

No. of 2018 Serial No.

**Melbourne Anglican Trust Corporation (Transitional Provisions and Consequential Amendments) Act 2018**

**AN ACT**

to make transitional provisions for the *Melbourne Anglican Trust Corporation Act 2018*, to amend the *Trustee Act 1910* and other Acts, and for other purposes

**BE IT ENACTED** by the Archbishop, the Clergy and the Laity of the Anglican Church of Australia within the Diocese of Melbourne in Victoria duly met in Synod according to law as follows:

**1. Short title**

This Act may be cited as the *Melbourne Anglican Trust Corporation (Transitional Provisions and Consequential Amendments) Act 2018*.

**2. Commencement**

This Act commences on the date of assent by the Archbishop.

**3. Interpretation**

(1) In this Act, **Former Act** means the *Trustee Act 1910*.

(2) In this Act, **Principal Act** means the *Melbourne Anglican Trust Corporation Act 2018*.

(3) Unless the contrary intention appears, words and expressions in this Act have the same meaning as those words and expressions have in the Principal Act.

**4. Transitional provisions**

Schedule 1 applies.

**5. Amendment to other Acts**

Schedule 2 applies.

**Schedule 1 —Transitional Provisions**

**1. Current elected Trustees**

1.1 A person who at the date of assent to the Principal Act is a Trustee elected by Synod pursuant to the Former Act shall be deemed to have completed their term of office on the commencement of the Principal Act but shall be eligible for stand for re-election.

1.2 Despite section 4(5) of the *Trustee Act 1910*, a vacancy in the office of

Trustee existing when this Act commences or arising before the first ordinary session of the 53rd Synod may be filled by a postal ballot conducted under the *Regulation of Election Act* if the Archbishop in Council first determines that it is necessary or convenient to fill that vacancy. A person so elected shall office until the first ordinary session of the 53rd Synod

**2. Operation of the Principal Act prior to commencement**

2.1 At the 2019 session of Synod, an election shall be held for the Trustees to be elected by Synod under the Principal Act.

**3. Deemed period of service**

A person who—

- (a) at the session of Synod in 2019 is elected to be a Trustee pursuant to section 5 in the Principal Act; and
- (b) immediately prior to that election is a Trustee elected pursuant to the Former Act; and
- (c) who at that time has served for 6 or more consecutive years as a Trustee

shall be deemed to have served for a period of 6 consecutive years as at that election taking effect.

**Schedule 2 — Amendments to other Acts**

3.1 In s27 of the *Interpretation of Diocesan Legislation Act 2016* by repealing the definition of “Trusts Corporation” and substitute the following—

“**Trust Corporation**” means the Melbourne Anglican Trust Corporation, a body corporate established under the *Anglican Trusts Corporations Act 1884* (Act No. 797) of the State of Victoria;

3.2 Amend the *Trustee Act 1910* by repealing all of section 4, except s4(1) and (2).

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