

BISHOP TYRRELL TRUST ACT

AN ACT to vary the trusts declared in the will of the late Right Reverend William Tyrrell, Lord Bishop of Newcastle, and to extend the powers of managing lands held under such will; to enable the selling, leasing, and exchange of such lands; to provide for the investment and application of the income and proceeds arising from the said lands; and for other purposes therein mentioned. [Assented to, 20th December, 1910.]

(See also Amending Acts 1918, 1923, 1927)

WHEREAS the Right Reverend William Tyrrell, Doctor in Divinity, the Bishop of Newcastle, in the State of New South Wales, hereinafter called the said testator, was, at the respective dates of his will and death, entitled to certain real and personal estate, including certain pastoral properties, together with the chattels, livestock, and plant belonging thereto: And whereas the said testator by his will devised and bequeathed the said real and personal property upon certain trusts connected with the Anglican Church of Australia in the diocese of Newcastle; And whereas the said testator died on the twenty-fourth day of March, one thousand eight hundred and seventy-nine, and his will was duly admitted to probate on the nineteenth day of May, one thousand eight hundred and seventy-nine: And whereas a corporate body of Trustees, under the name of "The Trustees of Church Property for the Diocese of Newcastle," has been constituted under the provisions of the Church of England Trust Property Incorporation Act of 1881, which body is hereinafter called "the said corporate trustees": And whereas the whole of the real and personal property subject to the trusts of the said will is now vested in the said corporate trustees upon the trusts of the said will: And whereas it has not been and is not now possible to carry out the said trusts in their entirety, and it is expedient that the said corporate trustees should hold the trust property upon the trusts declared by this Act in lieu of the trusts declared by the said will: And whereas the provisions of this Act have been approved of by the Synod of the said diocese: And whereas the objects of this Act cannot be carried out without the provisions of an Act of Parliament in that behalf: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. The said corporate trustees shall hold all the real and personal estate which is subject to the trusts of the said will upon the trusts following, that is to say, - upon trust to manage and carry on the pastoral properties forming part of the said real and personal estate, known as Brenda Station, together with the chattels, live-stock, and plant, and other personal effects belonging thereto, with all the powers conferred upon the trustees of the said will by the said will, together with the additional powers conferred on them by this Act, and to apply the net proceeds of the said pastoral properties now in their hands, or hereafter received by them, after payment of all charges and expenses in respect of management and of carrying on the same, in the first place in providing a reserve fund of twenty thousand pounds as a provision against extraordinary damage or loss from flood, drought, or fire, or any other expenditure which the said corporate trustees may consider of an extraordinary nature; or for the purpose of acquiring additional lands in case the said corporate trustees should deem the acquisition of such lands necessary or beneficial for the trust estate, and for any other capital expenditure they may think fit; and, in the next place, to apply the balance of the said net proceeds

and the income arising from the investment of the said reserve fund, in the event of any part of the said reserve fund having been applied by them for the purposes above mentioned, in making up the said reserve to the full amount of twenty thousand pounds from time to time, and, subject thereto, to pay in each and every year, from the balance of the said net proceeds and the income arising from the investment of the said reserve fund, to such council, committee, trustees, persons or person as the said corporate trustees shall see fit, and whether appointed by the Synod of the diocese of Newcastle or not, the following annual sums to be applied to the purposes named, and the receipt of such council, committee, trustees, persons, shall be a sufficient discharge to the said corporate trustees, who shall not be bound or concerned to see to the application of the said moneys:-

Towards the income of the Bishop of Newcastle, the sum of one thousand two hundred and eighteen pounds.

Towards the support of clergy in the diocese, the sum of eight hundred pounds.

Towards the support of the aged clergy of the diocese, the sum of one hundred pounds.

Towards the income of the Bishop of Newcastle, the sum of three hundred and eighty-eight pounds.

Towards the support of archdeacons in the diocese, the sum of two hundred pounds.

Towards the support of canons in the diocese, the sum of two hundred and forty pounds.

Towards the support of clergy in the diocese, the sum of one thousand six hundred pounds.

Towards the support of aged clergy in the diocese, the sum of four hundred pounds.

Towards the relief of sick clergy and sick wives of clergy in the diocese, the sum of two hundred pounds.

Such several objects being entitled to priority of payment of the said sums respectively, according to the order in which they are hereinbefore set forth, and to accumulate the ultimate balance of the said net profits until such ultimate balance with the accumulations thereof amount to the sum of one hundred and eight thousand pounds: Provided that, in any year in which the net profits of the said pastoral property and the income of the said reserve fund shall be insufficient to pay the said annual sums, or any part thereof, resort may be had to the said ultimate balance, and the accumulations thereof, to make up the sum required to pay such annual sums in full: And provided also that in each and every year the annual sum firstly hereinbefore declared to be payable towards the income of the Bishop of Newcastle shall be paid in full before any arrears are made up for any of the other annual payments hereinbefore directed to be made, to the intent that the said annual sum shall be considered a first charge upon the said net profits and income, but that any surplus income available for distribution in any one year shall be distributed among the other objects, and in the order hereinbefore directed, and so soon as the said ultimate balances with the accumulations thereof shall have reached the sum of one hundred and eight thousand pounds, then upon trust to hold the said sum of one hundred and eight thousand pounds upon trust for the purposes and in the amounts following, that is to say:-

For an endowment fund of the See of Newcastle, the sum of thirty thousand pounds.

For a clergy stipend endowment fund in the Diocese of Newcastle, the sum of fifty thousand pounds.

For a clergy superannuation fund in the Diocese of Newcastle, the sum of twelve thousand pounds.

For an endowment fund for archdeaconries in the Diocese of Newcastle, the sum of five thousand pounds.

For an endowment fund for canonries in the Diocese of Newcastle, the sum of six thousand pounds.

For an endowment fund for the relief of sick clergy and sick wives of clergy in the Diocese of Newcastle, the sum of five thousand pounds.

And thereafter apply the net proceeds of the said pastoral properties and the said reserve fund for such purposes and objects, and in such manner in connection with the Anglican Church of Australia in the diocese of Newcastle, as the Synod of the said diocese on the proposal of the Bishop of Newcastle for the time being or on that of the said corporate trustees shall direct, limit, or appoint with power at any time on the like proposal to make, void, alter, or vary such direction, limitation, or appointment, and direct, limit, or appoint other purposes or objects in lieu thereof.

2. For the purpose of carrying on the said pastoral properties, the said corporate trustees shall, in addition to all powers of management conferred on them by the said will or by any other instrument, have the powers following; that is to say:-
 - (1) The power to acquire any land under any terms under any Acts relating to Crown lands which the said corporate trustees may think advisable.
 - (2) The power to buy any lands which the said corporate trustees may consider it expedient to buy for the purpose of carrying on the said pastoral properties.
 - (3) The power to exchange any lands, subject to the said trusts for any other lands whether of the same tenure or not.
 - (4) The power to sell any lands which it may appear expedient to sell, subject to the approval of the Synod of the said diocese.
 - (5) The power to surrender any lands held upon a leasehold tenure which the said corporate trustees may consider it expedient to surrender.
 - (6) The power to make such improvements on the trust property whether of a permanent, substantial, or wasting nature as the said corporate trustees may think fit, and for that purpose to extend the said reserve fund or any other capital moneys they may think fit, or raise the amount required by mortgage or charge of the trust property or any portion thereof.
3. The said corporate trustees shall hold the real estate vested in them as trustees of the said will, and not forming part of the said station property, upon trust so soon as they shall in their discretion think fit, to sell the same and apply the purchase money for any purposes connected with the carrying on of the said station property they may think fit, and in the meantime and until sale shall have power to manage the said real estate, to

erect any buildings upon or otherwise improve the same, and for the purpose of building on or improving the said real estate to raise the amount required by mortgage, or charge on the said real estate or any part thereof, or to let the same from time to time on building or other leases for any period not exceeding ninety-nine years.

4. The said corporate trustees may pay out of the income of the said estate the sum of one hundred pounds per annum to each of the individual persons forming the said corporate body of trustees for their services in and about the carrying out of the trusts hereby declared in lieu of all sums payable under the said will to the trustees of the said will, by way of remuneration for their services as such trustees.
5. No purchaser or mortgagee paying or advancing money upon any sale or mortgage to the said corporate trustees shall be required to see to the application of the purchase money or mortgage money.
6. The said corporate trustees may invest any moneys in their hands requiring investment in any of the public stocks, funds, or Government securities of the Commonwealth of Australia, or of any of the States of the said Commonwealth, or any securities the interest on which is or shall be guaranteed by Parliament or upon fixed deposit with any bank or banks doing business in New South Wales, or upon mortgage or freehold or leasehold lands, or in any other investment in which trust funds or cash under the control of the Supreme Court of New South Wales in Equity may for the time being be authorised to be invested, and may vary or transpose such investments into or for others of any nature hereinbefore authorised.
7. The said corporate trustees shall act in the execution of the said trusts as the majority of the individual persons forming the said corporate body of trustees shall determine, and no such individual person shall incur any liability in respect of any act or default of the said corporate trustees.
8. The said corporate trustees may in their absolute and uncontrolled discretion, instead of acting personally, employ and pay a solicitor or agent to transact any business or do any act of whatever nature required to be done in the premises, including the receipt and payment of money.
9. Any of the individual persons constituting the said corporate body of trustees being a solicitor or other persons engaged in any profession or business who may be employed by the said corporate trustees to act for them in such profession or business, shall be entitled to charge and be paid all professional or other charges for any business or act done by him or his firm in connection with the trust, including acts which a trustee could have done personally.
10. The said corporate trustees and the individual persons constituting the said corporate body of trustees shall incur no liability for dispensing, either wholly or partially, with the investigation or production of the lessor's title on the purchase or on lending money on the security of leaseholds, nor for purchasing or lending on the security of hereditaments with less than a marketable title or deficiency in value of any investments, nor for any other loss, unless the same shall happen through their own wilful default respectively.

11. The individual persons constituting the said corporate body of trustees shall, so far as concerns the trusts relating to the said real and personal estate, be liable only for such moneys and securities as they shall individually and actually receive, notwithstanding their respectively signing any receipt for the sake of conformity and responsible only for their own respective acts, receipts, omissions, neglects, and defaults, and not for those of each other, nor for any banker, broker, auctioneer, or other person with whom or into whose hands any trust moneys or securities shall be deposited or come.
12. This Act may be cited as the "*Bishop Tyrrell Trust Act*".

BISHOP TYRRELL TRUST ACT AMENDMENT ACT 1918

AN ACT to amend the Bishop Tyrrell Trust Act in certain particulars; to provide for the creation of additional trusts; and to grant certain extended powers to the Synod of the Diocese of Newcastle and to The Trustees of Church Property for the Diocese of Newcastle. [Assented to, 15th November, 1918].

WHEREAS the Right Reverend William Tyrrell, Doctor in Divinity, the Bishop of Newcastle, in the State of New South Wales, hereinafter called the said testator, was, at the respective dates of his will and death, entitled to certain real and personal estate, including certain pastoral properties, together with the chattels, livestock, and plant belonging thereto: And whereas the said testator by his will devised and bequeathed the said real and personal property upon certain trusts connected with the Anglican Church of Australia in the Diocese of Newcastle; And whereas the said testator died on the twenty-fourth day of March, one thousand eight hundred and seventy-nine, and his will was duly admitted to probate on the nineteenth day of May, one thousand eight hundred and seventy-nine: And whereas a corporate body of Trustees, under the name of "The Trustees of Church Property for the Diocese of Newcastle," has been constituted under the provisions of the Church of England Trust Property Incorporation Act of 1881, which body is hereinafter called "the said corporate trustees": And whereas an Act of Parliament, intituled "Bishop Tyrrell Trust Act," was passed in the year one thousand nine hundred and ten varying the trusts declared in the said will, and extending powers of managing lands held under such will and for the other purposes in the said Act mentioned: And whereas it is expedient that certain of the trusts of the said Act should be altered, and that the said corporate trustees should hold the trust property upon the trusts declared by the said Act and this Act in lieu of the trust declared by the said Act: And whereas it is expedient that the said corporate trustees should have additional powers of investment, and that extended powers should be granted to the Synod of the Diocese of Newcastle and to the Trustees of Church Property for the Diocese of Newcastle: And whereas the provisions of this Act have been approved by an ordinance of the Synod of the said Diocese: And whereas the objects of this Act cannot be carried out without the provisions of an Act of Parliament in that behalf: Be it therefore enacted by the King's Most Excellent Majesty, but and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "*Bishop Tyrrell Trust Act Amendment Act 1918*" and shall be construed with the Bishop Tyrrell Trust Act, hereinafter called the Principal Act.
2. In addition to the annual sums directed by section one of the Principal Act to be paid and applied to the purposes therein named, the said corporate trustees shall each year that they shall be required so to do to comply with the provisions of any ordinance in force for the time being passed by the Synod of the Diocese of Newcastle to provide for a retiring allowance to the Bishop of Newcastle, pay from the balance of the said net proceeds and the income arising from the investment of the said reserve fund mentioned in the Principal Act to such council, committee, trustees, persons or person, as the said corporate trustees shall see fit, and whether appointed by the Synod of the Diocese of Newcastle or not such sum as shall be necessary to give effect to any

ordinance making provision for a retiring allowance to Bishops of Newcastle, to be applied in accordance with the provisions of such ordinance towards an allowance to any Bishop of Newcastle, to be applied in accordance with the provisions of such ordinance towards an allowance to any Bishop of Newcastle who shall retire from the See of Newcastle, and such object shall be entitled to priority of payment of the said sum next after the annual sum firstly declared by the said section to be payable towards the income of the Bishop of Newcastle.

