

**THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN**

**DEED OF TRUST** made on the                      day of                      201                      by

1. **THE MOST REVEREND DIARMUID MARTIN, ARCHBISHOP OF DUBLIN**, of Archbishop's House, Drumcondra, Dublin 9
2. **THE MOST REVEREND EAMONN WALSH, AUXILIARY BISHOP**, of Naomh Bríd, Blessington Road, Tallaght, Dublin 24
3. **THE MOST REVEREND RAYMOND FIELD, AUXILIARY BISHOP**, of 3 Castleknock Road, Blanchardstown, Dublin 15
4. **THE VERY REVEREND MONSIGNOR PAUL CALLAN, VICAR GENERAL**, of the Office of the Moderator, Archbishop's House, Drumcondra, Dublin 9
5. The **Company**, currently **ST LAURENCE O'TOOLE DIOCESAN TRUST** a company incorporated in Ireland with limited liability holding company number 24430 and having its registered office at Archbishop's House, Drumcondra, Dublin 9 (the "**Company**" which expression shall include any corporate entity in which the legal title to real property or personal property assets of the parishes in the Archdiocese are held from time to time).

**BACKGROUND:**

- A. Under Canon Law, a diocese is the portion of the People of God entrusted to a bishop to shepherd. Within a diocese there are parishes, being communities of the Christian faithful (that is those persons who have been incorporated in Christ through baptism and are fully in communion with the Catholic Church) stably established and entrusted to a pastor (often referred to as the parish priest, but also including in appropriate circumstances a parish administrator, moderator and co parish priest) as its proper shepherd under the authority of the bishop.
- B. The Archdiocese and each Parish (as defined below) is each recognised in Canon Law as being a juridic person. Some Parishes are personal but most are territorial. A Parish may include assets owned by a religious order (such as the Parish church) but in most Parishes the Parish church and related assets are owned by the Parish. Part of the mission of Parishes is the provision of Catholic education for children, resulting in many Parishes in the Archdiocese facilitating National Schools under the patronage of the Archbishop and operated by boards of management pursuant to the Education Act 1998.

- C.** The Company is the civil law vehicle by which various temporal assets of the Archdiocese, every Parish in the Archdiocese, diocesan agencies and certain other Catholic missions (including but not limited to the trusts detailed herein) are held. The Company is a bare trustee with no power of decision making.
- D.** Ireland recognises the advancement of religion as being charitable. Until the establishment of the Charities Regulatory Authority (“**CRA**”) on 16 October 2014, the only register for charities in Ireland was the CHY number list maintained by the Revenue Commissioners. The Revenue Commissioners issued CHY number 7424 for the schools and parishes of the Archdiocese. This is distinct from other ministries and missions within the Archdiocese such as the Curia of the Archdiocese. Section 14(2) of the Education Act 1998 provided for each board of management in each school to be a body corporate, thereby creating a separate entity in civil law for the operation of each school. In general, the lands and buildings of each school of a Parish continue to be held by the Company in trust for the Parish in which the school is located.
- E.** The Charities Act 2009, as implemented, required that each charity carrying out Charitable activities in Ireland register with the CRA on or before 15 April 2015. By Ministerial Order, the period was extended to 15 April 2016. On 16 October 2014, the establishment day for the CRA, each charity with a CHY number was automatically placed on the register of the CRA and given its own unique CRA number. The Parishes of the Archdiocese has CRA number 20016166.
- F.** The Revenue Commissioners have acknowledged that boards of management of schools do not need a CHY number to obtain tax refunds on donations. The CRA has requested that boards of management of schools complete a reduced application for registration, following on-going consultation with the Department of Education and Skills on the application of the Charities Act 2009 to schools. Depending on the final outcome of the on-going deliberations between the CRA and the Department of Education and Skills, steps may be taken to remove the reference to schools in one or both the CHY number and the CRA number registrations for this Trust which currently refer to the Parishes and schools of the Archdiocese insofar as these currently include boards of management. The lands and buildings in which schools operate often belong to the Parish within which the school is located and in such cases will be included in the assets of that Parish.
- G.** The CRA has requested that any charity placed on its register automatically under the Charities Act 2009, or seeking to register with it, sends to the CRA a copy of its constitution or other establishment document or a document setting out the basic terms of the organisation and a summary of the Charitable activities carried on by it.

- H. The Archbishop wishes to ensure that the civil law structure of the local Church is consistent with its canonical structure, to describe the principles of stewardship applicable to the temporal assets of Parishes, to promote a clearer understanding of the rules relating to real property assets of Parishes and personal property assets of Parishes, known in canon law as temporal assets, and to outline how the faithful make financial provision for priests, the Parishes and the Archdiocese, through the Clerical Trust Property, the Common Trust Property, the Share Trust Property and in other ways.
- I. The Clerical Trust Property, the Common Trust Property and the Share Trust Property, as each is defined below, are restricted funds. Each Parish Trust Property, as defined below, is a restricted fund. The Coordination Trust Property is for the purpose of paying the expenses of the Trust.
- J. Accordingly, the Archbishop wishes to declare the Trusts for the Charitable Objects and purposes set out in this Deed whereby each Parish uses and holds temporal assets. The Catholic Church is organised on a hierarchical, not congregational, basis. The ecclesial reality for Parishes is that each is part of, but at the same time autonomous from, the Archdiocese. Within a Parish, the Parish Priest has power and responsibility, subject to supervision by the Archbishop in accordance with the requirements of Canon Law.
- K. The Archbishop intends that the trusts hereby declared shall be irrevocable.

**NOW THIS DEED WITNESSETH** and it is hereby agreed and declared as follows:

**Name**

- 1. The charity shall be known as **THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN** or by such other name as the Archbishop may from time to time determine (the “**Trust**”).

