

FACT SHEET

Kennerley Trust Bill 2015

By a deed of gift dated 20 March 1876, the Honourable Alfred Kennerley gave land and premises in Hobart to trustees upon trust to be occupied and used for the purposes of a boys' home (the Trust).

The trust deed establishing the Kennerley Trust specified various conditions on how the home was to operate, including, for example, that it was to benefit boys.

Over time, the Kennerley Trust expanded its operations to suit more modern needs and provide more extensive services.

The *Kennerley Children's Homes Act 1969* purported to vary the terms of the original Trust so that the operations of the home could be expanded to include girls and the Trust could acquire more properties for its charitable purposes.

On 4 December 1986, Kennerley Children's Homes Incorporated and commenced operation as an incorporated association, but the Kennerley Trust remained in operation.

This Bill gives effect to the modern structure of Kennerley Children's Homes, which has taken on and expanded the charitable works of the Kennerley Trust, and ensures that the Kennerley Trust is properly revoked and all past actions validated.

Essentially, the Bill -

1. validates the actions taken by the Kennerley Trust and Kennerley Children's Homes Inc.;
2. frees and discharges any property held on behalf of the Kennerley Trust, being identified as four properties held in the name of Tasmanian Perpetual Trustees Limited, as well as any other assets identified;
3. vests any property of the Kennerley Trust in Kennerley Children's Homes Inc.;
4. removes liability for stamp duty and any other fees in relation to any property transfers;
5. provides indemnity for trustees; and
6. revokes the Kennerley Trust.