

Passed by both Houses



New South Wales

Coptic Orthodox Church (NSW) Property Trust Amendment Bill 2003

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2003*



New South Wales

Coptic Orthodox Church (NSW) Property Trust Amendment Bill 2003

Act No , 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.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

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”.