall have an office in Malaysia the address of which shall be the Saint John's Cathedral, Kuala Lumpur.

(2) The Penang Corporation shall have an office in Malaysia the address of which shall be the Cathedral of the Assumption, Penang.

(3) The Malacca Johore Corporation shall have an office in Malaysia the address of which shall be the Cathedral of the Immaculate Conception, Johore Bahru.

Repeal

10. The Ordinance and Enactments specified in the Schedule hereto insofar as the same affect Malaysia are hereby repealed.

Saving of Crown and other rights

11. Nothing in this Act contained shall affect the rights of Her Majesty or of Their Highnesses the Rulers of the States or of any body politic or corporate or of any other person except such as are mentioned in this Act and those claiming by, through or under them.

SCHEDULE

[Section 10]

1. The Roman Catholic Bishop Ordinance of the Straits Settlements [*S.S. Cap. 256*].
 2. The Titular Roman Catholic Bishop of Malacca Incorporation Enactment of the Federated Malay States [*F.M.S. Cap. 100*].
 3. The Titular Roman Catholic Bishop of Malacca Incorporation Enactment of the State of Johore [*Johore En. No. 141*].
 4. Incorporation Enactment 1937 of the State of Kelantan in so far as it relates to the Titular Roman Catholic Bishop of Malacca [*Kelantan En. 6 of 1937*].
 5. Kedah Enactment No. 122 (Titular Roman Catholic Bishop of Malacca Incorporation) [*Kedah En. No. 122*].
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LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958
Act 131	Roman Catholic Bishops (Change of Name and Incorporation) Act 1974	15-03-1974

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LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
Preamble	L.N. 332/1958	13-11-1958
2	Act 131	15-03-1974
4A	Act 131	15-03-1974
5	Act 131	15-03-1974
6	L.N. 332/1958 Act 131	13-11-1958 15-03-1974
7	Act 131	15-03-1974
8	L.N. 332/1958 Act 131	13-11-1958 15-03-1974
9	Act 131	15-03-1974