3. The said corporate trustees may, notwithstanding that the ultimate balance with the accumulations thereof mentioned in section one of the Principal Act shall not amount to one hundred and eight thousand pounds, if in their discretion they deem it advisable, from time to time as the state of the said ultimate balance with the accumulations thereof will allow, set aside therefrom one or more of the several amounts mentioned in the said section to be held upon trust for the purposes therein mentioned, and in the order of priority in which the said purposes and amounts are set forth in the said section.
4. When and so often as any amount mentioned in section one of the Principal Act shall have been set aside out of the said ultimate balance with the accumulations thereof, and notwithstanding that the whole of the amount mentioned in the section have not been set aside, it shall be lawful for the Synod of the Diocese of Newcastle, on the proposal of the Bishop of Newcastle or on that of the said corporate trustees, by ordinance to direct, limit, or appoint certain other sums, not to exceed in the aggregate the amount so set aside as aforesaid, to be set aside from the balance of the said net proceeds, and the income arising from the investment of the reserve fund mentioned in section one of the Principal Act, after the whole of the sum of one hundred and eight thousand pounds in the said section mentioned has been set aside, in trust for such purposes and objects, and in such manner in connection with the Anglican Church of Australia in the Diocese of Newcastle as the Synod of the said Diocese shall think fit, with power at any time on the like proposal to make void, alter, or vary such direction, limitation, or appointment, and direct, limit, or appoint other purposes or objects in lieu thereof.
5. Upon any of the said amounts being set aside in accordance with section three of this Act the annual sum directed by the Principal Act to be applied to like purposes shall cease to be so applied, and shall after payment of the remaining annual sums in the said Principal Act directed to be paid be applied proportionately to the purposes or objects declared by the said synod under section four of this Act.
6. In addition to the payments directed to be made by the corporate trustees by section one of the Principal Act from the balance of the net proceeds and the income arising from the investment of the reserve fund referred to in the said section, there shall be paid in each and every year, subject to the provisions contained in that section towards the relief of sick children of the Clergy of the Diocese, the sum of one hundred pounds, and such object shall have priority of payment next after the several objects mentioned in the said section of the Principal Act.
7. The corporate trustees shall in addition to the powers conferred upon them by the Principal Act, at the request of and so as to comply with the provisions of any

ordinance in force for the time being passed by the Synod of the Diocese of Newcastle, have power to acquire any lands and buildings for purposes other than the purpose of carrying on the pastoral properties mentioned in the Principal Act.

BISHOP TYRRELL TRUST ACT AMENDMENT ACT 1923

AN ACT to further amend the Bishop Tyrrell Trust Act, and to amend the Bishop Tyrrell Trust Act Amendment Act 1918, in certain particulars; to provide for the alteration of one of the trusts; and for other purposes therein mentioned. [Assented to, 21st December, 1923.]

WHEREAS an Act of Parliament intituled "Bishop Tyrrell Trust Act" (hereinafter called the Principal Act) was passed in the year one thousand nine hundred and ten, varying the trusts declared in the will of The Right Reverend William Tyrrell, Doctor in Divinity, the Bishop of Newcastle in the State of New South Wales, and extending powers of managing lands held under such will and for the other purposes in the said Act mentioned: And whereas by an Act of Parliament intituled "Bishop Tyrrell Trust Act Amendment Act, 1918 hereinafter called the "Amending Act", passed in the year one thousand nine hundred and eighteen the said Principal Act was amended in certain particulars, and provisions were made for the creation of additional trusts and to grant certain extended powers to the Synod of the Diocese of Newcastle and to The Trustees of Church Property for the Diocese of Newcastle (hereinafter called "the said Corporate Trustees"): And whereas it is expedient to further amend the Bishop Tyrrell Trust Act and to amend the Bishop Tyrrell Trust Act Amendment Act, 1918, in certain particulars: And whereas the provisions of this Act have been approved by an Ordinance of the Synod of the said Diocese: And whereas the objects of this Act cannot be carried out without the provisions of an Act of Parliament in that behalf: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "*Bishop Tyrrell Trust Act Amendment Act 1923*" and shall be construed with the Bishop Tyrrell Trust Act and the Bishop Tyrrell Trust Act Amendment Act, 1918.
2. If and when under the provisions of section three of the amending Act the sum of thirty thousand pounds for an endowment fund of the See of Newcastle shall have been set aside the annual income therefrom shall not in any year reach the sum of one thousand six hundred and six pounds the Corporate Trustees may pay from the balance of the said net proceeds and the income arising from the investment of the reserve fund mentioned in section one of the Principal Act such sum as may be required to make up the income derived from the investment of the said sum of thirty thousand pounds to the sum of one thousand six hundred and six pounds: Provided that the Corporate Trustees may use any surplus income from the investment of the said sum of thirty thousand pounds above the said sum of one thousand six hundred and six pounds to add to the ultimate balance with the accumulation thereof mentioned in section one of the Principal Act.
3. The said Corporate Trustees may in the exercise of their discretion under section three of the Amending Act to set aside from time to time one or more of the several amounts mentioned in section one of the Principal Act deal with the second of such amounts so mentioned as aforesaid that is to say for a Clergy Stipend Endowment Fund in the Diocese of Newcastle the sum of fifty thousand pounds as if the said sum of fifty thousand pounds were comprised of five separate sums of ten thousand pounds each

and set aside from to time in their discretion one of such sums of ten thousand pounds for a Clergy Stipend Endowment Fund in the Diocese of Newcastle till the whole sum of fifty thousand pounds be so set aside for the said purpose.

BISHOP TYRRELL TRUST ACT AMENDMENT ACT, 1927

AN ACT to amend the Bishop Tyrrell Trust Act, and to amend the Bishop Tyrrell Trust Act Amendment Act, 1918, and to amend the Bishop Tyrrell Trust Act Amendment Act 1923, in certain particulars; to provide for the alteration of one of the trusts; and for other purposes therein mentioned. [Assented to, 1st March, 1927.]

WHEREAS an Act of Parliament intituled "Bishop Tyrrell Trust Act" (hereinbefore called the Principal Act) was passed in the year one thousand nine hundred and ten, varying the trusts declared in the will of The Right Reverend William Tyrrell, Doctor of Divinity, the Bishop of Newcastle in the State of New South Wales, and extending powers of managing lands held under such will and for other purposes in the said Act mentioned: And whereas by an Act of Parliament intituled "Bishop Tyrrell Trust Act Amendment Act, 1918", passed in the year one thousand nine hundred and eighteen, and by a further Act of Parliament intituled "Bishop Tyrrell Trust Act Amendment Act, 1923", passed in the year one thousand nine hundred and twenty-three, the Principal Act was amended in certain particulars and provisions were made for the creation of additional trusts and to grant certain extended powers to the Synod of the Diocese of Newcastle and to The Trustees of Church Property for the Diocese of Newcastle (hereinafter called the "Corporate Trustees"): And whereas the Corporate Trustees have with the approval of the Synod of the said Diocese invested the sum of thirty thousand pounds and upwards portion of the moneys subject to the said Trust in the purchase of certain lands in the City of Newcastle, and in the erection of buildings thereon: And whereas doubts have arisen as to the power of the Corporate Trustees to make the said investment: And whereas the Diocese of Newcastle has not declared its desire to have the benefit of the Anglican Church of Australia Trust Property Act, 1917-76: And whereas doubts have arisen as to the power of Synod of the trust property matters and things the subject of the trusts of the said will and the Principal Act, and the Acts amending the same: And whereas it is expedient that certain of the trusts of the Principal Act and the Acts amending the same should be altered, and that the Corporate Trustees should hold the Trust property upon the trusts declared by the said Acts and this Act in lieu of the trusts declared by the said Acts: And whereas it is expedient that the Corporate Trustees should have additional powers of investment and that extended powers should be granted to the Synod of the Diocese of Newcastle and to the Corporate Trustees: And whereas the provisions of this Act have been approved by an Ordinance of the Synod of the said Diocese: And whereas the objects of this Act cannot be carried out without the provisions of an Act of Parliament in that behalf: Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled by and with the authority of the same as follows:-

1. This Act may be cited as the "***Bishop Tyrrell Trust Act Amendment Act, 1927***", and shall be construed with the Bishop Tyrrell Trust Act, and the Bishop Tyrrell Trust Act Amendment Act, 1918, and the Bishop Tyrrell Trust Act Amendment Act 1923.
2. Section 2 of the Bishop Tyrrell Trust Act Amendment Act, 1918 is hereby amended by inserting after the words "Bishop of Newcastle" where those words first occur, and after the words "Bishop of Newcastle" and after the words "See of Newcastle" the following words "or for an allowance to the widow and or orphans of a Bishop of

Newcastle" by adding after the words "such sum" and after the words "said sum" the words "or sums" and by substituting for the word "object" the word "objects".

3. The Corporate Trustees shall be deemed to have been authorised, and are hereby authorised to invest the whole or any part of the moneys constituting any of the several funds mentioned in section one of the Principal Act with other moneys held by them and forming the whole or part of any other fund or funds mentioned in the said section or with moneys held by them upon trust for purposes other than those declared by the will in the Principal Act mentioned or by the Principal Act or the Acts amending the same, and any investments so made and the income thereof shall subject to clause five hereof be held by the Corporate Trustees upon the same trusts and in the same proportions as the moneys so invested were held.
4. It shall not have been or be obligatory for the Corporate Trustees in setting aside any amount in accordance with section one of the Principal Act or any Act amending the same to set aside the same in moneys, but the Corporate Trustees shall be deemed to have been authorised, and are hereby authorised, to appropriate any part of the property subject to the trusts of the said will, and not already appropriated, to any fund or funds in the actual condition or state of investment thereof in or towards satisfaction of the funds or any of them mentioned in section one of the Principal Act or in the Acts amending the same as to the Corporate Trustees may seem just and reasonable and in the order or priority in which the funds are by the Principal Act or any Act amending the same directed to be set aside.
5. If under the provisions of the Principal Act or any Act amending the same any of the funds mentioned in section one of the Principal Act has been set aside and the annual income thereof shall in any year exceed the amount of the annual sum directed in section one of the Principal Act to be paid or applied to the like purposes for which such fund is directed to be set aside the Corporate Trustees may apply the excess of such income after setting aside thereout such sum as the Corporate Trustees shall think fit for a reserve fund for averaging gains, losses and interest in the payment of the incomes mentioned in section one of the Principal Act in priority of payments in the order set forth in the said section or add the same to the ultimate balance with the accumulations thereof mentioned in the said section: Provided, however, that if and when the annual income from the investments of any of the funds so set aside shall not in any year reach the annual sum directed by section one of the Principal Act in priority of payments in the order set forth in the said section or add the same to the ultimate balance with the accumulations thereof mentioned in the said section: Provided, however, that if and when the annual income from the investments of any of the funds so set aside shall not in any year reach the annual sum directed by section one of the Principal Act to be paid or applied to the like purposes for which the fund has been so set aside the Corporate Trustees may pay from the reserve fund herein mentioned and from the balance of the net proceeds and the income arising from the investment of the reserve fund mentioned in section one of the Principal Act, such sum as may be required to make up the income derived from the investment of the said fund to the amount of the said annual sum.
6. The Synod of the Diocese of Newcastle shall have power to make an ordinance or ordinances from time to time declaring a desire to have the benefit of the Anglican

Church of Australia Trust Property Act, 1917, or such of the provisions thereof as the Synod of the said Diocese shall from time to time think fit, extended to the properties, matters, and things subject to the trusts declared by the said will and by the Principal Act and the Acts amending the same, and under the hand of the Bishop of the said Diocese notify such ordinance in the Government Gazette, and immediately upon such notification and thenceforth the provisions of the said Anglican Church of Australia Trust Property Act, 1917, shall apply to all trust, property, matters, and things subject to the trusts declared by the said will or the Principal Act or the Acts amending the same. If the Synod of the said Diocese shall, under the power contained in the said Anglican Church of Australia Trust Property Act, 1917, make an ordinance declaring a desire to have the benefit of the said Act extended to the Diocese of Newcastle and shall notify the same as in the said Act, provided such Act shall not apply to the trusts declared by the said will or by the Principal Act or the Acts amending the same, or to the property, matters, and things subject to the said trusts except so far as the Synod of the said Diocese shall in such ordinance declare.

