



the Synod of Eastern Australia Property Amendment Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [8.30 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 purpose of this Bill is to amend The Synod of Eastern Australia Property Act 1918 to provide for the office bearers of The Synod of Eastern Australia Property Trust to be indemnified out of trust property against expenses and liabilities that they incur in connection with exercising or performing their powers, authorities, duties or functions.

The Synod of Eastern Australia is the governing body of the Presbyterian Church of Eastern Australia.

The church was formed in 1846 when three ministers and three elders withdrew from what is now the Presbyterian Church in New South Wales.

The church comprises twelve "charges" or parishes in New South Wales, Queensland, Victoria and Tasmania. Approximately 850 people regularly attend church services throughout Australia. There are seven charges in New South Wales—in Sydney, Grafton, Wauchope, Taree, Maclean, Raymond Terrace and Mt Druitt. Approximately 500 people regularly attend church services in New South Wales.

An Act was passed in 1918 that established a property trust for the church. However, the Act did not make provision to reimburse the trustees for monies expended on behalf of the trust, or to indemnify the trustees for activities carried out on behalf of the trust.

On 8 May 2003, the Synod of the church agreed to request the Government to amend the Act to address the issues of the liability and remuneration of the trustees.

Notice of the proposed motion to request amendments to the Act was given to the two Synod representatives in each charge, approximately three weeks prior to the Synod being convened. Twenty-three Synod representatives passed the motion, with no representatives opposing the motion. All fourteen representatives from the seven New South Wales charges supported the motion.

The Bill will insert section 2A into the Act to enable trustees to be indemnified out of trust property. The provision is similar to the indemnification provision used in other church property trust legislation. An example of such a provision is section 23 of the Methodist Church of Samoa in Australia Property Trust Act 1998.

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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