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PROVINCIAL CORPORATE TRUST ORDINANCE OF 1961 AMENDING ORDINANCE 1970
ACCEPTING ORDINANCE 1972.

An Ordinance to accept the Provincial Corporate Trust Ordinance of 1961 Amending Ordinance 1970 made by the Provincial Synod at its Session in 1970

The Synod of the Diocese of Grafton ordains and rules as follows:

1. The Provincial Corporate Trust Ordinance of 1961 Amending Ordinance 1970 made by the Provincial Synod of the Province of New South Wales, a copy of which is contained in the Schedule hereto, is hereby accepted.
2. This Ordinance may be cited as the Provincial Corporate Trust Ordinance of 1961 Amending Ordinance 1970 Accepting Ordinance 1972.

SCHEDULE

PROVINCIAL CORPORATE TRUST ORDINANCE OF 1961
AMENDING ORDINANCE 1970

THE PROVINCIAL SYNOD of the Province of New South Wales ORDAINS PRESCRIBES AND RULES as follows:

1. The Schedule to the Provincial Corporate Trust Ordinance of 1961 is amended
 - (a) By inserting in Section (2) the words "Australia within" after the words "Church of England in".
 - (b) By inserting in Section (6) the words "Australia generally within the State of" after the words "Church of England in" where first appearing.
 - (c) By inserting in Section (6) the words "Australia within" after the words "Church of England in" where secondly appearing.
 - (d) By omitting from Section (6) the words "refer to any diocese or to" and inserting in their place the words "either by its express terms or as the result of the operation or application of any rule or principle of law or construction have the effect of disposing of such property to or for the use or benefit of any diocese or".
 - (e) By omitting Section (10) and by inserting in its place the following new section:

"(10) (a) The said Corporation shall apportion the income of property which is vested in or becomes held by the said Corporation for the purposes generally of the Church of England in Australia within the said Province in accordance with the trusts on which such property is held as follows:

 - (i) For such purposes of the Provincial Synod and in such proportions or within such limits as the Standing Committee of that Synod and the Standing Committees or Diocesan Councils as the case may be of all the Dioceses in the Province shall by resolution in writing approve.
 - (ii) For such purposes of all or some or any of the dioceses in the Province and in such proportions as the Standing Committees or Diocesan Councils as the case may be of all the dioceses in the Province shall by resolution in writing approve.
 - (iii) In the event of the Standing Committee or Diocesan Council as the case may be of any Diocese failing to give such approval as is required by paragraphs (i) and (ii) hereof in relation to any particular property or trust, then to each diocese in the Province a share equal to the proportion which the number of members of the Provincial Synod which such diocese is entitled to elect to such Synod bears to the total number of members which may be elected to such Synod.

- (b) In any case where
 - (i) the said Corporation, or
 - (ii) the Provincial Synod

shall by resolution and in writing report that in its opinion it is advisable and also is in accordance with the purposes for which any specified trust property is held by the said Corporation that the corpus or capital sum of such property or any part thereof be transferred to all or any of the Dioceses in the Province the Provincial Synod may with the consent of the Standing Committees or Diocesan Councils as the case may be of all the Dioceses in the Province transfer such property or part thereof to the corporate trust body or bodies of such Diocese or Dioceses to be held by them on the same trusts, and such property shall thereupon be apportioned by the said Corporation and transferred to such corporate trust body or bodies in the same manner and in accordance with the same principles as are contained in paragraphs (ii) and (iii) of sub-section (a) hereof and thereafter shall be church trust property of the Diocese or Dioceses to which it is transferred.

- (f) By inserting in Section (17) the words "other than those contained or provided for in sections 9, 10, 16, 17, and 19 hereof" after the word "Act".
- (g) By omitting from Section (19) the words "nine" and "seventeen".
- (h) By inserting at the end of Section (19) the words "Provided that the provisions of this Section shall not apply to any ordinance in pursuance of Section 16 which would have the effect of repealing or amending any ordinance which required assent being given thereto by the respective Synods of the several Dioceses mentioned in the said clause."

2. This Ordinance may be cited as the Provincial Corporate Trust Ordinance of 1961 Amending Ordinance of 1970.

I CERTIFY that the foregoing Ordinance as printed is in accordance with the Ordinance as reported.

ATHOL RICHARDSON,
Chairman of Committees.

WE CERTIFY that the foregoing Ordinance was passed by Provincial Synod of the Province of New South Wales this fourteenth day of April, 1970.


W. CHAS. ARNOLD,
W. L. J. HUTCHISON,
Secretaries of Provincial Synod.

I hereby certify that the Ordinance as printed is in accordance with the Ordinance as passed.


Chairman of Committees

We certify that this Ordinance was passed by the Synod of the Diocese of Grafton on the Twenty third day of September, 1972.


Clerical Secretary


Lay Secretary

I assent to this Ordinance:


Bishop