

Church Insurances Ordinance 1981 Amendment Ordinance 1994

Explanatory Statement

Introduction

1. The church insurances program involves those insurances which the Property Trust and Sydney Diocesan Secretariat are required to effect under the Church Insurances Ordinance 1981 ("1981 Ordinance").

Church Insurances Ordinance 1981

2. Clauses 2 and 3 of the 1981 Ordinance require the Property Trust, to the extent it has available funds –

- (a) to insure against liability for death, injury, loss or damage occurring in connection with the ownership, management, control or use of church trust property (clause 2); and
- (b) to insure all improvements and contents being church trust property (clause 3).

3. Under clause 5 of the 1981 Ordinance -

"The Secretariat may effect any other insurance it deems expedient for the Diocese of Sydney as a whole including any insurance churchwardens, but for this Ordinance, would be required to or may effect."

4. The church insurances program is now administered by the Property Trust resulting in streamlined administration and a reduction in costs.

5. Since 1981 the Property Trust has built up sources of funding other insurances and combined with better administrative practice, such as the recovery of premium costs from diocesan organisations, can now effect the insurances which the Secretariat may effect under clause 5 of the 1981 Ordinance.

Purpose of the Bill

6. The effect of the Bill is to amend clause 5 of the 1981 Ordinance so as to enable the Property Trust, rather than the Secretariat, to effect the insurances referred to in that clause. A consequential amendment is proposed to be made to clause 7 so as to require the Property Trust to give notice to the churchwardens of each church where the Property Trust effects insurance under clause 5 in relation to church trust property held upon trust for any parish or ecclesiastical district. Such a requirement already exists in relation to insurances effected under clauses 2 and 3 of the 1981 Ordinance.

Recommendation

7. The Standing Committee recommends that the Bill be passed by Synod.

For and on behalf of the Standing Committee

MARK PAYNE
Legal Officer

24 August 1994