**Definitions**

- 2. In this Deed unless the context requires otherwise:

“**Archbishop**” means the Roman Catholic Archbishop of the Archdiocese for the time being and from time to time, duly appointed by the canonically elected Supreme Pontiff, and in the event of the office being vacant or impeded, the person who under Canon Law has power to perform the administrative duties of the Archbishop in any interim period before the appointment of a successor as Archbishop or until the impediment ceases, as the case may be, the person with this power being a diocesan administrator or an apostolic administrator;

**“Archdiocese”** means the area known to Roman Catholics as the Roman Catholic Archdiocese of Dublin and, in the event of any future curtailment of or addition to the said area made in accordance with the decisions of the appropriate Church authorities, means the area for the time being known to Roman Catholics as the Roman Catholic Archdiocese of Dublin;

**“Auxiliary Bishop”** means each holder of the office of auxiliary bishop of the Archdiocese for the time being and from time to time and includes each auxiliary bishop or bishops, and any coadjutor bishop (together, the **“Auxiliaries”**);

**“Canon Law”** means the law of the Roman Catholic Church including currently the 1983 Code of Canon Law, the policies, guidelines, statutes, regulations, directives, orders and decrees of the Archbishop, including but not limited to the Diocesan Norms and the policies, guidelines, statutes, regulations, directives, orders and decrees of the Holy See of the Roman Catholic Church;

**“Charitable Objects”** means the charitable objects set out in Clause 3.1;

**“Charitable”** means what is regarded as charitable according to the laws of Ireland;

**“Church”** means the Roman Catholic Church;

**“Clerical Trust Property”** means and includes those temporal assets which are restricted for the purposes detailed at Clause 12.2 from time to time, including but not limited to:

(a) all monies, fixed assets, investments or other property (whether real or personal) as are held by or on behalf of the Archdiocese for the said purposes;

and

(b) all monies, fixed assets, investments and other property (whether real or personal) paid or transferred to or accepted by or under the control of the Coordination Trustees by way of addition or accretion to the said sum or otherwise and all accumulations (if any) of income directed to be held or held as an accretion to capital and the money, investments and other property (whether real or personal) from time to time representing the said sum and the additions and accumulations thereto and all accumulations of income thereto to be held upon those trusts of this Deed;

**“Committee”** includes any group within the Archdiocese with whom the Archbishop is required by Canon Law to consult or from whom he must obtain consent before making certain decisions. The word “Committee” shall also include any advisory any committee or sub-committee as may be established from time to time in accordance with Clause 17 below;

**“Common Trust Property”** means and includes those temporal assets which are restricted for the purposes detailed at Clause 12.1 from time to time, including but not limited to:

(a) all monies, fixed assets, investments or other property (whether real or personal) as are held by or on behalf of the Archdiocese for the said purposes;

and

(b) all monies, fixed assets, investments and other property (whether real or personal) paid or transferred to or accepted by or under the control of the Coordination Trustees by way of addition or accretion to the said sum or otherwise and all accumulations (if any) of income directed to be held or held as an accretion to capital and the money, investments and other property (whether real or personal) from time to time representing the said sum and the additions and accumulations thereto and all accumulations of income thereto to be held upon those trusts of this Deed;

**“Coordination Trust Property”** means and includes those temporal assets paid or transferred to or accepted by or under the control of the Coordination Trustees (other than the Common Trust Property, Share Trust Property and the Clerical Trust Property as well as for the avoidance of doubt other than all Parish Trust Property) including but not limited to:

(a) all monies, fixed assets, investments or other property (whether real or personal) as are held by or on behalf of the Archdiocese (other than the Common Trust Property, Share Trust Property and the Clerical Trust Property as well as for the avoidance of doubt other than all Parish Trust Property);

and

(b) all monies, fixed assets, investments and other property (whether real or personal) paid or transferred to or accepted by or under the control of the Coordination Trustees by way of addition or accretion to the said sum or otherwise and all accumulations (if any) of income directed to be held or held as an accretion to capital and the money, investments and other property (whether real or personal) from time to time representing the said sum and the additions and accumulations thereto and all accumulations of income thereto to be held upon those trusts of this Deed;

**“Coordination Trustees”** means the Archbishop, the Auxiliaries and the Vicars General, each by virtue of his office (insofar as those offices are occupied from time to time) and such other person or persons as the Archbishop may appoint from time to time;

“**Curia**” means the administrative and judicial branches of the Archdiocese;

“**Diocesan Norms**” means such diocesan rules and guidelines as may be issued by the Archbishop from time to time, and which may also be referred to as the Administrative Rules and Guidelines, the current version of which is set out at Schedule 5;

“**Ireland**” means the country known as the Republic of Ireland;

“**Parish**” means each community of the Christian faithful stably established in the Archdiocese and entrusted to the Parish Priest as its proper shepherd under the authority of the Archbishop pursuant to Canon Law with the boundaries and subject to the diocesan policies, guidelines, statutes, regulations, directives, orders and decrees as set by the Archbishop from time to time, the current Parishes being set out in Schedule 1 and together known as the “**Parishes**”;

“**Parish Priest**” means, in the case of each Parish, whether territorial or personal, the priest or priests to whom the Archbishop has entrusted the care of the faithful by whatever title that priest may be known, including but not limited to parish priest, parochus, pastor, moderator, co parish priest or administrator, (the current Parish Priest of each Parish in the Archdiocese is listed in Schedule 2), in each case acting in accordance with Canon Law and answering to the Archbishop for his stewardship;

“**Parish Trust Property**” means and includes the temporal assets (being the real property assets and the personal property assets) of a Parish from time to time and including but not limited to;

- (a) all monies, fixed assets, investments or other property (whether real or personal) paid or transferred to or accepted by or under the control of the Parish Priest howsoever to be held upon trust for his Parish;
- (b) all accumulations (if any) of income directed to be held or held as an accretion to capital; and
- (c) the monies, fixed assets, investments or other property (whether real or personal) at any time or times hereinafter paid or transferred to or accepted by the Trustees, by way of addition or accretion to the Parish Trust Property or otherwise together with all accumulations of income therefrom to be held upon the Trusts of this Deed (prior permission to be obtained from the Revenue Commissioners where it is intended to accumulate funds for a period in excess of two (2) years):

**“Revenue Commissioners”** means the government authority in Ireland granting and supervising exempt status from certain taxes for charities, currently the Revenue Commissioners;

**“Share Trust Property”** means and includes those temporal assets which are restricted for the purposes detailed at Clause 12.3 from time to time, including but not limited to:

(a) all monies, fixed assets, investments or other property (whether real or personal) as are held by or on behalf of the Archdiocese for the said purposes;

and

(b) all monies, fixed assets, investments and other property (whether real or personal) paid or transferred to or accepted by or under the control of the Coordination Trustees by way of addition or accretion to the said sum or otherwise and all accumulations (if any) of income directed to be held or held as an accretion to capital and the money, investments and other property (whether real or personal) from time to time representing the said sum and the additions and accumulations thereto and all accumulations of income thereto to be held upon those trusts of this Deed;

**“Trustees”** mean the Parish Priests and the Coordination Trustees, and in cases where the person is a trustee because of an office he holds, their successors by virtue of their offices each for the time being and generally the successors and assigns. In each case where “Trustees” or “Trustee” is used in this Deed by reference to the Clerical Trust Property, the Common Trust Property, the Coordination Trust Property or the Share Trust Property it shall refer to the Coordination Trustees and where the term is used by reference to the Parish Trust Property it shall refer to the Parish Priest of the Parish in question;

**“Trust Property”** shall collectively refer to the Clerical Trust Property, the Common Trust Property, the Coordination Trust Property, the Parish Trust Property and the Share Trust Property, unless the context indicates otherwise;

**“Vicar General”** means each person who is appointed or becomes Vicar General of the Archdiocese for the duration of such appointment and together known as the **“Vicars General”**.

