

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [7.31 p.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

The purpose of the Christian Israelite Church Property Trust Bill is to constitute a statutory corporation to hold property on behalf of the Christian Israelite Church, and to vest in the statutory corporation any property that is currently held in trust for the benefit of the church. The purpose of the bill is also to specify the functions and powers of that statutory corporation. It has been longstanding government policy to assist churches in organising their financial and property affairs by sponsoring legislation to establish property trusts for their holdings. The legislation creates an ongoing structure to support their religious and charitable activities.

The statutory corporation created by the bill replaces an antiquated trust structure in which title deeds must be redrafted every time a trustee dies or moves on. The Christian Israelite Church was founded in England in 1822 by John Wroe. The church had its headquarters in Gravesend and Ashton-Under-Lyne, in Lancashire, but John Wroe travelled widely and established branches throughout England, Scotland, Ireland, the United States and Australia. There are still individual members in England and the United States, but the church is now strongest in Australia, where it has about 1,000 adult parishioners.

The church was established in Australia in the 1840s and is one of the oldest in this country. In Sydney, the church on Campbell Street in Surry Hills was built in 1853, on one of the original blocks of land sold in that area. The building is still used by the church today. The largest congregation of the Christian Israelite Church worldwide is currently in New South Wales, in Singleton. The other main congregations are in Sydney, Terrigal and Melbourne. The church's activities include the running of a Sunday school, concerts, and children's camps. Singleton's congregation has a church brass band and choir, which puts on frequent performances in the area, including Christmas performances at local nursing homes. The church produces a range of publications, as well as broadcasting services over the radio and the Internet.

The bill is similar in content to other church property trust legislation passed by Australian parliaments. For the benefit of honourable members I will outline the major provisions of the bill. Clause 4 provides for the establishment of the property trust as a statutory corporation. The trust is to have a board of trustees comprising all the most senior trustees of the church, called the international trustees. Clause 7 specifies the functions of the trust. They include buying, holding and selling church property, acquiring property by gift, device or bequest, and borrowing money for church purposes.

The bill includes the usual provisions to enable the trust to make relevant by-laws, such as the procedures by which the board of trustees will conduct the business of the trust, and delegate functions. Clause 12 enables the trust to make advances from trust funds. This will allow the trust to provide for the establishment of new congregations, if necessary. The bill also enables the trust to make arrangements with a church of another denomination concerning the use of trust property, an important feature given the increasing cooperation among denominations these days, particularly in charitable and community work. The trust will also be able to act as the executor or administrator of an estate in which the church has a beneficial interest, and to accept appointment as a trustee of property held for the church's benefit. At present, six properties are held by four international trustees for the benefit of the church. These are all in New South Wales.

The bill proposes to vest property currently held in trust for the church in the new property trust corporation. This vesting will take effect from the date of commencement of the Act, without the need for a separate conveyance of each of the individual parcels. Clause 18 provides that in future any property given to or otherwise receivable by the church will vest in the statutory trust. The bill has been worded to make it clear that the vesting of property in the trust under this legislation should apply, as far as possible, to property situated outside New South Wales that is held for the benefit of the church. This will ensure that if a person in Victoria dies and leaves his or her assets to the church, the assets will go to the trust in the same way as they would if the person had been in New South Wales. The bill will have a positive impact on the operations of the church and its capacity to manage its financial and property affairs. This will be of specific benefit to the Christian Israelite community and their families. I commend the bill to the House.