BISHOP TYRRELL TRUST [AMENDMENT] ACT, 1939

AN ACT to provide that the title of certain leases of land in the Western Division of which the beneficial interest is held by The Trustees of Church Property for the Diocese of Newcastle shall be a lease in perpetuity; to impose certain restrictions on dealings with such leases; for these and other purposes to amend the Western Lands Act of 1901 and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 7th November 1939.]

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

1 Short Title

- (1) This Act may be cited as the *Bishop Tyrrell Trust [Amendment] Act, 1939*.
- (2) This Act shall be read and construed with the Western Lands Act of 1901, as amended by subsequent Acts.

2 Extension of certain leases

- (1) The leases, particulars whereof are set out in the Schedule to this Act are, notwithstanding anything contained in the Western Lands Act of 1901, as amended by subsequent Acts, hereby extended to leases in perpetuity.
- (2) Each lease so extended shall, except as expressly provided in this Act, be subject to the general provisions of the Western Lands Act of 1901, as amended by subsequent Acts, in all respects as if the same had been extended to a lease in perpetuity under that Act and to the conditions attaching to the lease and in force immediately before the commencement of this Act.
- (3) Each lease so extended shall be subject to a special condition that it shall not be transferred or otherwise dealt with by The Trustees of Church Property for the Diocese of Newcastle except by way of mortgage.
- (4) Each lease so extended shall, in addition to the conditions attaching to the lease and in force immediately before the commencement of this Act, and to the special condition referred to in subsection three of this section, be subject to such terms and conditions of improvement and maintenance thereof, including water supply and the destruction of rabbits, wild dogs and other noxious animals as the Minister, after report by the local land board, may consider necessary to reasonably increase or to preserve the carrying capacity of the land, and may impose.
- (5) The instruments of lease of the leases so extended shall be lodged at the office of the Commissioner in order that a notification of such extension and a note of the special condition referred to in subsection three of this section and of any terms or conditions imposed pursuant to subsection four of this section may be endorsed thereon.

- (6) Without prejudice to the generality of subsection two of this section, the provisions of subsection eleven of section 18E of the Western Lands Act of 1901, as amended by subsequent Acts, shall extend to and in respect of the leases so extended in all respects as if they had been extended upon application made under that section, as from the commencement of this Act.

3 Leases to continue subject to certain trusts

- (1) The Trustees of Church Property for the Diocese of Newcastle shall continue to hold the beneficial interest in the leases extended to leases in perpetuity by subsection one of section two of this Act, upon the trusts of the will of the late Right Reverend William Tyrrell, Lord Bishop of Newcastle as varied by the Bishop Tyrrell Trust Act, the Bishop Tyrrell Trust Act Amendment Act, 1918, the Bishop Tyrrell Trust Act Amendment Act, 1923, and the Bishop Tyrrell Trust Act Amendment Act, 1927.
- (2) If the beneficial interest in any one or more of such leases ceases to be so held the Minister may, upon the recommendation of the Commissioner, at any time withdraw land from the area held under such lease or leases as the case may be, but the land which may be so withdrawn shall not exceed one-eighth of the area of the lease or leases as the case may be.

The provisions of section seventeen [except subsections one and five thereof] of the Western Lands Act of 1901, as amended by subsequent Acts, shall, mutatis mutandis, apply to and in respect of any such withdrawal.

SCHEDULE

Western Lands Lease No.	Area (acres)	County
154	10,240	Narran
576	32,837	Narran and Culgoa

CREATION OF ADDITIONAL TYRRELL TRUSTS ORDINANCE OF 1923

AN ORDINANCE to Provide for the exercise of the powers granted by the Bishop Tyrrell Trust Act Amendment Act 1918 to the Synod of the Diocese of Newcastle to create additional Trusts and to direct limit or appoint the purposes and objects of such Trusts.

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act passed in the year 1910 to vary the trusts declared in the Will of the said Bishop after reciting in the Preamble thereof that the whole of the real and personal property subject to the trusts of the said Will is vested in "The Trustees of Church Property for the Diocese of Newcastle" which body is hereinafter called "The said Corporate Trustees" Enacted in section 1 that the said Corporate Trustees should hold all the real and personal estate which is subject to the Trusts of the said Will upon the Trusts set out in the Act and with regard to the pastoral properties forming part of the said real and personal estate known as Brenda Station they should manage and carry on the same and should apply the net profits of the said pastoral properties after providing a Reserve Fund thereout and making the payment therefrom of certain specified annual sums to the accumulation of the ultimate balance until the said ultimate balance with the accumulations thereof should amount to one hundred and eight thousand pounds then upon trust to hold the said sum of one hundred and eight thousand pounds upon trust for the purposes and in the amounts following in the said section of the said Act. And whereas the act of Parliament intituled the Bishop Tyrrell Trust Act Amendment act 1918 after reciting in the Preamble thereof that the whole of the real and personal property subject to the trust of the Will of the said Bishop is vested in "The Trustees of Church Property for the Diocese of Newcastle" which body is hereinafter called "the said Corporate Trustees" And that an Act of Parliament intituled "Bishop Tyrrell Trust Act" was passed in the year 1910 varying the trusts declared in the said Will and for other purposes. And that it is expedient that certain of the trusts of the said act should be altered. AND that the said Corporate Trustees should hold the trust property upon the trusts declared by the said Act and this Act in lieu of the trusts declared in the said Act Enacted amongst other things Section 1 The Bishop Tyrrell Trust Act Amendment Act 1918 shall be construed with the Bishop Tyrrell Trust Act hereinafter called the Principal Act Section 3 The said Corporate Trustees may notwithstanding that the ultimate balance with the accumulations thereof mentioned in Section 1 of the Principal Act shall not amount to one hundred and eight thousand pounds if in their discretion they deem it advisable from time to time as the state of the said ultimate balance with the accumulations thereof will allow set aside therefrom one or more of the several mounts mentioned in the said Section to be held upon Trust for the purposes therein mentioned and in the order of priority in which the said purposes and amounts are set forth in the said Section 4 When and so often as any amount mentioned in Section 1 of the Principal Act shall have been set aside out of the said ultimate balance with the accumulations thereof will allow set aside therefrom one or more of the several amounts mentioned in the said Section to be held upon Trust for the purposes therein mentioned and in the order of priority in which the said purposes and amounts are set forth in the said Section 4 When and so often as any amount mentioned in Section 1 of the Principal Act shall have been set aside out of the said ultimate balance with the accumulations thereof and notwithstanding that the whole of the amounts mentioned in the Section have not been set aside it shall be lawful for the Synod of the Diocese of Newcastle on the proposal of the Bishop of Newcastle or on that of the said Corporate Trustees by Ordinance to direct limit or appoint certain other sums not to exceed in the aggregate the amount so set aside as

aforesaid to be set aside from the balance of the said net proceeds and the income arising from the investment of the reserve fund mentioned in Section 1 of the Principal Act after the whole of the sum of one hundred and eight thousand pounds in the said Section mentioned has been set aside in trust for such purposes and objects and in such manner in connection with the Anglican Church of Australia in the Diocese of Newcastle as the Synod of the said Diocese shall think fit. And whereas the said Corporate Trustees notwithstanding that the ultimate balance with the accumulations thereof mentioned in Section 1 of the Principal Act does not amount to one hundred and eight thousand pounds have deemed it advisable and have set aside therefrom one of the several amounts mentioned in the said Section that is to say the sum of thirty thousand pounds for an endowment fund of the See of Newcastle being the first of the amount so mentioned. And whereas the Bishop of Newcastle has proposed that the Synod of the Diocese of Newcastle shall by Ordinance direct limit or appoint certain other sums amounting in the aggregate to the sum so set aside by the said Corporate Trustees as aforesaid to be set aside from the balance of the said net proceeds and the income arising from the investment of the reserve fund mentioned in Section 1 of the Principal Act after the whole of the sum of one hundred and eight thousand pounds in the said Section mentioned has been set aside.

The Synod of the Diocese of Newcastle in pursuance of the powers in that behalf conferred upon it by the Anglican Church of Australia Constitutions Act, 1902 the Bishop Tyrrell Trust act Amendment Act 1918 and of all other powers vested in the said Synod ordains and rules as follows:-

CLAUSE 1 - SETTING ASIDE TRUSTS FOR SPECIAL PURPOSES

There shall be set aside from the balance of the net proceeds and the income arising from the investments of the reserve fund mentioned in Section 1 of Bishop Tyrrell Act after the whole of the sum of one hundred and eight thousand pounds in the said section mentioned has been set aside the sum of thirty thousand pounds in trust for the body called in the said Act "the said Corporate Trustees" to hold the said sum of thirty thousand pound upon trust for the purposes and in the amounts following that is to say for an Endowment Fund for Educational purposes in the Diocese of Newcastle Eighteen thousand pounds for an Endowment Fund for Christ Church Cathedral Newcastle Six thousand pounds for an Endowment Fund for Church Extension within the Diocese of Newcastle six thousand pounds.

CLAUSE 2 - SHORT TITLE

This Ordinance shall be styled and cited as "*Creation of Additional Tyrrell Trusts Ordinance of 1923*".

CREATION OF ADDITIONAL TYRRELL TRUSTS

The 1923 Ordinance is typed in full in order to provide some background material. Subsequent Ordinances are, of course available in full in the appropriate Year Book.

The information provided hereinafter sets out only the Endowment Funds proposed to be set up under the Ordinance in question.

1923 As typed.

1927 Y.B. Folio 249

Bishop's Residence	Pnds 7,500	\$ 15,000
Educational Purposes	Pnds 12,500	\$ 25,000

1929 Y.B. Folio 230

Diocesan & Parochial Building Fund	Pnds 20,000	\$ 40,000
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1933 Y.B. Folio 163

Application of the income of the Diocesan & Parochial Building Fund

- (a) Purchase of land
- (b) Erection, maintenance, repairs or renovations of buildings
- (c) Reduction and extinction of debts and payment on interest
- (d) Payment of rates and taxes
- (e) Costs, charges and expenses incidental to or connected with any of the matters mentioned in any of the above paragraphs "a to d".

1940 Y.B. Folio 209

Diocesan & Parochial Building Endowment Fund Additional	Pnds 22,000	\$ 44,000
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1947 Y.B. Folio 242

Lambeth and Other Travel	Pnds 8,000	\$ 16,000
Endowment Fund for Clergy Stipends	Pnds 8,000	\$ 16,000

1948 Y.B. Folio 231

Such purposes and objects and in such manner in connection with the Anglican Church of Australia in the said Diocese as the Diocesan Council shall with the approval of the said Corporate Trustees determine.