Where the context so permits or requires, words importing the masculine gender shall include the feminine and words importing the singular shall include the plural and vice versa.

### **The Parish Trust: Main Objects**

- 3.1 The following provisions shall apply to the Parish Trust Property in respect of each Parish. Parish Trust Property is held for the Charitable Objects of that Parish alone. No-one other than the Parish Priest has power to incur liabilities affecting Parish Trust Property in a given Parish and only the Parish Priest may deal with any part of such Parish Trust Property, subject to him complying in all cases with the requirements of Canon Law. Therefore the Parish Trust Property in each Parish is a separate restricted fund, the proceeds of which are not available by right to any other Parish or to the Archdiocese.
- 3.2 The Charitable Objects of the Trust are the advancement of the Roman Catholic religion within the jurisdiction of each Parish in the Archdiocese and the advancement of Charitable purposes congruent with the advancement of religion and which are supported by the Church throughout the world or in any part of the world and to promote the advancement of the Roman Catholic religion outside the jurisdiction of the Parish provided this is in accordance with applicable Canon Law and without prejudice to the generality of the foregoing through facilitating the Common Trust Property and the Share Trust Property.
- 3.3 In furtherance of the Charitable Objects, the Parish Priest shall be the trustee of the Parish Trust Property of his Parish and shall apply, devote and use the Parish Trust Property solely **UPON TRUST** to apply the capital and any income arising from it for the Charitable Objects of his Parish in such manner in all respects as the Parish Priest may think fit, without obligation to make payments and at all times in compliance with Canon Law.

#### **Parish Priest Powers**

4. The Parish Priest shall in addition to the powers conferred on him by law have the following powers at his direction which are exclusively subsidiary and ancillary to the Charitable Objects and which powers may only be exercised in promoting the Charitable Objects at all times acting in accordance with Canon Law and in particular the Diocesan Norms. Any income generated by the exercise of these powers is to be applied to the promotion of the Charitable Objects:
- (a) to defray the costs and expenses of the administration of the Trust by contributing to the Coordination Trust Property to pay for the shared administrative activities as more particularly described below;
  - (b) to defray the costs and expense of constructing, maintaining, improving and repairing churches, presbyteries, schools and buildings of all kinds used or to be used solely or mainly for any of the Charitable purposes of the Parishes;
  - (c) to enter into any guarantee or indemnity and give any undertaking or agreement in any matter being in furtherance of the trusts herein;

- (d) to appoint, employ and remunerate such employees, advisors, officers, secretaries and agents whether professional or otherwise as the Parish Priest may consider necessary or desirable pertaining to or for carrying out the Charitable Objects and the administration of the Parish Trust Property or any aspect of the Parish Trust Property;
  - (e) subject to the terms of any contract, to dismiss such persons as aforesaid contained in Clause 4(d);
  - (f) to open and operate any bank accounts with an Irish bank provided always that monies, cheques or other bills of exchange shall not be drawn or withdrawn on or out of any such accounts except by cheque or appropriate withdrawal form signed by or electronic instruction given by such person or persons nominated by the Parish Priest;
  - (g) to invest the Parish Trust Property or any part thereof and addition thereto in the purchase of such stocks, funds, shares, securities, investment products properties or other investments of whatsoever nature and wheresoever situate as the Parish Priest in his absolute discretion shall think fit and to the intent that the Parish Priest shall have the same full and unrestricted powers of investing and transposing/transferring investments in all respects as if he was beneficially entitled to the Parish Trust Property;
  - (h) to borrow money for the purpose of the Parish Trust Property and to charge all or any of the assets and property of the Parish Trust Property with the repayment of any monies so borrowed and the interest thereon, the costs and any other sum which may become payable in respect of the borrowing; and
  - (i) the additional powers set out in Schedule 3.
5. The Parish Trust Property shall either be vested in or held by or under the control of the Parish Priest or may be transferred to or vested in the name or names of the Parish or the Coordination Trustees or nominees on behalf of the Coordination Trustees or in the name of the Company or in the name of a third party as custodian trustee as the Parish Priest may from time to time decide. The Coordination Trustees and the Company hereby confirm that any Parish assets held in their names or on their behalf by a custodian trustee are beneficially owned by the Parish and that the Coordination Trustees and the Company have a bare legal interest only. Currently all real property assets should be held in the name of the Company in trust for the Parish. The Company confirms that any Parish assets held in its name are beneficially owned by the Parish and that the Company has a bare legal interest only.

6. The Parish Priest shall have the right at any time or times to accept such additional money, investments or other properties as may be paid or transferred to him upon all or any one of these trusts by any person either by gift or by testamentary act or disposition and whether absolutely or subject to condition. The Parish Priest may refuse to accept any such disposition at his absolute discretion.
7. The Parish Priest shall have the rights and duties prescribed by Canon Law and the rights and duties set out below:
  - 7.1 representing the Parish in all juridic matters,
  - 7.2 appointing a finance committee to assist in the administration of the temporal assets of the Parish,
  - 7.3 maintaining proper books and records of financial matters including but not limited to all Parish receipts and expenditures, all collections (whether for the benefit of the Parish or not) taken up in any church in the Parish, shrines and Parish office income, stole fees and offerings, donations with details of any conditions, a list of the bank accounts and any investments of the Parish, a list of the employees of the Parish, a fixed asset register, an ecclesiastical goods register, details of insurance and details of suppliers to the Parish;
  - 7.4 complying with applicable laws of Ireland, including but not limited to all tax laws, employment legislation and child protection rules and guidelines;
  - 7.5 assisting in the timely production of information and explanations (a) to accountants carrying out statutory and other audits and investigations on behalf of the Charity, (b) as requested by or on behalf of the Coordination Trustees from time to time, and (c) as required by the Diocesan Norms and otherwise;
  - 7.6 ensuring that the Parish provides all requisite information requested by or on behalf of the Coordination Trustees to enable the annual return, the annual audit and annual activity statement to be made to the CRA for the Charity within the timeframes specified by the applicable law or the CRA from time to time;
  - 7.7 preparing an annual budget of income and expenditure for the Parish and consulting with the finance committee about this;
  - 7.8 complying with Canon Law regarding the limits on the discretion the Parish Priest has and the consents or permissions he needs to obtain to carry out certain transactions as specified by Canon Law, whether for ordinary administration or extraordinary administration; and
  - 7.9 complying with and implementing the Diocesan Norms

subject always to the proviso that if the Parish Trustee is such by being the administrator of the Parish then he only has the powers of an administrator as prescribed by Canon Law.

