



Coptic Orthodox Church (NSW) Property Trust

Amendment Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [8.02 p.m.]:
I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Coptic Orthodox Trust (NSW) Property Trust Amendment Bill 2003 proposes to amend the *Coptic Orthodox Church (NSW) Property Trust Act* to reflect the new Constitution of the Coptic Orthodox Churches in the Diocese of Sydney and Affiliated Regions, in response to a request from the Coptic Orthodox Church.

The *Coptic Orthodox Church (NSW) Property Trust Act* (the 'Act') was assented to in November 1990 and commenced on 21 December 1990. The aim of the Act was to constitute the Coptic Orthodox Church (NSW) Property Trust (the 'Trust') and to specify its functions, and to provide for the vesting of certain property in the Trust.

The Act was amended in 1993 to change the definition of 'Board' to reflect the then Constitution of the Church. Under the Act, the trustees of the Trust are the members of the New South Wales State Board of the Church.

On 8 October 2002 a new Constitution for the Diocese of Sydney and Affiliated Regions was approved by His Holiness Shenouda III, Pope of Alexandria and Patriarch of the See of St. Mark. This replaced the previous Constitution approved on 3 March 1989. Following the approval of the new Constitution, the Solicitors for the Church contacted the Government and indicated that the Act required amending in order to reflect changes in the new Constitution.

The principal change of relevance to the operation of the Act is that under the new Constitution it is the Bishop of the Diocese of Sydney and Affiliated Regions who is now the sole and exclusive authority in relation to financial matters in churches and in the diocese. Previously the managing body of the Church in all financial matters was the New South Wales State Board of the Church.

The Act is consistent with the previous Constitution but requires amendment to be consistent with the new Constitution. Specifically, the Bishop is to become the sole trustee of the Coptic Orthodox Church (NSW) Property Trust, replacing the members of the Board. A number of consequential changes are also required.

Solicitors for the Church have indicated that both the Board (who under the previous Constitution were the trustees for the Property Trust) and Church parishioners support the request by the Church to the NSW Government to amend the Act so that it will be consistent with the new Constitution approved on 8 October 2002 by His Holiness Shenouda III, Pope of Alexandria and Patriarch of the See of St. Mark.

The Bill continues the longstanding Government policy to assist churches to organise their financial and property affairs by sponsoring legislation in relation to corporate property trusts.

I commend the Bill to the House.

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