	Pnds 30,000	\$ 60,000
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1950 Y.B. Folio 205

Pensions Fund (Applied to Sustentation Fund 1965 Ord)	Pnds 15,000	\$ 30,000
Endowment Fund Travel Lord Bishop	Pnds 5,000	\$ 10,000

1950 Y.B. No. 2 Folio 224

Newcastle Diocesan Interest Dev. Fund (Newcastle Diocesan & Parochial Development Ordinance of 1950)	Pnds 15,000	\$ 30,000
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1951 Y.B. Folio 218

Endowment Fund for Educational Purposes Newcastle Diocesan Interest Dev. Fund.	Pnds 8,000	\$ 16,000
(Dio. & Paroch. Dev. Fd Ordinance 1950)	Pnds 35,000	\$ 70,000
Educational Purposes	Pnds 7,500	\$ 15,000
Augmentation of Pensions (to be applied to Sustentation Fd. Ord 1965)	Pnds 10,000	\$ 20,000
Maintenance of the Fabric Christ Church Cathedral	Pnds <u>12,500</u>	<u>\$ 25,000</u>
	Pnds 73,000	\$146,000

Fabric St. John's College	Pnds 12,500	\$ 25,000
<u>1953 Y.B. Folio 202</u>		
Newcastle Diocesan Housing Accommodation Fund - Income for premiums as determined by Trustees (to be applied to Diocesan Sustentation Fd Ord 1965)	Pnds 10,000	\$ 20,000
Newcastle Diocesan & Parochial Dev. Fund	Pnds 50,000	\$100,000
<u>1954 Y.B. Folio 223</u>		
Maintenance alteration renovation of the fabric - Bishops court, rates, taxes, grounds - Official expenses of the Lord Bishop	Pnds 15,000	\$ 30,000
<u>1955 Y.B. Folio 92</u>		
Stipend - Warden (and staff) St. John's College	Pnds 28,000	\$ 56,000
<u>1965 Y.B. Folio 283</u>		
Amendments to 1950 Ordinance (Newcastle Diocesan Sustentation Fd. Ord. 1965)		
Amendments to 1951 Ordinance (Newcastle Diocesan Sustentation Fd. Ord. 1965)		
Amendments to 1965 Ordinance (Newcastle Diocesan Sustentation Fd. Ord. 1965)		
<u>1965 Y.B. No. 2 Folio 290</u>		
Maintenance of the Fabric of Christ Church Cathedral Newcastle		\$ 12,500
Pnds 500 per annum until Pnds 12,500 set aside.		
<u>1970 Y.B. Folio 58a</u>		
Creation of Addit. Tyrrell Trusts & Priorities Ord. 1970		
Episcopal Pension Fund	Pnds 25,000	\$ 50,000
Bishopric		\$ 40,000
Archdeaconries		\$ 20,000
<u>1973 Y.B. Folio 80a</u>		
St. John's College Warden & Staff		
Salaries		\$ 56,000
Specialist Ministries Endowment		\$ 20,000
Specialist Ministries Endowment Additional		\$ 50,000
Ordination Candidates Endowment Additional		\$ 10,000
Christ Church Cathedral Preservation of Fabric Endowment		\$ 25,000
Historic Churches Maintenance Endowment		\$ 10,000
Specialist Ministries Endowment Further Addit.		\$ 22,500
Historic Churches Maintenance Endowment Addit.		<u>\$ 22,500</u>
		<u>\$216,000</u>
<u>1990 Y.B. Folio 67</u>		
Diocesan Council Budget Approval Programmes Fund		\$550,000

THE BISHOP TYRRELL TRUSTS INVESTMENTS ORDINANCE 1961

AN ORDINANCE to Extend the Powers of Investment conferred by Section 6 of the Bishop Tyrrell Trust Act and for purposes connected therewith.

PREAMBLE

WHEREAS by the Anglican Church of Australia Trust Property Act Acceptance Amendment Ordinance 1957 the Synod of the Diocese declared that the operation of the provisions of Section 6 of the Bishop Tyrrell Trust Act might thenceforth be restricted or affected by the extension of the benefit of the Anglican Church of Australia Trust Property Act 1917 to the properties matters and things subject to the trusts declared by the will of the Right Reverend William Tyrrell and by the Bishop Tyrrell Trust Act and the Acts amending the same (hereinafter referred to as "the Tyrrell Trusts") and that the operation of the said Section 6 in relation to the properties matters and things subject to the Tyrrell Trusts should thenceforth be subject to the provisions of the said The Anglican Church of Australia Trust Property Act, 1917 AND WHEREAS the Trustees of Church Property for the Diocese of Newcastle have proposed that their powers of investment with respect to the Tyrrell Trusts should be enlarged in the manner hereafter declared.

AND WHEREAS it is expedient to vary the provisions made by the said Section 6 of the Bishop Tyrrell Trust Act for the investment of moneys subject to the Tyrrell Trusts and to make clauses 4 and 5 of The Church Trust Property Ordinance 1929 applicable to investments of moneys subject to the Tyrrell Trusts BE IT THEREFORE ordained by the Bishop Clergy and Laity of the Diocese of Newcastle in Synod assembled as follows:-

CLAUSE 1

In addition to the modes of investment set forth in section 6 of the Tyrrell Trust Act the Trustees of Church Property for the Diocese of Newcastle may henceforth with respect to any moneys subject to the Tyrrell Trusts in their hands requiring investment invest the same in any one or more of the classes or modes of investment for the time being prescribed by ordinance for the investment of Church Trust Property (not for the time being subject to express trusts) relating to the manner and mode of investment thereof subject nevertheless to the same restrictions limitations or conditions as to particular types or classes of security and the proportion of moneys to be invested therein from time to time as may apply to Church trust property not subject to the Tyrrell Trusts.

CLAUSE 2

Clause 4 and 5 of the Church Trust Property Ordinance, 1929 shall henceforth be construed as if moneys subject to the Tyrrell Trusts where Church trust properties to which such clauses apply.

CLAUSE 3

This Ordinance may be cited as "*The Bishop Tyrrell Trusts Investments Ordinance 1961*".

THE TYRRELL TRUSTS RATE OF INTEREST ORDINANCE 1966

AN ORDINANCE to authorise a uniform rate of interest payable on investments of the surplus proceeds of "Brenda" Station.

The Synod of the Diocese of Newcastle at the request of the Trustees of Church Property for the Diocese ordains directs and rules as follows:-

1. Notwithstanding anything contains in the Bishop Tyrrell Trust Act as amended or in any ordinance made thereunder or in any other ordinance the Trustees of Church Property for the Diocese of Newcastle are in respect of all capital sums set aside and invested from the surplus proceeds of "Brenda" Station hereby authorised to pay interest thereon at the uniform rate or apply the same for the purposes specified in the said Act and ordinance and such rate may be declared by the said Trustees from time to time provided it shall not be less than four per centum per annum.
2. Where in any case the interest so to be paid or applied may be less than the amount which would but for this ordinance be payable or applicable the said Trustees are authorised to pay or apply the difference from the undistributed income of the pooled investments of the said Trustees or if they should from time to time think fit from the annual net income of "Brenda" Station.
3. This Ordinance shall be deemed to have come into operation on the first day of January 1996.
4. This Ordinance may be styled and cited as "*The Tyrrell Trusts Rate of Interest Ordinance 1966*"

THE BRENDA STATION RELIEF OF STATUTORY AND AUTHORISED CHARGES ORDINANCE 1984

AN ORDINANCE to relieve Brenda Station of certain charges.

PREAMBLE

WHEREAS the Administration of Trust Funds Ordinance 1968-84 allows for the distribution of Undistributed Income and Investment Realisation Reserves AND WHEREAS it is expedient to de-pool the Tyrrell Trusts from the pooled investments and to relieve Brenda Station of Authorised Charges and create permanent endowments.

BE IT THEREFORE on the proposal of the Trustees of Church Property for the Diocese of Newcastle Ordained Directed and Ruled by the Bishop, Clergy and Laity of the Diocese of Newcastle in Synod assembled as follows:

1. The Trustees of Church Property are hereby authorised from the Investment Realisation Reserve and Undistributed Income of the Pooled Investments as at 1st January, 1984 to:

- (a) create the following Tyrrell Trust endowments:

	\$
Diocesan Council Grant (Extra Special Purposes Fund)	38,000
Bishopric Additional Stipend, Travelling, Official and Hospitality Allowance, Long Service Leave and Superannuation Fund payments	240,000
Bishops court Maintenance Grant	30,000
Bishop's Registry Expenses	340,000
Bishop and Assistant Bishop Pensions	120,000
	\$768,000

- (b) Increase the capital of the existing Tyrrell Trust Endowments as follows:

	\$
Bishopric Endowment	16,000
Diocesan Stipend Endowment	15,000
Diocesan Insurance Commissioners	4,000
Archdeaconries Endowment	1,500
Canonries Endowment	2,000
Sick Clergy and Sick Wives of Clergy Endowment	4,500
Diocesan Educational Purposes Endowment	14,000
Bishops court Maintenance Endowment	7,500

The Diocesan & Parochial Building Endowment	13,000	
Lambeth & Special Travelling Expenses Endowment	2,000	
Clergy Stipend & Trustees Equalisation of Interest Endowment	2,500	
Diocesan Council Special Purposes Endowment	9,000	
Augmentation of Pensions Endowment	8,000	
Bishopric Travelling Expenses Endowment	2,000	
Christ Church Cathedral Endowment for the Preservation of Fabric	4,000	
St. John's Theological College Endowment for the Preservation of Fabric	4,000	
Training of Candidates for Holy Orders Endowment	3,000	
The Episcopal Pension Fund Endowment	10,000	
Housing & Accommodation Fund - Premiums Assistance Endowment	<u>3,000</u>	\$127,000

2. This Ordinance may be cited as *"The Brenda Station Relief of Statutory and Authorised Charges Ordinance 1984"*.

THE BISHOP TYRRELL TRUST POOLING ORDINANCE 1986

AN ORDINANCE to provide for the pooling of certain property, subject to the trusts of the Will of the Right Reverend William Tyrrell and for other matters connected therewith.

PREAMBLE

Whereas by Section 1 of the Bishop Tyrrell Trust Act the Trustees of Church Property for the Diocese of Newcastle hold certain real and personal estate known as Brenda Station, the same being subject to the trusts of the said Will AND WHEREAS by Section 6 of the Bishop Tyrrell Trust Act Amendment Act, 1927 the Synod of the Diocese of Newcastle had the power to make an Ordinance declaring a desire to have the benefit of the Anglican Church of Australia Trust Property Act, 1917 extended to the properties, matters and things subject to the trusts declared by the said Will AND WHEREAS by Clause 3 of the Anglican Church of Australia Trust Property Act Acceptance Ordinance, 1929 the said Synod declared a desire to have the benefit of the said Act extended to the properties, matters and things subject to the trusts declared by the said will AND WHEREAS by Section 25 the said Anglican Church of Australia Trust Property Act 1917 it became lawful for the said Synod by Ordinance to pool separate Church Trust Properties for the purpose of investment and for averaging gains, losses and interests AND WHEREAS the said Brenda Station is Church Trust Property within the meaning of Section 4 of the said Act AND WHEREAS The Trustees of Church Property and the Diocesan Council have each by resolution declared it to be prudent and to the best advantage to the Diocese that Brenda Station become part of the pooled investments of the Diocese BE IT THEREFORE ENACTED by the Bishop, the Clergy and Laity of the Diocese of Newcastle in Synod assembled as follows:

1. The Church Trust Property known as Brenda Station together with the chattels livestock and plant and investments belonging thereto shall be and are hereby pooled with other trust properties held by the Trustees of Church Property for the purpose of investment and for averaging gains, losses and interests.
2. The Trustees of Church Property shall be and are hereby authorised from their funds to hold the sum of Four million dollars (\$4,000,000) upon the following trusts:
 - (1) To discharge all proper debts owing by them as Trustees pursuant to the Bishop Tyrrell Act, and
 - (2) To hold the balance, after such debts have been discharged upon trust for the beneficiaries under the said Bishop Tyrrell Trust Act.

SHORT TITLE

This Ordinance may be cited as "*The Bishop Tyrrell Trust Pooling Ordinance 1986*".