### **Ex Officio Trustees**

8. Each Parish Priest shall be a Trustee of the Charity in respect of the Parish Trust Property of his Parish by virtue of his office.
9. The Archbishop shall be a Trustee of the Charity by virtue of his office. Each Auxiliary Bishop shall be a Trustee of the Charity in respect of the Common Trust Property, the Share Trust Property, the Coordination Trust Property and the Clerical Trust Property by virtue of his office. Each Vicar General for the time being of the Archdiocese shall be a Trustee of the Charity in respect of the Common Trust Property, the Share Trust Property, the Coordination Trust Property and the Clerical Trust Property by virtue of his office.
- 10.1 If a person ceases to be the holder of any such office, for any reason (including but not limited to retirement, dismissal, expiration of term, death or otherwise), that person shall automatically cease to be a Trustee of the Trust in every respect. Any honorific title such as "Emeritus" shall indicate that the person has so ceased to hold that office.
- 10.2 When a person is appointed to any such office, he shall automatically and without the need for any deed of appointment become a Trustee.
11. If an office is vacant or impeded, then the person acting in place of the officeholder under Canon Law shall automatically be Trustee in place of that officeholder until the vacancy is filled or the impediment ceases, at which stage the officeholder shall be a Trustee automatically and the person who has been acting in his place shall automatically cease to be a Trustee.

### **Coordination Trustee Role and Powers**

12. The role of the Coordination Trustees and the powers of the Coordination Trustees are detailed below, such powers being conferred on the Coordination Trustees in addition to the powers conferred on them by law and such powers being exclusively subsidiary and ancillary to the Charitable Objects and which powers may only be exercised in promoting the Charitable Objects. Any income generated by the exercise of these powers is to be applied to the promotion of the Charitable Objects.
- 12.1 to facilitate, via the Common Trust Property, the suitable and equitable remuneration of Priests incardinated in the Archdiocese, and the Priests who serve within it who hold remunerable appointments from the Archbishop as well as sick and retired

priests. The Common Trust Property is to be managed in accordance with statutes enacted pursuant to Canon Law by a committee established by the Archbishop and composed mainly of priests ministering in the Archdiocese. It is subject to canonical statutes from time to time.

- 12.2 via the Clerical Trust Property, to make proper provision for clergy incardinated in the Archdiocese who are sick, infirm or retired. The Clerical Trust Property is a trust previously referred to as the Clerical Fund Society, which was established by a Diocesan Synod in 1879 and is subject to canonical statutes from time to time;
- 12.3 to receive a transfer of the assets previously held by the Archbishop Connell Buildings Trust and the Archbishop Connell Pastoral Services Trust, commonly known as SHARE and now to be known as the Share Trust Property; and to apply this Trust Property for the Charitable Objects;
- 12.4 to administer the Coordination Trust Property for the purpose of paying the expenses of the Trust and for such other purposes as the Coordination Trustees with the consent of the Archbishop shall determine from time to time;
- 12.5 to encourage, promote, set up and support activities, buildings, institutions and services of a pastoral kind and nature in the Archdiocese including but not limited to the following services:
  - (i) the development and renewal of any Parish or Parishes;
  - (ii) Marriage preparation, marriage counselling and tribunal services;
  - (iii) vocations for the priesthood and religious life (for example by providing financial assistance for seminaries, seminarians, deacons, religious institutes and religious);
  - (iv) grants and financial assistance to seminaries and religious institutes;
  - (v) communications;
  - (vi) services to the travelling people;
  - (vii) assistance to emigrants and immigrants;
  - (viii) religious education;
  - (ix) diocesan committees, commissions and councils;
  - (x) chaplaincies;
  - (xi) the provision of child protection services and training in child protection;

- (xii) the provision of training of pastoral workers and volunteers; and
- (xiii) supporting the work of the Irish Catholic Bishops' Conference (also known as the Irish Episcopal Conference);

in each case in accordance with Canon Law.

- 12.6 to appoint accountants, lawyers and other advisers and to collect and collate information for any statutory audit, signing (if appropriate) the annual accounts and any letters of representation required by the auditors;
- 12.7 to prepare and submit an annual statement of activity as required by law from time to time;
- 12.8 to maintain the statutory information required by the CRA on its register and updating this from time to time as the Coordination Trustees become aware of the changes, for example as different Priests become Parish Priests and as Parishes change;
- 12.9 to convene an annual meeting of all Trustees (including the Archbishop, the Coordination Trustees and the Parish Priests) once a year for the purpose of reviewing the operation of the Charity;
- 12.10 to facilitate compliance with the requirements of the Revenue Commissioners, the Charities Act 2009 and any legislation replacing, amending or supplementing same;
- 12.11 to collect financial information and activity information from Parishes, and regarding Common Trust Property, Share Trust Property, Clerical Trust Property and Coordination Trust Property;
- 12.12 to enter into any guarantee or indemnity and give any undertaking or agreement in any matter being in furtherance of the trusts herein;
- 12.13 to appoint, employ and remunerate such advisors, officers, secretaries and agents whether professional or otherwise as the Coordination Trustees may consider necessary or desirable pertaining to or for carrying out the Charitable Objects and the administration of the Common Trust Property, Share Trust Property, Clerical Trust Property and Coordination Trust Property or any aspect of the Trust but so that none of the Coordination Trustees shall while in office ever receive any remuneration from the Coordination Trust Property for the performance of their duties as Trustees;
- 12.14 subject to the terms of any contract, to dismiss such persons as aforesaid contained in Clause 12.13;
- 12.15 to open and operate any bank accounts provided always that monies, cheques or other bills of exchange shall not be drawn or withdrawn on or out of any such

accounts except by cheque or appropriate withdrawal form signed by or electronic instruction given by the Archbishop or no fewer than two persons nominated by the Coordination Trustees;

- 12.16 to invest the Common Trust Property, Share Trust Property, Clerical Trust Property and Coordination Trust Property or any part thereof and addition thereto in the purchase of such stocks, funds, shares, securities, investment products properties or other investments of whatsoever nature and wheresoever situate as the Coordination Trustees in their absolute discretion shall think fit and to the intent that the Coordination Trustees shall have the same full and unrestricted powers of investing and transposing/transferring investments in all respects as if they were beneficially entitled to any Common Trust Property, Share Trust Property, Clerical Trust Property and Coordination Trust Property (prior permission to be obtained from the Revenue Commissioners where it is intended to accumulate funds for a period in excess of two (2) years);
- 12.17 to borrow money for the purpose of the Trust and to charge all or any of the assets and property of the Common Trust Property, Share Trust Property, Clerical Trust Property and Coordination Trust Property with the repayment of any monies so borrowed and the interest thereon, the costs and any other sum which may become payable in respect of the borrowing;
- 12.18 to provide for the accommodation and care of any Trustee who is a cleric and of such others as may be congruent with the Charitable Objects;
- 12.19 to defray the costs and expenses of the administration of the Trust; and,
- 12.20 the additional powers set out in Schedule 3.

