

17.1 DIOCESAN SOLICITORS

Legal Requirements in Property Transactions

The Trustees of Church Property for the Diocese of Newcastle are the legal owners and guardians of all real and personal property which may for the time being be subject to any trust whether by dedication, consecration, trust instrument or otherwise.

When property of any description is sold, purchased, leased or a site developed, there is a series of steps which must be followed (set out in the various procedures), as well as the conditions which may be included in an Ordinance for a specific property.

The Trustees of Church Property require that only the Diocesan solicitors be used in these matters. This eliminates confusion as to the legal requirements of the Trustees and facilitates communication so that Parish level matters can be handled expeditiously. The legal steps in implementing property matters are set out in the various procedures.

Parishes and entities should request the details of the appropriate Solicitor from the Parish and Administrative Services Manager.

Legal Advice for Parishes

Where a Parish seeks legal advice from the Diocesan solicitors, apart from matters connected with property transactions, the Parish should understand that the advice will attract legal fees.