THE BISHOP TYRRELL TRUST [AMENDMENT] ACT 1939 AMENDMENT ORDINANCE 1989

AN ORDINANCE to provide for petitioning the Parliament to pass an Act to amend the Bishop Tyrrell Trust [Amendment] Act 1939

WHEREAS on the 15th October, 1988 at the Second Session of the Forty Second Synod of the Diocese of Newcastle the said Synod passed a resolution expressing an opinion to the Trustees of Church Property for the Diocese of Newcastle [hereinafter called the Corporate Trustees] that Brenda Station may be sold by the Corporate Trustees at any appropriate time to the advantage of the Diocese and in the best interests of the overall financial management of the Trusts. AND WHEREAS the Corporate Trustees examined professional reports and alternatives for the short and long term future of Brenda Station and considered the most appropriate way to obtain the maximum financial results for the work of God and His Church within the Diocese of Newcastle AND WHEREAS the Corporate Trustees recommended to the Diocesan Council that Brenda Station be sold AND WHEREAS the Diocesan Council of the Synod of the Diocese of Newcastle on 1st June, 1989 in pursuance of the powers vested in it by the Anglican Church of Australia Trust Property Act 1917 and of other powers in the place of the said Synod and during the recess of the said Synod passed the *Brenda Station Land Sale Ordinance 1989* which the said ordinance was on 1st June, 1989 assented to by the Bishop of the said Diocese of Newcastle under the Anglican Church of Australia Constitutions Act 1902 AND WHEREAS the Parliament granted to the Corporate Trustees a Perpetual Lease of 43077 acres of land through the Bishop Tyrrell Trust [Amendment] Act 1939 AND WHEREAS the same act restricts the transfer of the said leases THE SYNOD of the Diocese of Newcastle in pursuance of the powers conferred upon it by the Anglican Church of Australia Constitutions Act 1902 and of other powers vested in the said Synod ordains and rules as follows:

- 1 The Synod of the Diocese of Newcastle hereby humbly petitions the Parliament of the State of New South Wales to pass an act to repeal Section 2(3) of Act No. 27 1939 being the Bishop Tyrrell Trust [Amendment] Act 1939.
- 2 The Synod of the Diocese of Newcastle hereby assures the Parliament subject to passing of the said legislation herein sought and consistent with the Brenda Station Land Sale Ordinance 1989 the monies arising from such sales shall be paid to the Corporate Trustees and after provision has been made for costs and charges relating thereto shall be held or applied by the Corporate Trustees as an addition to the Reserves of the Tyrrell Trusts and on the recommendation of the Corporate Trustees the appropriate proportion of the annual surplus income from the Reserves shall be allocated to the creation of Endowments the making of grants or other diocesan expenditure as Synod may determine consistent with the terms of the Trusts as varied by the relevant Bishop Tyrrell Trust Acts and as may be amended from time to time.
- 3 The Corporate Trustees are hereby authorised and empowered to carry into effect the provisions of this Ordinance and to incur such expense as may be necessary for the said purposes.
- 4 This ordinance may be cited for all purposes as "*The Bishop Tyrrell Trust [Amendment] Act 1939 Amendment Ordinance 1989*".

BISHOP TYRRELL TRUST [AMENDMENT] ACT 1990**Act No. 2, 1990**

AN ACT to amend the Bishop Tyrrell Trust [Amendment] Act 1939 to remove the bar to the sale of the leases extended by that Act; and for other purposes. [Assented to 22 May 1990]

The Legislature of New South Wales enacts:

Short title

1 This Act may be cited as the *Bishop Tyrrell Trust [Amendment] Act 1990*.

Commencement

2 This Act commences on the date of assent.

Amendment of Bishop Tyrrell Trust [Amendment] Act 1939 No. 27

3 The Bishop Tyrrell Trust [Amendment] Act 1939 is amended:

- (a) by omitting section 2(3)-(6) and section 3(2);
- (b) by inserting after section 3 the following section:

Trustees' power of sale etc

4 Nothing in this Act prevents the sale of, or other dealing with, any of the leases to which this Act applies pursuant to the powers conferred by the Anglican Church of Australia Trust Property Act 1917, as applied by the Bishop Tyrrell Trust Act Amendment Act 1927.

AN ORDINANCE to authorise the sale of certain lands known as **BRENDA STATION** in the parishes of **Boogenderra, Coobienda, Brenda, Beri and Byra** Counties of **NARRAN CULGOA** and **BELMORE** and in the **Maranoa District of Queensland** such being more particularly described in the Schedule hereto and to provide for the disposition of the proceeds thereof

The Diocesan Council of the Synod of the Diocese of Newcastle in pursuance of the Powers vested in it by the Anglican Church of Australia Trust Property Act 1917 and of other powers and in view of Synod Resolution 88.08 in the name and in the place of the said Synod Ordains Directs and Rules as follows:

DECLARATION OF OPINION

- (1) It appears expedient by reason of circumstances subsequent to the creation of the trusts of the property described in the Schedule hereto to authorise the sale of such property

AUTHORITY TO SELL

- (2) Authority is hereby given for the said pieces of land described in the Schedule hereto or any part or parts thereof to be sold by public auction or by private contract and for such sum or sums and upon such terms and conditions as may be determined by the said Diocesan Council but freed from the said trusts which trusts shall by force of this ordinance cease and determine

HOW SALE TO BE CARRIED OUT

- (3) The Trustees of Church Property for the Diocese of Newcastle are hereby authorised to execute and do all necessary deeds conveyances transfers assurances and other instruments acts and things for giving full and complete effect to the provisions of this ordinance according to its true intent and meaning

DISPOSITION OF PROCEEDS

- (4) The money arising from any such sale or sales shall be paid to the said Trustees and after provision has been made for costs and charges relating thereto shall be held or applied by the said Trustees as an addition to the Reserves of the Tyrrell Trusts and on the recommendation of the said Trustees the appropriate proportion of the annual surplus income from the Reserves shall be allocated to the creation of endowments the making of grants or other diocesan expenditure as Synod may determine.

SHORT TITLE

- (5) This ordinance may be cited for all purposes as "*The Brenda Station Land Sale Ordinance 1989*".

SCHEDULE

ALL those pieces or parcels of land in the State of New South Wales and State of Queensland as detailed below:

<u>In New South Wales</u>			<u>Area</u>	<u>Title</u>
<u>County</u>	<u>Parish</u>	<u>Por</u>	<u>a.r.p.</u>	<u>ha</u>
Narran	Boogenderra	1	160.0.0.	64.7 LG V.1532 F.172
"	"	2	100.0.0.	40.5 LG V.1604 F.250

<u>In New South Wales</u>			<u>Area</u>		<u>Title</u>
<u>County</u>	<u>Parish</u>	<u>Por</u>	<u>a.r.p.</u>	<u>ha</u>	
Narran	Boogenderra				
"	"	3	100.0.0.	40.5	LG V.747 F.171
"	"	4	640.0.0.	259.0	LG V.749 F.41
"	"	5	540.0.0.	218.5	LG V.747 F.139
"	"	6	200.0.0.	80.9	LG V.1171 F.75
"	"	7	380.0.0.	153.8	LG V.1505 F.125
"	"	8	300.0.0.	121.4	LG V.1361 F.93
"	Coobienda	8	80.0.0.	32.4	LG V.761 F.180
Culgoa	Brenda	1	640.0.0.	259.0	LG V.2132 F.19
"	"	2`	560.0.0.	226.6	LG V.2120 F.53
"	"	3	101.0.0.	40.9	LG V.1361 F.94
"	"	4	80.0.0.	32.4	LG V.2057 F.66
"	"	5	637.0.0.	257.8	LG V.2545 F.75
"	Beri	1	50.0.0.	20.2	
"	"	2	40.0.0.	16.2	
"	"	3	640.0.0.	259.0	LG V.2064 F.10
	Narran		9,816.0.0.	3,972.4	Identifier 6342/769234
	Culgoa & Narran		<u>32,648.0.0.</u>	<u>13,212.2</u>	Identifier 4967/769198
			<u>47,712.0.0.</u>	<u>19,308.4</u>	

In Queensland

Belmore	Brenda	1	4,012.2.24	1,623.8	V.949 F.187
"	"	2	14,140.0.0.	5,722.3	V.1062 F.158
"	"	23	5,000.0.0.	2,023.4	V.941 F.56
"	"	54	30,000.0.0.	12,140.6	V.3787 F.149
"	Byra	4 & 7	653.0.0.	264.3	V.3787 F.150
Maranoa District			33,664.0.0.	13,623.4	Brenda Pastoral Holding No.39/924
"	"		<u>10,240.0.0.</u>	<u>4,144.0</u>	Brenda East Pastoral Holding No. 39/3900
			<u>97,709.2.24</u>	<u>39,541.8</u>	

SUMMARY

	<u>Freehold</u>		<u>Leasehold</u>		<u>Total Lands</u>	
	<u>a.r.p.</u>	<u>h.a.</u>	<u>a.r.p.</u>	<u>h.a.</u>	<u>a.r.p.</u>	<u>h.a.</u>
In NSW	5,248.0.0.	2,123.8	42,464.0.0.	17,184.6	47,712.0.0.	19,308.4
In Queensland	53,805.2.24	21,774.4	43,904.0.0.	17,767.4	97,709.2.24	39,541.8
	<u>59,053.2.24</u>	<u>23,898.2</u>	<u>86,368.0.0.</u>	<u>34,952.0</u>	<u>145,421.2.24</u>	<u>58,850.2</u>

**THE TYRRELL TRUSTS INCREASE OF BISHOPRIC CAPITAL ORDINANCE
1990**

(Ordinance passed by Diocesan Council on proposal of Trustees)

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to create additional Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the Realisation Reserve and Reserve of Undistributed Income a further sum of \$150,000 to increase the Capital of the existing Trust Endowment for the expenses of the Bishopric. NOW the Diocesan Council of the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees in the name and place of the said Synod HEREBY RULES DIRECTS and ORDAINS as follows:

CLAUSE 1

There shall be set aside from the Realisation Reserve and Reserve of Undistributed Income arising from Investments referred to in Section 1 of the Bishop Tyrrell Trust Act a further sum of One Hundred and Fifty Thousand Dollars (\$150,000) to increase the Capital of the existing Tyrrell Trust Endowment of the See of Newcastle to provide for additional stipend, travelling, official and hospitality allowances, long service leave and superannuation fund payments.

CLAUSE 2

This endowment fund shall take effect from 1 January, 1990.

This Ordinance may be styled and cited as *"The Tyrrell Trusts Increase of Bishopric Capital Ordinance 1990"*.

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953

The Creation of Additional Tyrrell Trusts Ordinance 1954

The Creation of Additional Tyrrell Trusts Ordinance 1955

The Creation of Additional Tyrrell Trusts Ordinance 1965

The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970

The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973

The Creation of Additional Tyrrell Trusts Ordinance 1990

COPY WILL**OF THE****RIGHT REVD. WILLIAM TYRRELL, D.D.,
LORD BISHOP OF NEWCASTLE, DECEASED**

In the Name of God Amen - I William Tyrrell Lord Bishop of Newcastle residing at Morpeth in the Colony of New South Wales do make this my Last Will and Testament Whereas I am possessed in my own right of certain Runs or Stations in the Colony of New South Wales known as "Kunopia" "Bundori" "Cobbauthanna" and "Boomangar" with certain Freehold lands thereon and appertaining thereto and with the cattle sheep and horses running thereon and with certain goods and chattels thereto belonging three of which said runs or stations viz. Kunopia Bundori and Cobbauthanna with the lands sheep cattle horses goods and chattels are subject to a Mortgage to secure to the Bank of Australasia the payment of the principal sum of therein mentioned with interest thereon and such other sums as I might owe to the said Bank as in the Indenture of Mortgage securing the said sum and interest bearing date the day of April one thousand eight hundred and seventy-eight is more particularly set forth. And whereas I am also possessed in my own right of certain other Runs or Stations in the said Colony of New South Wales known as "Bogandeen East" "Bogandeen West" Coobienda "Brenda" "Bunna Bunna West" and "Minna" and of certain other Runs or Stations in the Colony of Queensland known as "Culgoa A" Culgoa "Culgoa North" "Culgoa Back Block" "Tako" "Bogandeen Back Block" and "Hulligararah" henceforth to the known collectively as "Brenda Station" with the freehold lands thereon and appertaining thereto and of the sheep cattle and horses running thereon and of the goods and chattels thereon and appertaining or belonging thereto as the same are more particularly mentioned and set forth in the Indenture of the Nineteenth day of December one thousand eight hundred and seventy-seven and made between Henry John Adams therein described of the one part and myself of the other part And whereas the said Runs or Stations with the said Lands and the said sheep c cattle and horses goods and chattels are subject to a first Mortgage to the said Henry John Adams to secure the payment of the sum of Twenty-four thousand pounds being part of the purchase money for the same with interest thereon And also to a second Mortgage (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) for the sum of Twenty thousand three hundred pounds bearing date the sixth day of April one thousand eight hundred and seventy-eight and made between myself (as mortgagor) of the first part Lovick Tyrrell (a Trustee) of the second part myself Arthur Edward Selwyn and William Edward White as mortgagees of the third part and the said Arthur Edward Selwyn and William Edward White of the fourth part given to secure the payment of that sum with interest thereon at the rate of six pounds per centum per annum payable half-yearly which sum is now in my hands and held by me as an Endowment Fund for the See of Newcastle as in the Indenture of Mortgage securing the said sum and interest is more particularly mentioned and set forth And also to a third Mortgage for the sum of Ten thousand pounds bearing date the third day of May one thousand eight hundred and seventy-eight and made between myself of the one part and the said Arthur Edward Selwyn and William Edward White of the other part given to secure the payment of that sum with interest thereon at the rate of Eight pounds per centum per annum payable annually and which sum is now in my hands and held by me for the Endowment of a Permanent Diocesan Clergy Stipend Fund for the maintenance and support of the Clergy in the Diocese of Newcastle Now I give devise and bequeath the whole of my said Stations and Runs Lands Live Stock Goods Chattels and Effects thereon to the Reverend Coles Child Canon and Rural Dean Incumbent of the Parish of St. James' Morpeth aforesaid and the Reverend Lovick Tyrrell Clerk Incumbent