### **Additional Trustees**

13. The Archbishop may at any time by writing under his hand appoint an additional or new Coordination Trustee or Coordination Trustees in respect of the Coordination Trust Property or any other Trust or property under the control of the Coordination Trustees. Any such Coordination Trustee may resign as a Coordination Trustee provided that there are then at least three Trustees continuing as Trustees (including ex-officio Trustees) of the Coordination Trust Property.
14. The number of Trustees (including ex officio Trustees) of the Coordination Trust Property shall be at least three, a majority of whom shall always reside in Ireland.
15. The Archbishop may at any time by writing under his hand and without having to give reasons remove from office as a Coordination Trustee any Coordination Trustee whom he has appointed pursuant to clause 13. The appointment and removal of all

other trustees, who are trustees by virtue of his office, shall be determined by Canon Law.

### **Powers of the Archbishop**

16. The Archbishop shall have such powers, rights and duties as Canon Law prescribes from time to time. Currently these include the power of appointing the Parish Priest, removing the Parish Priest, issuing regulations and guidelines which will bind the Parish Priest in the operation of the Parish Trust Property, setting or altering the boundaries of the Parish, obliging a Parish to operate in conjunction with another Parish, suppressing a Parish and creating a new Parish, giving or withholding consent to an application by the Parish Priest for permission to deal with an asset of the Parish and giving or withholding consent to an application by a Parish Priest for permission to commence or contest litigation.

### **Proceedings of Coordination Trustees**

17. The Coordination Trustees, with the prior approval of the Archbishop, may appoint any committee or sub-committee to assist in the administration or management of the Coordination Trust Property. The Coordination Trustees may appoint a secretary to the Charity to assist in administrative matters. The Financial Administrator of the Archdiocese shall be the secretary unless the Coordination Trustees resolve otherwise. Currently the Committees are the Priests' Council, the College of Consultors, the Diocesan Finance Committee, the Diocesan Council, the Buildings Committee, the Investments Committee and the Audit Committee. Schedule 4 contains a summary of the current Canon Law requirements in relation to Committees.
18. The Coordination Trustees may meet at such times and in such manner as the Archbishop shall decide. The Coordination Trustees may, subject to the provisions of this Deed, make regulations for the calling and conduct of their meetings **PROVIDED ALWAYS** that there should be at least one meeting of the Coordination Trustees each year to which they shall invite the Parish Priests. In the event of any disagreement over the matters of quorum, notice, regulation of meetings and proceedings and questions or matters requiring resolution arising at any meeting, same shall be decided by the Archbishop.
19. The Archbishop shall be the chairman of the Coordination Trustees. The quorum shall be the Archbishop plus one other Coordination Trustee. For the purpose of deciding any matter or passing any resolution, the Archbishop shall have a second or casting vote and may veto any such decision or resolution.
20. The Coordination Trustees shall ensure that:

- (a) proper minutes are kept and entered in a book provided for the purpose of all the resolutions and proceedings of the Coordination Trustees. Any such minutes of any meeting of the Coordination Trustees purported to be signed by the Archbishop shall be conclusive evidence of the matters stated in those minutes and third parties shall be entitled to so rely;
- (b) they cause full accounts to be kept of the Coordination Trust Property, the Common Trust Property and Share and of all income arising therefrom, all dealings therewith and payments made there out and shall submit an annual report to the Archbishop of such accounts and the activities of the Trust and its plans for the coming year; and,
- (c) they comply with the record keeping and reporting obligations imposed by law. The Trustees shall obtain an audit each year and shall produce annual audited accounts to the Revenue Commissioners on request.

### **Income and Property**

21. The income and property of the Charity, in the case of each restricted fund, whether Parish Trust Property, Clerical Trust Property, Common Trust Property, Share Trust Property or Coordination Trust Property, shall be applied solely towards the promotion of the Charitable Objects, relating to that fund. No portion of the Charity's income and capital shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to any Trustee. No Trustee shall be appointed to any office of the Charity which is paid by salary or fees, receive any remuneration or other benefit in money or money's worth from the Trust. However, nothing shall prevent any payment in good faith by the Trustees of:
- (a) reasonable and proper remuneration to any member, officer or servant of the Trust (not being a Trustee) for any services rendered to the Trust;
  - (b) interest at a rate not exceeding 1% per annum above the European interbank offer rate ("**Euribor**") on money lent by Trustees of the Trust to the Trust;
  - (c) reasonable and proper rent for premises demised and let by a Trustee of the Trust to the Trust;
  - (d) reasonable and proper out-of-pocket expenses incurred by any Trustee in connection with their attendance to any matter affecting the Trust;
  - (e) the provision of accommodation and care for any Trustee who is a cleric, provided that same is not made as a result of or in connection to their position as Trustee;

- (f) reasonable remuneration to any Trustee who is a cleric from Clerical Trust Property and Common Trust Property, provided that same is not made as a result of or in connection to their position as Trustee;
- (g) sums to any Trustee or to any person with whom a Trustee has a personal connection (within the meaning of Section 2(1) and 2(2) of the Charities Act 2009) in return for services actually rendered to the Trust, pursuant to an agreement entered into in compliance with Section 89 of the Charities Act 2009,
- (h) fees, remuneration or other benefit in money or money's worth to any company of which a Trustee may be a member holding not more than one hundredth part of the issued capital of such company; and
- (i) any other payment as may be permitted by law from time to time.

