

## BISHOP TYRRELL (AMENDMENT) BILL 1990

NEW SOUTH WALES



### EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

Various trusts were created in 1879 by the terms of the will of Bishop Tyrrell of Newcastle. Included in the trust property were leases in Brenda Station, a pastoral property. As some of the trusts could not, from time to time, be fully carried out, they were varied by statutes passed in 1910, 1918, 1923 and 1927. Those statutes also extended the powers of the trustees, the 1927 Act including provision for them to adopt the power of sale under the Anglican Church of Australia Trust Property Act 1917.

The Bishop Tyrrell Trust (Amendment) Act 1939 converted the leases in Brenda Station to leases in perpetuity under the Western Lands Act 1901, but barred their sale. The Synod of the Diocese of Newcastle has now resolved to sell Brenda Station.

The object of this Bill is to amend the Bishop Tyrrell Trust (Amendment) Act 1939 to enable the trustees of the leases in Brenda Station to exercise the power of sale that they would, but for the terms of that Act, enjoy under the Anglican Church of Australia Trust Property Act 1917.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** specifies that the proposed Act is to commence on the date of assent.

**Clause 3** amends the Bishop Tyrrell Trust (Amendment) Act 1939:

- (a) to remove the bar to the sale of the leases extended by that Act; and
- (b) to remove obsolete provisions relating to the imposition of conditions on the leases, and to the fixing of rent for the leases; and
- (c) to repeal the Minister's power to withdraw areas of land from the leases if they are sold; and

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- (d) to clarify that the trustees may exercise in relation to the leases of power of sale under the Anglican Church of Australia Trust Property Act 1917.
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