of the Parish of St. Peter East Maitland in said Colony whom I hereby appoint Executors and Trustees of this my Will and who are hereinafter styled "my said Trustees" and I declare that wherever the words "my said Trustees" are used in this my Will they shall include and mean the Trustees and Executors now appointed or to be hereafter appointed under the powers herein contained and any persons upon whom the duties of Trustees or Executors under this my Will may fall by operation of Law or otherwise And as to all those my Runs or Stations called "Kunopia" "Bundori" "Cobbauthanna" and "Boomangar" and the said lands with the said sheep cattle horses goods and chattels hereon or thereto belonging To hold the same Upon Trust after discharging any Incumbrances which may then be due in respect of the same or any of them out of the income thereof if possible to carry out any contract for sale of the same or any part thereof which (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) I may have made and if there be no such contract then Upon Trust to sell the same and dispose of the proceeds as hereinafter directed with regard to the residue of my Estate herein dealt with And as to all those my other Runs or Stations in New South Wales and Queensland now known collectively as "Brenda Stations" with the lands thereon and the sheep cattle horses goods and chattels thereon or belonging thereto Upon Trust to Hold the same as a source of income for the various purposes and payments directed by this my Will And for this purpose I empower and direct my said Trustees to manage the same with such assistance as may be necessary to sell any old fat store stud or other stock that may at any time be running thereon to increase or diminish the number of any description of stock subject to the provisions of any Indenture which may then be current to change the character and quality of the stock to buy land thereon to lease from the Government or any Company or person any adjoining or other lands or stations to buy or exchange any stock to let any part or parts of the said Runs or Stations to take in sheep cattle or horses on terms or to agist to hire and discharge all superintendents overseers shepherds stockmen drivers shearers and others and for all or any such purposes to raise such sums of money as may from time to time be necessary by mortgage on all or any part of the said Runs or Stations lands sheep cattle horses goods and chattels or by lien on the wood of any of the said sheep I further direct my said Trustees to pay for and keep on foot the necessary leases licenses or permits to occupy any of the stations and to pay all the proper and necessary assessments charges and taxes now or hereafter to become due and payable in respect of the same according to any Law Rule or Regulations now or hereafter to be in force in New south Wales or Queensland And should there be at my decease any sum due to the said Henry John Adams or to any other person or Corporation in respect of the said last mentioned Stations or Runs now called Brenda and the lands sheep cattle horses goods and chattels thereon or belonging thereto I direct my said Trustees to pay off and discharge the same as soon as possible after my decease out of the proceeds profits and income of Brenda And I declare that wherever the words Brenda Stations shall hereinafter occur they shall extend to include and mean all the said stations in New South Wales and Queensland hereinbefore enumerated (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) and called Brenda Stations and the cattle sheep and horses depasturing thereon and their increase or any sheep cattle and horses that may be bought exchanged or otherwise acquired by my said Trustees and the increase of such stock and all purchased lands thereon and all goods chattels and effects thereon or belonging thereto and all other Runs Stations or lands bought leased held or otherwise acquired by my said Trustees to be worked used or occupied by them in conjunction with my present Brenda Stations and all cattle sheep and horses that may be placed or depasturing thereon and their increase and all the goods chattels and effects thereon and belonging thereto And that wherever the words "income of my Brenda Stations" are used they shall extend to include and mean all the profits from time to

time derived by the sale of any old surplus fat store or stud stock and the skins wool hides and

tallow of any stock after all station charges and expenses or any incumbrances are deducted thereout unless as to both phrases the context shall demand a different interpretation And whereas I am desirous that my said Brenda Stations should be so managed worked and conducted that they shall prove the source from which shall be derived the various sums of money hereinafter bequeathed and directed to be paid to Trustees for the various purposes hereinafter specified And I am therefore further desirous that my said Trustees should by all proper and lawful means as by the purchase of land on the said stations and by improvements and otherwise in accordance or in conformity with any Acts Regulations or Rules in force or to be in force in the Colonies of New South Wales and Queensland secure the said Brenda Stations as a portion of my Estate so that the same after providing for the sums of money so bequeathed shall remain ultimately freed and discharged from all charges and incumbrances created by this my Will or to be created under the powers herein given for the purpose to my said Trustees And whereas I am desirous of providing a sufficient Endowment Fund for the See of Newcastle by adding a sum of Nine thousand seven hundred pounds to the said sum of Twenty thousand three hundred pounds already in my hands for that purpose and secured as before mentioned Now I give and bequeath the sum of Nine thousand seven hundred pounds to be paid by my said Trustees to the Trustees for the time being appointed for that purpose under an Act of the Synod of the said Diocese of Newcastle passed for the purpose known as "The Church Property Trustees Act of 1873" and I charge my said "Brenda Stations" as a first charge after the payment of all incumbrances (W. Newcastle Witnesses R. W. Thompson, Mont. Parnell, junr.) at the time of my decease and subject to any subsequent incumbrances to be created by my said Trustees under the powers herein given to them and to any payments of interest required to be made on other charges hereinafter created and I direct the said sum to be paid out of the income of my Brenda Stations as the same shall come in and to be held invested and applied as an Endowment Fund by said Trustees appointed for the purpose of providing an income for the Bishop of Newcastle for the time being in conjunction with the said sum of Twenty thousand three hundred pounds And thereas I am desirous of providing for an establishing a Fund for the maintenance and support of an Archdeacon in the Diocese Now I give and bequeath the sum of Five thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the Said Act such sum to be a second charge on my said Brenda Stations subject as aforesaid which charge is to bear interest at the rate of Four pounds per centum per annum payable annually and such sum to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the maintenance and support of an Archdeacon in the said Diocese And whereas I am desirous of providing for and establishing a Fund for the maintenance and support of three Canons in the said Diocese Now I give and bequeath the sum of Six thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the said Act such sum to be a third charge on my said Brenda Stations subject as aforesaid such charge to be interest at the rate of Four pounds per centum per annum payable annually and such sum to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the maintenance and support of the three Canons in the said Diocese And whereas I have promised to the Synod of the Diocese of Newcastle that if each Parish in the said Diocese would (for a term of Five years ending on the thirty-first day of December one thousand eight hundred and seventy-seven) contribute in addition to such sum as it was required to raise for the annual stipend of its clergyman being the Incumbent the further sum of Fifteen pounds for every one hundred pounds of annual stipend so to be raised I would give the sum of Ten thousand pounds towards providing a Fund to be called "The Clergy Stipend Fund" for the maintenance and support of the Clergy of the Church of England in the said Diocese and the said additional sum

of Fifteen pounds for every one hundred (W. Newcastle Witnesses R.W. Thompson, Mont.

Parnell, junr.) pounds of annual income required to be raised by each Parish has been so contributed and the said sum of Ten thousand pounds has been so given by me and is now charged as before mentioned on my said Brenda Stations until and unless a mortgage shall be executed by me to secure same And I also promised on the like conditions to give a further sum of Ten thousand pounds on the thirty-first day of December one thousand eight hundred and seventy-nine a further sum of Ten thousand pounds on the thirty-first day of December one thousand eight hundred and eighty-four And I am desirous of performing my said promises and I am also desirous of giving and bequeathing for the like purpose and on the like conditions a further sum of Ten thousand pounds on the thirty-first day of December one thousand eight hundred and eighty-nine and a further sum of Ten thousand pounds on the Thirty-first day of December one thousand eight hundred and ninety-four and ultimately the further sum of Fifty thousand pounds for the like purpose of providing a Clergy Stipend Fund for the said Diocese Now I give the said sums respectively to be paid by my said Trustees to the Trustees appointed for the purpose under the said Act And I charge my said Brenda Stations with the said sums collectively as a fourth charge after and subject to all incumbrances charges and interest as aforesaid such charge as to the said last four sums of Ten thousand pounds to bear interest at the rate of Eight pounds per centum per annum payable annually and the balance or sum of Fifty thousand pounds to bear interest at Four pounds per centum per annum payable annually in each year after the year One thousand eight hundred and ninety-four out of the income of my Brenda Stations and to be held invested and applied as a Clergy Endowment Fund for the purpose of providing for the maintenance and support of the Clergy of the Church of England in the said Diocese but so that each Clergyman so to be maintained and supported shall not receive more than One hundred pounds per annum from the income of the said Fund And whereas I am desirous of Establishing a Fund for the maintenance and support of Clergymen who have worked in the ministry for many years in the said Diocese and who may be considered and proposed by the Bishop of the said Diocese for the time being with the approval of the Diocesan Council to be worthy of such maintenance and support Now I give and bequeath the sum of Ten thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the said Act such sum to be a Fifth charge (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) on my said Brenda Stations subject as aforesaid such charge to bear interest at the rate of Four pounds per centum per annum payable annually such sums to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the maintenance and support of Aged Clergymen in the said Diocese provided that the sum to be paid to each of such Clergymen shall not exceed the sum of Seventy-five pounds per annum And I direct that the Reverend Richard George Boodle now of Clifford near Frome England if he be alive shall be entitled to receive an annual payment under this clause for his life and if there shall in any year be any surplus of the income of such Fund I direct that it shall be paid by the said Trustees annually to the Trustees of the Clergy Widows and Orphan Fund in the said Diocese And whereas I am desirous of providing a Fund for the relief of Sick Clergymen "and the wives of any Clergymen" "in the said Diocese who may be unwell" and for enabling them to have necessary change of air Now I give and bequeath the sum of Five thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the said Act such sum to be a sixth charge on my said Brenda Stations subject as aforesaid such charge to bear interest at the rate of Four pounds per centum per annum payable annually out of the income of my said Brenda Stations such sum to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the relief of the Sick Clergymen "or of the wives of any clergymen" in the said Diocese "who may be unwell" who shall be nominated for such relief by the Bishop of

Newcastle for the time being And whereas I am further desirous of providing a Fund for the

Establishment of New Districts or Parishes within the said Diocese and for the maintenance and support of the Clergymen appointed to minister therein and for providing assistant Clergymen for parishes or districts already set out and established Now I give and bequeath the sum of Twenty-five thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed for the purpose under the said Act such sum to be a seventh charge on my said Brenda Stations subject as aforesaid (but such charge shall not bear interest) and such sum to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the Establishment of New Districts or Parishes within the said diocese and for the maintenance and support of the clergymen appointed to minister therein and of clergymen appointed to assist in parishes or districts already set out and established (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) provided that the sum to be paid to each of such clergymen shall not exceed one hundred pounds per annum And whereas I am desirous of providing a fund for the Education and training of Clergymen in the said Diocese and for providing other Clergymen for the said Diocese Now I give and bequeath the sum of Twenty-five thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the said Act such sum to be an Eighth charge on my said Brenda Stations subject as aforesaid such charge to bear interest at the rate of Four pounds per centum per annum payable annually such sum to be held invested and applied by the said Trustees so appointed as aforesaid as a Fund for the Education and Training of persons desirous and fitted to become Clergymen of the Church of England in the said Diocese under any Rules Regulations Acts or Ordinances of the Synod of the said Diocese in force for either of the said purposes for the time being or if there be none such in force then on the nomination of the Bishop of Newcastle for the time being And whereas I am further desirous of providing a Fund for the Religious Education of children in the said Diocese in accordance with the Doctrines and Teachings of the Church of England Now I give and bequeath the sum of Forty-four thousand pounds to be paid by my said Trustees to the Trustees for the time being appointed under the said Act such sum to be a Ninth charge on my said Brenda Stations subject as aforesaid such charge to bear interest at the rate of Four pounds per centum per annum payable annually out of the income of my said Brenda Stations such sum to be held invested and applied by the Said Trustees so appointed as aforesaid as the nucleus of a Fund for the Religious Education of Children in the said Diocese in accordance with the Doctrines and Teachings of the Church of England and for the Training of Teachers for church Schools in the said Diocese and for the Establishment and maintenance of such Schools I give to each of my Trustees herein named so long as they shall actively manage my Trust Estate the sum of Two hundred pounds per annum payable half-yearly as a compensation for their loss of time attention and trouble in the management of my said Trust Estate and to enable them to procure the necessary assistance in the discharge of the duties of their respective Cures such annual sum to be taken out of the income of my Brenda Stations And after payment of all charges (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) on my said Brenda Stations and the income thereof I give devise and bequeath the same to the Trustees for the time being appointed under the said Act to be held by them and the income thereof paid away and applied in such manner and to and for such uses and intents and purposes and in such manner in connection with the Church of England in the said Diocese as the Synod of the said Diocese on the proposal of the Bishop of Newcastle for the time being or the Diocesan Council of such Synod on the like proposal under any resolution of such Synod by any Act or Ordinances or resolution provided that such Act Ordinance or Resolution of Synod shall contain a clause as to the like proposal by the said bishop shall direct limit charge or appoint with power at any time on the like proposal to make void alter or vary such directions

