



**ANGLICAN CHURCH OF AUSTRALIA (STANLEY
PARSONAGE) ACT 1984**

No. 76 of 1984

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AN ACT to confer on the Trustees of the Property of the Anglican Church of Australia in Tasmania, as trustee of a settlement of certain property situated at Stanley, powers of sale and leasing in respect of that property.

[Royal Assent 22 November 1984]

WHEREAS the Church of St. Paul at Stanley in the Parish of Circular Head and a parsonage and schoolhouse appurtenant to that Church (all of which are in this Preamble referred to as "the trust property") were built by The Van Diemen's Land Company (in this Preamble referred to as "the Company") on land owned by the Company:

AND WHEREAS by an Act* entitled "*An Act to make provision for the Support of certain Ministers of the Christian Religion and to promote the erection of places of Divine Worship.*" passed by the Legislative Council of Van Diemen's Land on 27th November 1837 it was provided that every place of worship and minister's dwelling in the building of which respectively any public money had been expended shall be forever appropriated to the service of the particular religious denomination for which respectively those buildings had been originally erected:

AND WHEREAS by a deed of gift (in this Preamble referred to as "the trust deed") made on 13th September 1855 between the Company and James Alexander Gibson of Stanley the Company conveyed to him in fee simple certain parcels of land on which the trust property was situated to be held by him and certain other trustees to be appointed pursuant to the powers and directions contained in the Act previously referred to in this Preamble for the purposes of the trusts specified in that Act and for the further purpose that the trust property was to be held for the service of the Church of England:

AND WHEREAS the trust deed further provided that the trust property was to be vested in perpetuity in the persons for the time being appointed as trustees of the trust property without power of alienation:

AND WHEREAS the Church of England is now known as the Anglican Church of Australia:

AND WHEREAS by virtue of the *Anglican Church of Australia Constitution Act 1973* the present trustee of the trust property is a body corporate known as "The Trustees of the Property of the Anglican Church of Australia in Tasmania" (in this Preamble referred to as "the corporate Trustee"):

AND WHEREAS the powers and duties of the corporate Trustee conferred by that Act are subject to the trusts previously referred to in this Preamble:

AND WHEREAS the parsonage included in the trust property is no longer needed in the service of the Anglican Church of Australia:

AND WHEREAS it is expedient to empower the corporate Trustee to sell or otherwise dispose of the parsonage on such terms as are set out in this Act:

* 1 Vict. No. 16.

BE IT THEREFORE enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Anglican Church of Australia* Short title.
(Stanley Parsonage) Act 1984.

2—This Act shall commence on the day on which it receives the Commence-
 royal assent. ment.

3—In this Act, unless the contrary intention appears— Interpretation.

“ the corporate Trustee ” means the Trustees of the Property of the Anglican Church of Australia in Tasmania;

“ the deed of gift ” means the deed of gift referred to in the Preamble to this Act;

“ the Parish ” means the Parish of Circular Head;

“ the parsonage ” means the parsonage referred to in the Preamble to this Act.

4—(1) Notwithstanding the trusts contained in the deed of gift, Power to
 the corporate Trustee may, with the consent of the Rector and sell the
 Churchwardens for the time being of the Parish, sell the parsonage parsonage.
 by public auction or private treaty.

(2) The corporate Trustee may, in addition to all other powers vested in it by law in that behalf, exercise all the powers conferred upon trustees for sale by the *Trustee Act 1898*.

5—Notwithstanding the trusts contained in the deed of gift, the Power to
 corporate Trustee may, with the consent of the Rector and Church- lease the
 wardens for the time being of the Parish, lease the parsonage with parsonage.
 power in such a lease to grant an option of purchase and otherwise to grant such a lease upon such terms and conditions in all respects as it thinks fit.

6—The corporate Trustee shall apply the net proceeds of the Appropriation
 sale or lease of the parsonage for the benefit of the Parish. of proceeds
of sale or
lease.

7—The powers and authorities conferred by this Act on the Powers in Act
 corporate Trustee are in addition to the powers vested in it by the in addition to
 deed of gift. powers
vested in
corporate
Trustee under
deed of
gift.

