

The Anglican Church of Australia – Diocese of Newcastle

The Diocese of Newcastle Parish Assistance with the Funding of Redress Ordinance 2017

Whereas the Synod in May 2017 resolved that *“This Synod, expressing its firm resolve to ensure proper redress to victims and survivors of child sexual abuse within the Anglican Diocese of Newcastle, receives the financial report from the Acting Diocesan Business Manager, and confirms that the Diocesan Council will, on behalf of the Synod, exercise such powers and authorities as are necessary to ensure the repayment of the loan made by the Trustees of Church Property for the Diocese of Newcastle to the Diocesan General Fund and Budget Account no later than 28 February 2018 and to ensure the ongoing payment of redress”*, and;

Whereas the Administrator of the Diocese on 17 July 2017 wrote to all parishes, schools and agencies of the Diocese to propose the means by which parishes might be asked to assist with the funding of redress and the management of the diocesan budget;

Whereas parishes, schools and agencies were invited to make submissions to the Diocesan Council about the impact of the proposed means on their ministry and work, and

Whereas the Diocesan Council has formed the view that it is impossible and inexpedient to hold the personal property identified in the schedule on the existing trusts.

Be it ordained by the Diocesan Council as follows: –

1. This Ordinance may be cited as the Diocese of Newcastle Parish Assistance with the Funding of Redress Ordinance 2017.
2. In this Ordinance the term “additional trust purpose” shall mean “The Diocesan Council may apply the trust capital and/or the income on that capital for the purpose of supporting people who when they were members of the Anglican Church of Australia within this Diocese or when they were associated with any parish, organisation or other entity associated with the Anglican Church of Australia within this Diocese, experienced abuse by a member or members of the clergy and/or church workers authorised for ministry or work within the Diocese of Newcastle.”
3. The Diocesan Council declares that
 - a. the trust purposes for the funds held by the Trustees as detailed in Schedule One shall be amended to include the additional trust purpose;
 - b. to the extent that any existing trust purpose for the funds held by the Trustees as detailed in Schedule One negates or otherwise impedes the Diocesan Council from giving effect to the additional trust purpose that existing trust purpose is repealed;
 - c. in accordance with section 6(2)(d) of the Saint Peters Endowment Trust Ordinance 2014 the personal property arising from the sale of the Tenambit Land or other Real Property as defined in that Ordinance may be applied to the additional trust purpose;
 - d. In accordance with section 7(2)(c) of the Parish of Murrurundi Endowment Trust 2015 the personal property forming part of the Capital of the Trust may be applied to the additional trust purpose;

- e. the purposes of the trusts established in accordance with the Eccleston Land Sale Ordinance 2017 and the Martins Creek Land Sale Ordinance 2017 shall be amended to include the additional purpose and to the extent that any existing trust purpose negates or otherwise impedes the Diocesan Council from giving effect to the additional trust purpose that existing trust purpose is repealed;
 - f. the Permanent Trust established by the last will of Peter Rushton shall be applied in full to the Exceptional Special Purposes Trust for the purpose of redress.
4. The Diocesan Council may give effect to the purposes of this Ordinance by ordinary resolution transferring funds to the Exceptional Special Purposes Trust held by the Diocesan Council or in such other manner as the Diocesan Council shall determine.
 5. Where the Diocesan Council acts pursuant to this ordinance before 31 December 2017, it shall give 14 calendar days notice to the Incumbent and Parish Council Secretary of any parish, for which a trust is held as detailed in Schedule One, of its intention to use the income or up to 25% of the capital from the trust for the purpose outlined in clause 3.
 6. Where the Diocesan Council acts pursuant to this ordinance from 1 January 2018, it shall, in the first instance consult the Incumbent and Parish Council for which a trust is held as detailed in Schedule One, of its intention to use the income or up to 25% of the capital from the trust for the purpose outlined in clause 3.
 7. The Diocesan Council shall report any resolution made in accordance with Clause 4 to the next ordinary session of the Synod.

Schedule One

Parish	Trust Type	Trust No.	Trust Account
Branxton Lochinvar Branxton Lochinvar	Permanent	P008	Glebe Land Sale
	Temporary	T0208	Greta Land Sale Trust
Cessnock	Permanent	P0023	Bellbird Sale Proceeds
Gresford Paterson Gresford Paterson Gresford Paterson	Permanent	P0075	Paterson Rectory Endowment
	Temporary	T0220	Eccleston Land Sale Ordinance 2017
	Temporary	TBA	Martins Creek Land Sale Ordinance 2017
Hamilton Hamilton	Permanent	P0103	St Georges Land Sale
	Permanent	P0105	St Aidans Land Sale
Morpeth Morpeth	Permanent	P0223	St Johns Hinton Sale Proceeds
	Permanent	P0225	All Saints Woodville Sale Proceeds

New Lambton	Permanent	P0295	New Lambton (St Chads) Land Sale Ord 1997
New Lambton	Permanent	P0296	New Lambton (St Drostans) Sale
New Lambton	Permanent	P0297	New Lambton (3 March St) Sale
Georgetown	Permanent	P0498	St Philips Waratah - Callaghan
Toukley Budgewoi	Permanent	P0501	Sale of 17 Woodland Dr Budgewoi
East Maitland	Permanent	P0507	St Peter's East Maitland Endowment
Cockle Bay	Temporary	T0104	Sale of Warners Bay Land Parish of Murrurundi Endowment Trust 2015
Murrurundi	Permanent	P0508	
Murrurundi	Temporary	T0206	Sale of Mount St and other land
Taree	Temporary	T0205	Cundletown Land Sale
Taree	Temporary	T0196	Cundletown Land Sale

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

PASSED BY DIOCESAN COUNCIL on the **24th** day of **August 2017**.



Archdeacon Sonia Roulston
Acting Secretary, Diocesan Council

THE ASSENT of Peter Derrick James Stuart, Administrator (Sede Vacante) was given to the above Ordinance on the **24th** day of **August 2017** in the Ninth year of our Consecration.



PRESIDENT