limitations charges or appointments and others in lieu thereof to make direct limit charge or appoint I desire my said Trustees to retain the services of my present superintendent Mr. Henry Bayley if he be alive for the management of my said Brenda properties And as to the residue of my Estate not herein disposed of I direct my said Trustees to stand possessed the same upon such Trusts and to and for such ends intents and purposes as I may by any direction in writing hereafter to be made by my direct Will limit or appoint and in case I shall make no devise bequest direction limitation or appointment then upon Trust to assure transfer or pay the same to the Trustees appointed under the said Act to be held by them upon such and the like Trusts and to and for such and the like uses ends intents and purposes in connection with Church of England in the said Diocese as are lastly hereinbefore contained or declared as to my said Brenda Stations after payment of all charges thereon And I hereby direct and empower my said Trustees from time to time and at their discretion to alter vary and transpose such Government Securities as they may hold by virtue of this my Will into and for other securities of the same or a like nature and I declare that the interest income and annual proceeds which shall from time to time arise by or in respect of such money so to be invested or by or in respect of any other sum or sums of money which shall come to the hands of my said Trustees by any alteration or transposition of such securities as aforesaid shall go and be payable and paid to such person or persons and be applied to and for such uses ends intents and purposes as are hereinbefore declared And I hereby direct my said Trustees to execute all Deeds Conveyances Assurances Transfers Bill of Sale Leases released (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) and discharges and other documents as they may in their discretion think proper in relation to the Trusts of this my Will and for the purpose of carrying out the same And I hereby declare that any property hereby directed or authorised to be sold may be sold either together or in parcels and either by public Auction or private contract and either with or without any special or other conditions or stipulations relative to title or otherwise and the Trustees or Trustee making such sale may buy in any such property put up for sale by Auction or any part thereof and may rescind or vary any contract for Sale and may resell the property so bought in or the contract for the sale whereof shall have been so rescinded as aforesaid without being answerable for any loss or diminution in price and may Execute and deliver all necessary Deeds Conveyances and Assurances of the property sold give effectual receipts for the purchase money and do all other acts deeds and things for completing any such sale or sales which they or he may think proper And I hereby declare that my said Trustees may postpone the sale and conversion of my real and personal Estate or any part thereof for so long as they or he may think fit and that the rents profits and income to accrue from and after my decease of and from such part of my real and personal Estate as shall for the time being remain unsold and unconverted shall after payment thereof of all immediate expenses and outgoing be applied to the Trusts and in the manner hereinbefore expressed and declared or to be hereafter declared expressed or directed by me and as if such sale and conversion had been actually made And I empower my said Trustees from time to time to let any hereditaments tenements and premises for the time being remaining unsold either from year to year or for any term of years or as they shall deem necessary or proper at such rent and terms and subject to such covenants surrenders of Lease and tenancies or otherwise and generally to manage the same in such manner as they or he may think fit And I empower my said Trustees to employ and pay for all necessary assistance in the management of my said Estate and in Carrying out the Trusts thereof and generally to do any act in relation to the management thereof except in so far as they are hereby restricted in as full and ample a manner in all respects as if I were present and acting in such management And I hereby declare that if my said Trustees hereby appointed or either of them shall die in my lifetime or if they or either of them or any future Trustee or Trustees of this my

Will shall die or leave (W. Newcastle Witnesses R.W. Thompson, Mont. Parnell, junr.) the Colony of New South Wales to reside thereout or desire to retire from or refuse or become incapable to act in the Trusts of this my Will before the same shall be fully performed Then and in every case it shall be lawful with the approval and consent of the Bishop of Newcastle for the time being for the continuing Trustees or Trustee for the time being of this my Will or if there shall be no continuing Trustee then for the retiring or refusing Trustees or Trustee or the Executors or administrators of the last acting Trustee or if there have been no acting Trustee then for the Executors or administrators of any appointed Trustee to appoint any other person or persons to be a Trustee or Trustees in the place of the Trustee of Trustees so dying or desiring to retire or refusing or becoming incapable to act as aforesaid with liberty upon any such appointment to increase or diminish the original number of Trustees And upon every such appointment the Trust premises and Estate shall so far as may be necessary be so conveyed and transferred that the same may become vested in the new Trustee or Trustees in conjunction with any acting Trustee or Trustees or solely as the case may require And every such new Trustee or Trustees (as well before as after the Trust Estate and premises shall become vested in him or them) shall have all the powers and authorities of the Trustee or Trustees in whose place he or they shall be substituted And I hereby declare that my said Trustees or Trustee or the Trustees to be hereafter appointed by virtue of the power lastly hereinbefore contained shall be charged or chargeable only with or for such moneys stocks funds and securities as they shall respectively actually receive by virtue of the Trusts in them hereby reposed notwithstanding they or any of them shall join in any receipt for the sake of conformity And that any one of them shall not be answerable or accountable for the other or others of them but each only for his or their own acts receipts neglects or defaults and that they or any of them shall not be answerable for any Banker Broker or other person with whom any Trust moneys or securities may be deposited nor for the insufficiency of any stocks funds or securities nor for any other loss unless the same shall happen through their own wilful neglect or default respectively And also that is shall be lawful for them with or out of the moneys which shall come to their respective hands by virtue of the Trusts aforesaid to retain to and reimburse himself or themselves respectively (W. Newcastle Witnesses R. W. Thompson, Mont. Parnell, junr.) and to allow to his or their Co-Trustee or Co-Trustees any pay and discharge out of the said Trust premises all such costs charges and expenses as they or any of them shall or may respectively sustain expend or be put unto in or about the execution of the Trusts in them respectively hereby reposed or in any wise relating thereto I devise and bequeath all Estates vested in me as a Trustee or Mortgagee unto my said Trustees their heirs executors and administrators subject to the Trusts and Equities affecting the same respectively but so that the money secured by any mortgage shall form part of my personal Estate I revoke all former and other Wills and Codicils by me at any time made and I declare this to be my last Will and Testament In witness whereof I have to this my last Will and Testament contained in this and the eleven preceding pages and to each page hereof set my hand this Seventeenth day of May in the year of our Lord one thousand eight hundred and seventy-eight - W. Newcastle Signed and declared by the said William Tyrrell as and for his last Will and Testament in the presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as Witnesses the alterations interlineations and erasures having been first made R. W. Thompson, Solr., W. Maitland; Mont. Parnell, junr., W. Maitland 19th May 1879 This day upon Petition Probate of the last will and testament of the Right Reverend William Tyrrell, D.D., :Lord Bishop[of Newcastle deceased was granted to Coles Child and Lovick Tyrrell the Executors named in said Will Testator died 24th March, 1879 Goods sworn under £41,200 Probate dated 19th May 1879 T. M. Slattery, Prothonotary.

AN ORDINANCE to authorise the capitalisation of a proportion of the annual interest earned on certain Tyrrell Trusts.

PREAMBLE

WHEREAS the Synod passed certain ordinances to increase the capital of a number of Tyrrell Trust endowments on the proposal of the Trustees of Church Property for the Diocese of Newcastle which body is hereinafter called “the said Corporate Trustees”. AND WHEREAS on the proposal of the said Corporate Trustees it is considered prudent to add part of the annual interest earned on the Tyrrell Trusts to the capital of each trust each year. AND WHEREAS the ordinances and Tyrrell Trust Endowments are those referred to in the schedule of this ordinance. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees, hereby **ORDAINS DIRECTS AND RULES** as follows:

CLAUSE 1

An amount equal to 20% of the annual interest earned on the capital of the Tyrrell Trust Endowment funds referred to in the ordinances named in the Schedule to this ordinance shall be added to the capital of such endowment funds each year.

CLAUSE 2

The allocation of this interest to capital shall first occur during the financial year beginning 1 January 2005 and continue as directed in Clause 1.

CLAUSE 3

This ordinance may be cited as “*The Tyrrell Trust Endowments Capitalisation of Interest Ordinance 2004.*”

SCHEDULE

The Tyrrell Trusts Increase and Adjustment of the Episcopal Expenses Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Diocesan Office Budget Expenses Endowment Ordinance 2004

The Tyrrell Trusts Increase and Adjustment of the Cathedral Endowment Ordinance 2004.

The Tyrrell Trusts Increase and Adjustment of the Diocesan Budget Support Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Bishop and Assistant Bishop Pensions Endowment and the Training of Candidates for Holy Orders Endowment and Amalgamation Ordinance 2004.

The Tyrrell Trusts Increase of the Special Purposes Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Extra Special Purposes Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Property Approvals Board Interest and Development Fund Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Archdeaconries Endowment Ordinance 2004.

The Tyrrell Trusts Increase of Episcopal Pension Fund Endowment Ordinance 2004.

The Tyrrell Trusts Increase of the Capital of the Lambeth and Special General Travelling Ordinance 2004.

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$1,528,000 to increase the Capital of the existing Trust Endowment for Episcopal Expenses from \$978,219 to \$2,506,219. AND WHEREAS the Corporate Trustees deem it desirable to combine the existing Bishopric Endowment of \$121,000, the Bishopric Travelling Expenses Endowment of \$12,000, the Bishopric Additional Stipend, Travelling, Official and Hospitality Allowance, Long Service Leave and Superannuation Fund payments Endowment of \$445,219 and the further Bishopric Endowment of \$400,000 created from part of the Morpeth Land Sale Proceeds in 1996 into one endowment fund to be known as the Episcopal Expenses Endowment such enlarged endowment to provide for full-time stipendiary Bishops serving in the Diocese. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

The endowments as stated above shall be combined into one endowment to be known as the Episcopal Expenses Endowment and there shall be set aside from the net proceeds of the sale of Brenda Station a further sum of one million five hundred and twenty eight thousand dollars (\$1,528,000) to increase the capital of the existing Tyrrell Trust Endowments and create a new single Episcopal Expenses Endowment .

CLAUSE 2

The Tyrrell Trusts Increase of Bishopric Capital Ordinance 1990 is repealed by this ordinance but such repeal shall not negate actions taken under the said ordinance since 1990.

CLAUSE 3

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase and Adjustment of the Episcopal Expenses Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$560,000 to increase the Capital of the existing Trust Endowment for the expenses of the Bishop's Registry from \$340,000 to \$900,000. AND WHEREAS the term "Bishop's Registry" has been superseded by the term "Diocesan Office". NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Five Hundred and Sixty Thousand Dollars (\$560,000) to increase the Capital of the existing Tyrrell Trust Endowment of the Diocesan Office to provide for the expenses associated with the operation of such office.

CLAUSE 2

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Diocesan Office Budget Expenses Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$560,000 to increase the Capital of the existing Trust Endowment for the expenses of the Bishop's Registry from \$340,000 to \$900,000. AND WHEREAS the term "Bishop's Registry" has been superseded by the term "Diocesan Office". NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Five Hundred and Sixty Thousand Dollars (\$560,000) to increase the Capital of the existing Tyrrell Trust Endowment of the Diocesan Office to provide for the expenses associated with the operation of such office.

CLAUSE 2

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Diocesan Office Budget Expenses Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$386,000 to increase the Capital of the existing Trust Endowment for the Cathedral from \$14,000 to \$400,000. AND WHEREAS the Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$36,000 to increase the capital of the existing Canonries Endowment from \$14,000 to \$50,000. AND WHEREAS the said Trustees deem it desirable to combine the increased Canonries Endowment of \$50,000 with the increased Cathedral endowment of \$400,000 to create a new Cathedral Endowment Capital sum of \$450,000.

NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of three hundred and eighty six thousand dollars (\$386,000) to increase the capital of the existing Tyrrell Trust endowment of the Cathedral.

CLAUSE 2

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of thirty six thousand dollars (\$36,000) to increase the capital of the existing Tyrrell Trust Canonries Endowment.

CLAUSE 3

The Cathedral Endowment of \$400,000 and the Canonries Endowment of \$50,000 shall be combined to create a new Cathedral Endowment of \$450,000 and the income from this Endowment together with the income from such other endowments created in the future shall be used as may be determined by the Cathedral Chapter.

CLAUSE 4

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as “*The Tyrrell Trusts Increase and Adjustment of the Cathedral Endowment Ordinance 2004.*”

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$760,000 to increase the Capital of the existing Trust Endowment known as the Diocesan Council Budget Approved Programmes Fund from \$550,000 to \$1,310,000. AND WHEREAS the Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$44,000 to increase the capital of the existing Diocesan Educational Purposes Endowment from \$106,000 to \$150,000 and a further sum of \$85,000 from such net proceeds to increase the capital of the existing Diocesan Stipend Endowment from \$115,000 to \$200,000 AND WHEREAS the said Trustees deem it desirable to combine the increased Diocesan Educational Purposes Endowment and Diocesan Stipend Endowment with the increased Diocesan Council Budget Approved Programmes Fund to be known as the Diocesan Budget Support Fund having a capital sum of \$1,660,000. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of seven hundred and sixty thousand dollars (\$760,000) to increase the capital of the existing Diocesan Council Budget Approved Programmes Endowment.

CLAUSE 2

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Forty Four thousand dollars (\$44,000) to increase the capital of the existing Diocesan Educational Purposes Endowment.

CLAUSE 3

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of eighty five thousand dollars (\$85,000) to increase the capital of the existing Diocesan Stipend Endowment.

CLAUSE 4

The increased capital sums of the Diocesan Council Budget Approved Programmes Endowment, the Diocesan Educational Purposes Endowment and the Diocesan Stipend Endowment shall be combined to create a new Endowment known as the Diocesan Budget Support Endowment. Such fund shall provide income to be allocated as the Diocesan Council shall direct to the Diocesan Budget.

CLAUSE 5

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as “*The Tyrrell Trusts Increase and Adjustment of the Diocesan Budget Support Endowment Ordinance 2004.*”

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$80,000 to increase the Capital of the existing Trust Endowment for the Bishop and Assistant Bishop pensions from \$120,000 to \$200,000 AND WHEREAS the said Corporate Trustees further deem it advisable to set aside from the proceeds of such sale a further sum of \$27,000 to increase the Training of Candidates for Holy Orders Endowment from \$23,000 to \$50,000 and to combine the increased endowment for this purpose with the increased endowment for Bishop and Assistant Bishop Pensions to create a new endowment fund of \$250,000 to be used for Bishop and Assistant Bishop Pensions and Clergy Superannuation contributions and pensions in such manner as may be approved by Diocesan Council. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby **ORDAINS DIRECTS AND RULES** as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Eighty Thousand Dollars (\$80,000) to increase the Capital of the existing Bishop and Assistant Bishop Pensions Endowment.

CLAUSE 2

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of twenty seven thousand dollars (\$27,000) to increase the capital of the existing Training and Candidates for Holy Orders Endowment.

CLAUSE 3

The increased endowment funds as aforesaid shall be amalgamated to create a new endowment fund to be known as the Bishop, Assistant Bishop and Clergy Superannuation and Pension Support Endowment with capital of \$250,000 for the purposes of Bishop and Assistant Bishop Pensions and Clergy Superannuation and Clergy Pensions the income from which shall be expended as approved by the Diocesan Council.

CLAUSE 4

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Bishop and Assistant Bishop Pensions Endowment and the Training of Candidates for Holy Orders Endowment and Amalgamation Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918

Bishop Tyrrell Trust Act Amendment Act 1923

Bishop Tyrrell Trust Act Amendment Act 1927

Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953

The Creation of Additional Tyrrell Trusts Ordinance 1954

The Creation of Additional Tyrrell Trusts Ordinance 1955

The Creation of Additional Tyrrell Trusts Ordinance 1965

The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970

The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973

The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$71,000 to increase the Capital of the existing Special Purposes Endowment for expenses incurred within the Diocese from \$69,000 to \$140,000. AND WHEREAS the Diocesan Council administers a fund known as the Special Purposes Fund and a fund known as the Extra Special Purposes Fund. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of seventy one thousand dollars (\$71,000) to increase the Capital of the existing Special Purposes Endowment.

CLAUSE 2

The Diocesan Council is authorised to administer the Special Purposes Fund and the Extra Special Purposes Fund as one fund if it deems this necessary.

CLAUSE 3

This enlarged endowment fund shall take effect from 1 January 2005

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Special Purposes Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$22,000 to increase the Capital of the existing Extra Special Purposes Endowment for expenses incurred which are external to the Diocese from \$38,000 to \$60,000. AND WHEREAS the Diocesan Council administers a fund known as the Special Purposes Fund and a fund known as the Extra Special Purposes Fund. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of twenty two thousand dollars (\$22,000) to increase the Capital of the existing Extra Special Purposes Endowment.

CLAUSE 2

The Diocesan Council is authorised to administer the Special Purposes Fund and the Extra Special Purposes Fund as one fund if it deems this necessary.

CLAUSE 3

This enlarged endowment fund shall take effect from 1 January 2005

This Ordinance may be styled and cited as *"The Tyrrell Trusts Increase of the Extra Special Purposes Endowment Ordinance 2004."*

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$200,000 to increase the Capital of the existing Trust Endowment for the Property Approvals Board Interest and Development Fund from \$300,000 to \$500,000. AND WHEREAS the person holding the title Archdeacon of Newcastle is chairman of the Property Approvals Board and has responsibility for ministry development in new and existing areas of the diocese. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of two hundred thousand dollars (\$200,000) to increase the capital of the existing Tyrrell Trust Endowment known as the Property Approvals Board Interest and Development Fund to provide additional income to that fund for the stipend of the Archdeacon of Newcastle when that position also includes responsibility for Ministry Development in existing and new areas of the diocese, or for such other purposes as the Diocesan Council shall direct in connection with the Property Approvals Board.

CLAUSE 2

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Property Approvals Board Interest and Development Fund Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$38,500 to increase the Capital of the existing Trust Endowment for Archdeaonries from \$11,500 to \$50,000. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Thirty Eight Thousand Five Hundred Dollars (\$38,500) to increase the Capital of the existing Tyrrell Trust Endowment to provide further for the expenses associated with Archdeaonries.

CLAUSE 2

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of the Archdeaonries Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the net proceeds of such sale a further sum of \$80,000 to increase the Capital of the existing Episcopal Pension Fund Endowment from \$70,000 to \$150,000. NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the net proceeds of the sale of Brenda Station a further sum of Eighty Thousand Dollars (\$80,000) to increase the Capital of the existing Episcopal Pension Fund Endowment to provide additional income for such Episcopal Pension Fund purposes as the said Corporate Trustees shall determine.

CLAUSE 2

This enlarged endowment fund shall take effect from 1 January 2005.

This Ordinance may be styled and cited as "*The Tyrrell Trusts Increase of Episcopal Pension Endowment Ordinance 2004.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to enlarge existing Trusts and to limit or appoint the purposes and objects of such Trusts

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the lands comprising "Brenda Station" held under the Trusts of the said Will were sold in March 1997 under authority of the Brenda Station Land Sale Ordinance 1989. AND WHEREAS the said Corporate Trustees deem it advisable to set aside from the balance of net proceeds of such sale a further sum of \$118,500 to increase the Capital of the existing Trust Endowment for the expenses of the Diocesan Office from \$900,000 to \$1,018,500.

NOW the Synod of the Diocese of Newcastle, upon the proposal of the said Corporate Trustees hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the balance of net proceeds of the sale of Brenda Station a further sum of One Hundred and Eighteen Thousand Five Hundred Dollars (\$118,500) to increase the Capital of the existing Tyrrell Trust Endowment of the Diocesan Office to provide for the expenses associated with the operation of such office.

CLAUSE 2

This ordinance shall take effect upon Assent.

This Ordinance may be styled and cited as *"The Tyrrell Trusts Increase of the Diocesan Office Budget Expenses Endowment Ordinance 2005."*

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1970
The Creation of Additional Tyrrell Trusts and Priorities Ordinance 1973
The Creation of Additional Tyrrell Trusts Ordinance 1990

AN ORDINANCE to exercise powers granted by the Bishop Tyrrell Trust Act 1910 as amended and to create additional Trusts and to limit or appoint the purposes and objects of such Trusts.

PREAMBLE

WHEREAS an Act of Parliament intituled Bishop Tyrrell Trust Act (hereinafter called the Principal Act) was passed in the year 1910 varying the Trusts declared in the Will of the Right Reverend William Tyrrell Doctor of Divinity Lord Bishop of Newcastle and extending the Trustees' powers of managing lands held under the Trusts of the said Will and for other purposes in the said Act mentioned AND WHEREAS a Corporate Body of Trustees under the name of "The Trustees of Church Property for the Diocese of Newcastle" has been constituted under the provisions of the Church of England Trust Property Act 1917 which body is hereinafter called "the said Corporate Trustees" AND WHEREAS the whole of the real and personal property subject to the Trusts of the said Will is now vested in the said Corporate Trustees upon the Trusts declared by the said Principal Act AND WHEREAS the said Principal Act has been amended by the Several Acts of Parliament mentioned in Schedule 1 hereto AND WHEREAS the whole of the sum of £108,000 mentioned in the Principal Act has been set aside in accordance with the provisions of the said Act and the several amendments thereof AND WHEREAS the Synod of the said Diocese pursuant to powers conferred upon it by the said Act as amended has by the Ordinances mentioned in Schedule 2 hereto directed further sums to be set aside for the respective purposes and in the priorities mentioned in the said Ordinances. AND WHEREAS the said Corporate Trustees will hold option deposits in respect of the proposed sale of the lands at Morpeth comprising the former St John's Theological College site and the former Morpeth Conference Centre site currently operated as St John's College Centre of Ministry, totalling \$180,000. AND WHEREAS the said Corporate Trustees deem it advisable to create a Permanent Endowment of \$180,000 to benefit Theological Education AND WHEREAS the Synod of the Diocese of Newcastle in October 2006 voted to support Theological Education and Training at the University of Newcastle for a period of five years.

AND WHEREAS the said Synod is in recess.

AND WHEREAS by the Church Trust Property Ordinance 1929 pursuant to Section 40 of the said Act the Diocesan Council was appointed in place of the Synod of the Diocese to exercise during the recess of Synod such powers and functions and to do and make such of the things referred to in the said Act as may be done by the Synod under the said Act.

NOW the Diocesan Council sitting as Synod hereby ORDAINS DIRECTS AND RULES as follows:

CLAUSE 1

There shall be set aside from the option deposits the sum of One Hundred and Eighty Thousand Dollars (\$180,000) to be held by the said Trustees upon Trust for a period of five (5) years from the date the monies are received to invest the same and apply the income for the following purposes that is to say Theological Education and Training via the said University.

CLAUSE 2

Interest at 7% per annum to be paid on Assent to 30 June 2007 and thereafter in accordance with Trustees of Church Property policy

CLAUSE 3

The said interest shall be applied to the Theological Education and Ministry Development Budget approved by the Diocesan Council.

CLAUSE 4

This ordinance shall cease to have effect on the expiration of five (5) years from the date of Assent or three (3) months after the proceeds of sale of the St John's College Centre of Ministry are received whichever is the earliest.

CLAUSE 5

This endowment fund shall take effect from the date of assent.

This Ordinance may be cited as "*The Creation of Additional Tyrrell Trusts Ordinance 2007.*"

SCHEDULE 1

Bishop Tyrrell Trust Act Amendment Act 1918
Bishop Tyrrell Trust Act Amendment Act 1923
Bishop Tyrrell Trust Act Amendment Act 1927
Bishop Tyrrell Trust Act Amendment Act 1939

SCHEDULE 2

The Creation of Additional Tyrrell Trusts Ordinance 1953
The Creation of Additional Tyrrell Trusts Ordinance 1954
The Creation of Additional Tyrrell Trusts Ordinance 1955
The Creation of Additional Tyrrell Trusts Ordinance 1965
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The Creation of Additional Tyrrell Trusts Ordinance 1990