#### **Approvals, Alterations or Amendments**

- 22. The provisions of this Deed may be revoked, varied or added to by the Archbishop in accordance with Canon Law from time to time. The Trustees must ensure that the CRA has a copy of its Deed of Trust. If it is proposed to make an amendment to the Deed of Trust and if such amendment requires the prior approval of the CRA, advance notice in writing of the proposed changes must be given to the CRA for approval, and the amendment shall not take effect until such approval is received.
- 23. For the avoidance of doubt this requirement of the approval of the CRA does not restrict the Archbishop in establishing, suppressing or altering Parishes which the Archbishop may do in accordance with Canon Law. The temporal assets and liabilities of any Parish affected by any such establishment, suppression or alteration shall likewise be dealt with in accordance with Canon Law, including currently canons 121 to 123.

#### **Winding up**

- 24. The Archbishop may at any time, having first consulted with the Coordination Trustees and the Parish Priests, by deed dissolve the Charity and thereupon all Trustees, both Coordination Trustees and Parish Priests, shall do and resolve all that is required to dissolve the Charity.
- 25. If upon the winding up or dissolution of the Trust there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the Trustees. Instead, such property shall be given or transferred to the Archbishop to be held upon trust for (i) the Charitable purposes of each Parish (in the case of each Parish Trust Property); (ii) the Charitable purposes of the Archdiocese

as the Archbishop in his discretion shall determine (in the case of the Coordination Trust Property, the Clerical Trust Property and the Share Trust Property); and (iii) for the remuneration of priests in the case of the Common Trust Property. The Archbishop shall prohibit the distribution of the income and property to an extent at least as great as is imposed on the Trust under and by virtue of clause 21 hereof. If and so far as effect cannot be given to the provisions above, then the property shall be given or transferred to some Charitable object with the agreement of the CRA. Final accounts will be prepared and submitted to the CRA that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer **PROVIDED ALWAYS** that the whole of the Trust Property shall always be held upon some one or more Charitable trusts in connection with the Church either in the whole island of Ireland or abroad and the foregoing power of revocation or addition and new appointment shall not nor shall either of them be exercisable in such a way that any part of the Trust Property shall cease to be held on Charitable trusts in connection with the Church.

### **Keeping of accounts**

26. Full accounts shall be kept of all Trust Property and of all income arising therefrom, all dealings therewith and payments made thereout and the Coordination Trustees shall submit an annual report to the Archbishop of the accounts and the activities of the Clerical Trust Property, the Common Trust Property, the Coordination Trust Property and the Share Trust Property and of their plans for the coming year.
27. Each Parish Trustee shall keep true and proper accounts to such date as the Archbishop may direct in every year of all monies received and expended and of the matters in respect of which such receipts and expenditure shall take place and of the property for the time being vested in the Parish Trustees and of the liabilities in connection therewith (but so that it shall not be obligatory on the Parish Trustees to keep separate accounts of capital and income) and shall forthwith provide for the audit of such accounts in such manner as may be required by law.
28. For so long as the Trust benefits from Charitable tax exempt status from the Revenue Commissioners, annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

### **Company**

29. For the avoidance of doubt the Company hereby declares that it is a bare trustee and that it holds no beneficial interest in the properties vested in its name.

### **Disqualification of Trustees**

30. Every Trustee who:

- a) being a priest, for whatever reason, ceases to be priest in good standing, or,
- b) shall cease to profess the Roman Catholic faith,

shall be absolutely disqualified from being or becoming or continuing to be a Trustee (unless the Archbishop otherwise directs in writing).

31. Any Trustee so disqualified shall immediately on such disqualification occurring cease to be a Trustee and the certificate in writing of the Archbishop in relation to any person being or becoming disqualified as aforesaid shall be conclusive evidence to that effect.

### **Removal of Trustees**

32. The Archbishop may at his absolute discretion and without giving any reason by writing under his hand remove any person from being a Trustee and any Trustee so removed shall thereupon cease to be a Trustee provided that he shall at all times act in accordance with Canon law.

**Schedule 1  
Parishes in the Archdiocese of Dublin**

1.	Ardlea
2.	Arklow
3.	Artane
4.	Ashford
5.	Athy
6.	Aughrim
7.	Aughrim Street
8.	Avoca
9.	Ayrfield
10.	Balally
11.	Balbriggan
12.	Balcurris
13.	Baldoyle
14.	Ballinteer
15.	Ballyboden
16.	Ballybrack - Killiney
17.	Ballyfermot
18.	Ballyfermot Upper
19.	Ballygall
20.	Ballymore Eustace
21.	Ballymun/Sillogue
22.	Ballymun Road
23.	Ballyroan
24.	Bawnogue
25.	Bayside
26.	Beaumont
27.	Beechwood Avenue
28.	Berkeley Road
29.	Blackrock
30.	Blakestown
31.	Blanchardstown
32.	Blessington
33.	Bluebell
34.	Bohernabreena
35.	Bonnybrook
36.	Boosterstown
37.	Brackenstown
38.	Bray (Ballywaltrim)
39.	Bray (Holy Redeemer)
40.	Bray, Putland Road
41.	Bray (St. Peter's)
42.	Brookfield

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

43.	Cabinteely
44.	Cabra
45.	Cabra West
46.	Castledermot
47.	Castleknock
48.	Castletown
49.	Castleview
50.	Celbridge
51.	Chapelizod
52.	Cherry Orchard
53.	Churchtown
54.	City Quay
55.	Clogher Road
56.	Clondalkin
57.	Clonskeagh
58.	Clontarf/St. Anthony
59.	Clontarf/St. John
60.	Confey
61.	Coolock
62.	Corduff
63.	Crumlin
64.	Dalkey
65.	Darndale-Belcamp
66.	Deansrath
67.	Dollymount
68.	Dolphins Barn/Rialto
69.	Dominick Street
70.	Donabate
71.	Donaghmede
72.	Donnybrook
73.	Donnycarney
74.	Donore Avenue
75.	Drumcondra
76.	Dún Laoghaire
77.	Dundrum
78.	Dunlavin
79.	Eadestown
80.	East Wall
81.	Edenmore
82.	Enniskerry/Kilmacanogue
83.	Esker/Doddsboro
84.	Fairview
85.	Finglas
86.	Finglas West
87.	Firhouse

