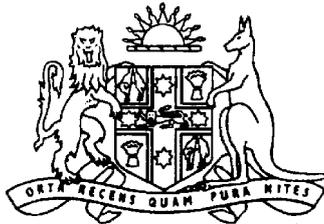


New South Wales

Coptic Orthodox Church (NSW) Property Trust Amendment Act 2003 No 67

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New South Wales

Coptic Orthodox Church (NSW) Property Trust Amendment Act 2003 No 67

Act No 67, 2003

An Act to amend the *Coptic Orthodox Church (NSW) Property Trust Act 1990* to make further provision with respect to the trust constituted by that Act; and for other purposes. [Assented to 20 November 2003]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Coptic Orthodox Church (NSW) Property Trust Amendment Act 2003*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Coptic Orthodox Church (NSW) Property Trust Act 1990 No 67

The *Coptic Orthodox Church (NSW) Property Trust Act 1990* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Omit the definitions of *Board* and *trustee* from section 3 (1).

[2] Section 3 (1)

Insert in alphabetical order:

Bishop means the Bishop of the Church.

[3] Section 3 (1), definition of “Church”

Omit the definition. Insert instead:

Church means the Coptic Orthodox Churches, Diocese of Sydney and Affiliated Regions, a part of the Coptic Orthodox Church of Egypt, a hierarchical Christian body whose leader, overseer and shepherd is the Pope of Alexandria and Patriarch of the See of St. Mark, and includes any Church entity.

[4] Section 3 (1), definition of “Church entity”

Omit “Secretary of the Board” from paragraph (b).

Insert instead “Bishop”.

[5] Section 3 (1), definition of “constitution”

Omit “3 March 1989”. Insert instead “8 October 2002”.

[6] Section 4 Constitution of the Trust

Omit section 4 (2). Insert instead:

(2) The Bishop is the sole trustee of the Trust.

[7] Section 4 (3)

Omit the subsection.

[8] Section 5A

Insert after section 5:

5A Delegation

The Bishop may delegate, in writing, any or all of the Bishop's functions under this Act (other than this power of delegation) to any 3 members of the General Board of the Church, one of whom is a clerical member and the other two of whom are lay members.

[9] Section 12 Variation of trusts

Omit "by resolution" wherever occurring in section 12 (1), (4) and (5).

[10] Section 12 (2) and (3)

Omit "resolution" wherever occurring. Insert instead "declaration".

[11] Section 12 (5)

Omit "a resolution". Insert instead "a declaration".

[12] Section 13 Trust may act as executor, administrator or trustee

Omit section 13 (2). Insert instead:

- (2) On behalf of the Trust, a person employed by the Trust may, if authorised in writing by the Trust for the purpose, swear an affidavit, make a declaration or statement, give security and do any other act or thing that is, by any charter, Act or rule of court, required to be done by a person applying for or granted probate or letters of administration, or administering a trust, as the case may be.

[13] Section 15 Seal

Omit "secretary of the Trust" from section 15 (1). Insert instead "Bishop".

[14] Section 15 (1) (a)

Omit "a resolution of".

[15] Section 15 (1) (b)

Omit "2 trustees". Insert instead "the Bishop".

[16] Section 15 (1) (c)

Omit “signatures of those persons”.

Insert instead “signature of the Bishop”.

[17] Section 15 (2)

Omit “not fewer than 2 trustees”. Insert instead “the Bishop”.

[18] Section 19 Receipt for certain money

Omit section 19 (b).

[19] Section 19 (c)

Omit “or by 2 members of the Trust”.

[20] Section 21 Indemnification of certain persons

Omit “A member of the Trust”. Insert instead “The Bishop”.

[21] Section 22 Service of documents

Omit “secretary of the Trust”. Insert instead “Bishop”.

[Second reading speech made in—

Legislative Assembly on 29 October 2003

Legislative Council on 12 November 2003]

BY AUTHORITY