

REDRESS COMMITMENTS (TRUST FUNDS) ORDINANCE 2021
Ordinance No. 17 of 2021

An Ordinance to provide for the variation of trusts to give the Diocese of Grafton funds to meet its financial commitments arising from claims of abuse involving the Diocese of Grafton.

PREAMBLE

- A. The Corporate Trustees of the Diocese of Grafton (Corporate Trustees) is the trustee of the Trusts listed in the Schedule (the Trusts).
- B. The property of the Trusts is church trust property.
- C. The Bishop-in-Council recognises that the Diocese of Grafton has a history that includes instances of abuse, including sexual abuse of children while in the care of the Diocese.
- D. The Diocese's leadership has publicly recognised and apologised for this abuse.
- E. The Diocese has made legal and financial settlement, including provision of counselling and personally delivered apologies, for claims of abuse that occurred while individuals were in the care of the Diocese.
- F. The Corporate Trustees are trustees of the Diocesan Financial Challenge Trust created to receive funds which are to be used for the purpose of settling claims of abuse and meeting associated costs.
- G. The Diocese has unfunded liabilities arising from settled abuse claims and claims for which a settlement is currently being negotiated.
- H. There is a reasonable expectation that there will be further abuse claims.
- I. The Diocese, on the basis of an actuarial assessment of the likely financial commitment arising from future abuse claims, expects that the financial commitment arising from abuse claims will significantly exceed the funds currently held at the discretion of the Bishop-in-Council for the Diocese.
- J. By reason of the circumstances recited in C to I above, which have arisen after the creation of the Trusts, it is expedient to vary the Trusts in the way set out in this Ordinance.

Therefore, the Bishop-in-Council in pursuance of powers provided in clause 48.2 of the Diocesan Governance Ordinance 2008 decrees and enacts as follows:

DECLARATION

- 1. It has become and is expedient, by reason of circumstances subsequent to the creation of the Trusts, to vary the Trusts in the way set out in clause 2.

VARIATION OF TRUSTS

- 2. The Trusts are varied to the extent necessary to permit the payment out of the Trusts to the Diocesan Financial Challenge trust the amounts identified in the Schedule to this Ordinance.
- 3. The Corporate Trustees is authorised and directed to make the payments referred to in clause 2 on or before 31 July 2021.

NAME


4. This Ordinance may be cited as the Redress Commitments (Trust Funds) Ordinance 2021.

SCHEDULE

Trust	Amount
Casino Parish Endowment	\$11,000
West of the Range Trust Fund	\$1,400
Dorrigo Endowment	\$17,000
Kempsey Parish Endowment	\$48,000
Kingscliff Parish Endowment	\$45,000
Kyogle Rectory Proceeds	\$1,500
MA Hardcastle Trust	\$1,500
Lismore Parish Endowment	\$108,000
Lower Macleay Parish Endowment	\$15,700
Macleay Parish Endowment	\$65,000
Mid Richmond Parish Endowment	\$44,000
Ingram Estate	\$32,000
Port Macquarie Parish Endowment	\$432,000
Sawtell-Bonville Parish Endowment	\$16,000
Tweed Heads Parish Endowment	\$414,000

We hereby certify that this Ordinance was passed by Bishop-in-Council on the Twenty-fourth day of June, 2021 and that the Ordinance as printed is in accordance with the Ordinance as passed.


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Chair of Committees


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Registrar

I assent to this Ordinance.


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Bishop


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Date