

DATED 14 DECEMBER, 1982

AUSTRALIAN MARIST CENTRE
OVERSEAS AID FUND

TRUST DEED

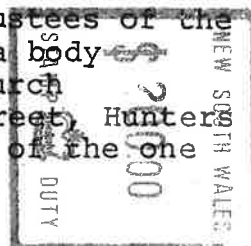
Freehill, Hollingdale & Page
30th Level, MLC Centre
19 Martin Place
Sydney N.S.W. 2000

100.

TRUST DEED

THIS DEED made the ¹⁴ day of December One thousand nine hundred and eighty-two BETWEEN

THE MARIST MISSION CENTRE a division of The Trustees of the Marist Fathers for the Province of Australia, a body corporate constituted by the Roman Catholic Church Communities Lands Act, 1942 (NSW) of 3 Mary Street, Hunters Hill (hereinafter called "the Marist Fathers") of the one part AND



REVEREND FATHER MICHAEL O'HALLORAN of the Australian Marist Centre Overseas Aid Fund, C/- the Marist Mission Centre of 3 Mary Street, Hunters Hill and THE VERY REVEREND JOHN GEOFFREY JAGO, also of 3 Mary Street, Hunters Hill, the Provincial for the time being of the Society of Mary (hereinafter called the "Trustees") of the other part

WHEREAS the Marist Mission Centre wishes to have established and maintained a public fund for the purpose hereinafter appearing

NOW THIS DEED WITNESSETH that pursuant to the above premise the Marist Mission Centre has paid to the Trustees the sum of One thousand Dollars (\$1,000) to be held by the Trustees in accordance with and upon the trusts and subject to the terms and conditions hereinafter expressed:-

1. The Trustees shall hold the Trust property as a public fund to be called AUSTRALIAN MARIST CENTRE OVERSEAS AID FUND (hereinafter called "the Fund") for the exclusive purpose of providing relief to persons in countries for the time being certified by the Minister for Foreign Affairs to be Developing Countries under Section 78(12) of the Income Tax Assessment Act (hereinafter called "the Act") or such section of an Act that may take the place of that section PROVIDED that in the event of the Fund being dissolved the balance of all moneys or assets then held in the Fund (if any) shall be granted to a fund in respect of which there is in force at that time a declaration under Section 78(8) of the Act that the Fund is an eligible fund for the purposes of Section 78(1)(a)(lxii) of the Act.

2. The Trust property shall include the said sum of One thousand Dollars (\$1,000) and all other moneys or assets which might be donated to the Fund and all investments property and assets into which the moneys and assets of the Fund and the accrued income of the Fund may from time to time be converted and the income of the Fund which for the time being might remain undistributed.
3. The Trustees may invest the trust fund or any part thereof from time to time in any security authorised by the Trustee Act with power from time to time and at any time at their discretion to vary or change such investments as provided by the Trustee Act.
4. The Trustees shall make or cause to be made public appeals for donations to the Fund and for that purpose may expend such moneys of the Fund and enter into such arrangements in furtherance of such appeals as they shall think fit.
5. In considering payments to be made from the Fund for the purposes provided in Clause 1 the Trustees in addition to the matters referred to in that clause shall also have regard to projects designed in the country concerned to encourage persons in that country to assist their own development PROVIDED ALWAYS that subject to the provisions of Clause 1 any decision of the Trustees to make any such payment shall be final and binding and PROVIDED FURTHER that payment to, or the receipt of, the person firm corporation or Government authority who or which the Trustees shall believe to be eligible to receive such payment or give such receipt shall be conclusive evidence of such eligibility and the Trustees shall not be obliged nor concerned to see to the application of such payment.
6. Such part of the Fund as shall from time to time be held in cash shall be deposited in a separate Bank Account styled "AUSTRALIAN MARIST CENTRE OVERSEAS AID FUND" and all cheques or negotiable instruments shall be signed by two Trustees or by one Trustee and another person for the time being authorised in writing by the Trustees in that behalf.
7. In this Deed the expression "the Trustees" shall include the Trustees for the time being. The Trustees may unanimously or the surviving Trustee as the case may be may appoint such additional Trustees

hereof as they see fit PROVIDED that the total number of Trustees shall not at any time be fewer than two nor more than five.

8. Any Trustee may be reimbursed from the Fund for any expenses properly incurred in connection with the administration of the Fund PROVIDED that a Trustee shall not be reimbursed for any expense which he has been expressly forbidden by the other Trustee or Trustees from incurring PROVIDED FURTHER that any cheque in reimbursement for such expenses shall be signed by two trustees BUT no Trustee shall receive any payment, remuneration of honorarium whatsoever in connection with his duties as Trustee or incidental to the administration of the Fund.

9. The Trustees shall keep or cause to be kept proper books of account in respect of all receipts and payments out of the Fund or all dealings therewith and as soon as practicable after the ~~30th day of June~~ ^{31st DAY of} ~~June~~ ^{DECEMBER} in each year a statement of receipts and disbursements for the year which ended on that date shall be made AND for these purposes the Trustees may employ such accountants or bookkeepers as the Trustees shall consider necessary.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year firstly hereinbefore mentioned.

THE COMMON SEAL of the Body Corporate)
called THE TRUSTEES OF THE MARIST)
FATHERS FOR THE PROVINCE OF AUSTRALIA)
was hereunto affixed in pursuance of)
a Resolution passed at a Meeting of)
the said Body Corporate by the)
Provincial of the Society of Mary for)
the Province of Australia and by two)
other members of the said Body)
Corporate whose signatures are hereto)
affixed in the presence of:)



M. H. Moran

Member

M. J. Cahet

Member

J. H. Gago
Provincial

SIGNED SEALED AND DELIVERED by the
said MICHAEL O'HALLORAN in the
presence of:

)
) *M. O'Halloran*
)

D. Thomas

SIGNED SEALED AND DELIVERED by JOHN
GEOFFREY JAGO the Provincial for the
time being of the Society of Mary in
the presence of:

)
) *J. G. Jago*
)

J. G. Jago

