

Large Lease and Investment Receipts Policy of Standing Committee

Church Trust Property

1. Property is "church trust property" if it is subject to any trust for or for the use, benefit or purposes of the Anglican Church in the Diocese of Sydney or any parochial unit or diocesan organisation in the Diocese.
2. All church property in this Diocese has been donated to trustees, or has been acquired with money placed in the hands of trustees, for the purposes of parochial units or diocesan organisations or for specific or general purposes within the Diocese.
3. Church trusts are not private trusts for the benefit of individual beneficiaries but are charitable trusts under which the property (subject to the power to vary those trusts under section 32 of the Anglican Church of Australia Trust Property Act 1917) is devoted to designated purposes in perpetuity. It is not held on trust solely for a group of persons who may have the right to use it for the time being and the obligation to maintain it.
4. When an Ordinance is promoted to provide for the lease of church trust property the Standing Committee represents the interest of the Diocese as a whole and has established these guidelines to assist promoters in an appropriate sharing with the Diocese.

Large Lease and Investment Receipts

5. The Synod and the Standing Committee have recognised that some leasing ordinances may contain a "windfall" element.
6. Among several Synod and Standing Committee resolutions on this subject, 3 can be summarised as –
 - (a) Where parishes have greatly enhanced receipts which are beyond their reasonable needs, then the surplus should be shared with the rest of the Diocese.
 - (b) It is not in the interests of any parish to be in a position where free-will offerings of the people are not needed to maintain its work.
 - (c) Parishes should review their resources and incomes to identify any which might be allocated to new housing areas.
7. A bill for an ordinance involves a "Large Receipt" if expected leasing or investment income exceeds \$50,000 pa.

Sharing with the rest of the Diocese

8. The normal expectation for a large receipt is that 15% of the proceeds will be used to benefit the Diocese generally by helping to increase distributions of income available to the Synod. Notwithstanding this, upon special application, 15% of the proceeds may be allocated to other Diocesan beneficiaries to further the Diocesan Mission.
9. In addition to any allocation under 8 the promoters of an ordinance may recommend specific allocations for parochial or extra-parochial purposes.
10. A bill for an ordinance meeting these guidelines would not normally be referred to an ordinance review panel.
11. The promoters of a bill involving a large receipt may give reasons why these guidelines should not be followed for their bill.