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

88.	Foxrock
89.	Francis Street
90.	Gardiner Street
91.	Garristown
92.	Glasnevin
93.	Glasthule
94.	Glendalough
95.	Grange Park
96.	Greenhills
97.	Greystones
98.	Haddington Road
99.	Halston Street & Arran Quay
100.	Harolds Cross
101.	Harrington Street
102.	Hartstown
103.	Howth
104.	Huntstown
105.	Inchicore (Mary Immaculate)
106.	Inchicore (St. Michael)
107.	Iona Road
108.	James's Street
109.	Jobstown
110.	Johnstown/Killiney
111.	Kilbarrack-Foxfield
112.	Kilbride & Barndarrig
113.	Kilcullen
114.	Kill-O-The Grange
115.	Killester
116.	Killinarden
117.	Kilmacud
118.	Kilmore Road West
119.	Kilnamanagh
120.	Kilquade
121.	Kimmage Manor
122.	Kinsealy
123.	Knocklyon
124.	Larkhill-Whitehall
125.	Laurel Lodge
126.	Leixlip
127.	Loughlinstown
128.	Lucan
129.	Lucan South
130.	Lusk
131.	Malahide
132.	Marino

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

133.	Marley Grange
134.	Maynooth
135.	Meadowbrook
136.	Meath St
137.	Merrion Road
138.	Milltown
139.	Monkstown
140.	Moone
141.	Mount Argus
142.	Mount Merrion
143.	Mountview
144.	Mourne Road
145.	Mulhuddart
146.	Narraghmore
147.	Naul
148.	Navan Road
149.	Neilstown
150.	Newcastle
151.	Newtownpark
152.	North Wall – Seville Place
153.	North William Street
154.	Palmerstown
155.	Phibsborough
156.	Porterstown-Clonsilla
157.	Portmarnock
158.	Priorswood
159.	Pro Cathedral
160.	Raheny
161.	Rathdrum
162.	Rathfarnam
163.	Rathgar
164.	Rathmines
165.	Rialto/Dolphin's Barn
166.	Ringsend
167.	Rivervalley
168.	Rivermount
169.	Rolestown
170.	Roundwood
171.	Rowlagh
172.	Rush
173.	Saggart
174.	Sallynoggin
175.	Sandyford
176.	Sandymount
177.	Sean McDermott Street

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

178.	Shankill
179.	Silloge
180.	Skerries
181.	Springfield
182.	Sruleen
183.	Sutton
184.	Swords
185.	Tallaght/St. Aengus
186.	Tallaght/St. Marys
187.	Tallaght/St. Dominic
188.	Tallaght/St. Martin de Porres
189.	Templeogue
190.	Terenure
191.	Travelling People
192.	University Church
193.	Valleymount
194.	Walkinstown
195.	Westland Row
196.	Whitefriar Street
197.	Wicklow
198.	Willington
199.	Yellow Walls

**Schedule 2**  
**Parish Priests in the Archdiocese of Dublin**

	<b>Name of Parish Trustees</b>
1.	V. Rev. Hugh Hanley, S.C.J., Moderator
2.	V. Rev. Pádraig Ó Cochláin, Moderator
3.	V. Rev. Peter O'Reilly, Administrator
4.	V. Rev. Eamonn Crosson, Administrator
5.	V. Rev. Liam Rigney, Parish Priest
6.	V. Rev. Pádraig Ó Cochláin, Moderator
7.	V. Rev. Patrick Madden, Administrator
8.	V. Rev. Pádraig Ó Cochláin, Moderator
9.	V. Rev. Gerard Corcoran, Moderator
10.	V. Rev. Andrew O'Sullivan, Moderator
11.	V. Rev. Eugene Taaffe, Parish Priest
12.	V. Rev. Declan Blake, Moderator
13.	V. Rev. Gerard Tanham, Co Parish Priest
14.	V. Rev. Liam Belton, Moderator
15.	V. Rev. John Hughes, O.S.A., Parish Priest
16.	V. Rev. Tom Dalzell, S.M., Moderator
17.	V. Rev. Richard Delahunty, C.Ss.R., Parish Priest
18.	V. Rev. Joe McDonald, Administrator
19.	V. Rev. Richard Sheehy, Moderator
20.	Rt. Rev. Msgr. John Wilson, Administrator
21.	V. Rev. Richard Sheehy, Moderator
22.	V. Rev. Declan Blake, Moderator
23.	V. Rev. Martin Canon Cosgrove, Moderator
24.	V. Rev. Damian Farnon, Moderator
25.	V. Rev. Peter Finnerty, Administrator
26.	V. Rev. Gerard Deegan, Administrator
27.	V. Rev. Patrick Boyle, Parish Priest
28.	V. Rev. Martin McDonald, O.C.D., Parish Priest
29.	V. Rev. John Delany, Administrator
30.	V. Rev. Joe Coyne, Moderator
31.	V. Rev. Cyril Mangan, Administrator
32.	V. Rev. Richard Behan, Parish Priest
33.	V. Rev. Brian de Búrca O.M.I., Moderator
34.	V. Rev. Michael Hurley, Administrator
35.	V. Rev. Joe Jones, Moderator
36.	V. Rev. Gerry Kane, Parish Priest
37.	V. Rev. Michael Carey, Moderator
38.	V. Rev. Laurence Behan, Moderator
39.	V. Rev. Laurence Behan, Moderator
40.	V. Rev. Laurence Behan, Moderator
41.	V. Rev. Laurence Behan, Moderator
42.	V. Rev. Patrick McKinley, Moderator
43.	V. Rev. Frank Herron, Moderator
44.	V. Rev. Patrick F. Canon Carroll, Moderator
45.	V. Rev. Patrick F. Canon Carroll, Moderator
46.	V. Rev. Aidan Kieran, Administrator
47.	V. Rev. Kieran Coghlan, Moderator
48.	V. Rev. Pádraig Ó Cochláin, Moderator

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

49.	V. Rev. Michael Murphy, Administrator
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THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

	<b>Name of Parish Trustees</b>
50.	V. Rev. Paul Taylor, Parish Priest
51.	V. Rev. Sean Mundow, Administrator
52.	V. Rev. Michael Murtagh, C.Ss.R., Parish Priest
53.	V. Rev. Martin Canon Cosgrove, Moderator
54.	V. Rev. Pearse Walsh, Administrator
55.	V. Rev. John Canon Flaherty, Moderator
56.	V. Rev. Damian Farnon, Moderator
57.	V. Rev. Anthony Coote, Administrator
58.	V. Rev. Patrick McManus, Moderator
59.	V. Rev. Patrick McManus, Moderator
60.	V. Rev. Tony O'Shaughnessy, Administrator
61.	V. Rev. Edwin McCallion, S.M., Parish Priest
62.	V. Rev. Liam McClarey, S.C.A., Parish Priest
63.	V. Rev. John Canon Flaherty, Moderator
64.	V. Rev. Patrick Devitt, Administrator
65.	V. Rev. Leo Philomin, O.M.I., Parish Priest
66.	V. Rev. Damian Farnon, Moderator
67.	V. Rev. Patrick McManus, Moderator
68.	V. Rev. Fergal McDonagh, Administrator
69. *	V. Rev. Eddie Conway, O.P., Parish Priest
70.	V. Rev. Joe Connolly, Parish Priest
71.	V. Rev. Gerard Corcoran, Moderator
72.	Rt. Rev. Msgr. Lorcan O'Brien, Administrator
73.	V. Rev. John Ennis, Administrator
74.	V. Rev. David Corrigan, S.M., Parish Priest
75.	V. Rev. Richard Sheehy, Moderator
76.	V. Rev. Paul Kenny, Parish Priest
77.	V. Rev. Liam Belton, Moderator
78.	V. Rev. Douglas Malone, Administrator
79.	V. Rev. Micéal Comer, Administrator
80.	V. Rev. Hugh Kavanagh, Administrator
81.	V. Rev. David Lumsden, Parish Priest
82.	V. Rev. Laurence Behan, Moderator
83.	V. Rev. John Hassett, Moderator
84.	V. Rev. Joseph Dorniak, O.F.M. Conv., Parish Priest
85.	V. Rev. Richard Hyland, Parish Priest
86.	V. Rev. Éamann Cahill, Parish Priest
87.	V. Rev. Peter J. Reilly, Administrator
88.	V. Rev. Frank Herron, Moderator
89.	V. Rev. Martin Dolan, Administrator
90. *	V. Rev. Gerard Clarke, S.J., Parish Priest
91.	Vacant
92.	V. Rev. Richard Sheehy, Moderator
93.	V. Rev. Paul Kenny, Parish Priest
94.	V. Rev. Derek Doyle, Moderator
95.	V. Rev. David Lumsden, Parish Priest
96.	V. Rev. Raphael Annan, C.S.Sp., Administrator
97.	V. Rev. John Daly, Parish Priest
98.	V. Rev. Fachtna McCarthy, Administrator
99.	V. Rev. Bryan Shorthall, O.F.M. Cap., Parish Priest

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

	<b>Name of Parish Trustees</b>
100.	V. Rev. Alex Conlan, Parish Priest
101.	V. Rev. Gerard Deighan, Administrator
102.	V. Rev. Joe Coyne, Moderator
103.	V. Rev. Gerard Tanham, Co Parish Priest
104.	V. Rev. Joe Coyne, Moderator

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

	<b>Name of Parish Trustees</b>
105.*	V. Rev. Brian de Búrca O.M.I., Moderator
106.	V. Rev. Brian de Búrca O.M.I., Moderator
107.	V. Rev. Richard Sheehy, Moderator
108.	V. Rev. John Collins, Moderator
109.	V. Rev. Patrick McKinley, Moderator
110.	V. Rev. Frank Herron, Moderator
111.	V. Rev. Peter Finnerty, Administrator
112.	V. Rev. Donal Roche, Administrator
113.	V. Rev. Niall Mackey, Administrator
114.	V. Rev. Liam O'Cuív, E.V., Administrator
115.	V. Rev. Fintan O'Driscoll, M.S.C., Parish Priest
116.	V. Rev. John D. Canon Killeen, Parish Priest
117.	V. Rev. Anthony Coote, Administrator
118.	V. Rev. Gary Darby, Co Parish Priest
119.	V. Rev. Michael Murphy, Administrator
120.	V. Rev. John Daly, Parish Priest
121.*	V. Rev. Raphael Annan, C.S.Sp., Administrator
122.	V. Rev. Kevin Moore, Moderator
123.	V. Rev. Martin Paravookaran, O.Carm., Parish Priest
124.	V. Rev. John Jones, Administrator
125.	V. Rev. Kieran Coghlan, Moderator
126.	V. Rev. John McNamara, Administrator
127.	V. Rev. Tom Dalzell, S.M., Moderator
128.	V. Rev. John Hassett, Moderator
129.	V. Rev. John Hassett, Moderator
130.	V. Rev. Eoin McCrystal, Administrator
131.	V. Rev. Kevin Moore, Moderator
132.	V. Rev. Thomas Noone, Parish Priest
133.	V. Rev. Jim Mulherin, O.S.M., Parish Priest
134.	V. Rev. Frank McEvoy, Administrator
135.	V. Rev. Liam Belton, Moderator
136.	V. Rev. Niall Coghlan, O.S.A., Parish Priest
137.	V. Rev. Fergus O'Connor, Parish Priest
138.	V. Rev. Msgr. Peter Briscoe, Administrator
139.	V. Rev. Michael Coady, Parish Priest
140.	V. Rev. Liam Rigney, Parish Priest
141.*	V. Rev. Paul Francis Spencer, C.P., Parish Priest
142.	V. Rev. Anthony Coote, Administrator
143.	V. Rev. Joe Coyne, Moderator
144.	V. Rev. John Canon Flaherty, Moderator
145.	Rt. Rev. Msgr. Eoin Thynne, Administrator
146.	V. Rev. Liam Rigney, Parish Priest
147.	Vacant
148.	V. Rev. John O'Brien, Administrator
149.	V. Rev. Damian Farnon, Moderator
150.	V. Rev. John Gilligan, Moderator
151.	V. Rev. Dermot Leycock, Parish Priest
152.	V. Rev. Robert Colclough, Administrator
153.	V. Rev. Brendan Kealy, Administrator
154.	V. Rev. Anthony O'Reilly, Administrator
155.*	V. Rev. Patrick F. Canon Carroll, Moderator

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

	<b>Name of Parish Trustees</b>
156.	V. Rev. Paul Ward, Administrator

THE ROMAN CATHOLIC PARISHES OF THE ARCHDIOCESE OF DUBLIN

	<b>Name of Parish Trustees</b>
157.	V. Rev. Kevin Moore, Moderator
158.	V. Rev. Desmond McNaboe, O.F.M. Cap., Parish Priest
159.	V. Rev. Kieran McDermott, Administrator
160.	V. Rev. Michael Cullen, Administrator
161.	V. Rev. Derek Doyle, Moderator
162.	V. Rev. Martin Canon Cosgrove, Moderator
163.	V. Rev. Joe Mullan, Parish Priest
164.	V. Rev. William King, Administrator
165.	V. Rev. Fergal McDonagh, Administrator
166.	V. Rev. Ivan Tonge, Parish Priest
167.	V. Rev. Seamus Ahearne, O.S.A., Parish Priest
168.	V. Rev. Michael Carey, Moderator
169.	Vacant
170.	V. Rev. Derek Doyle, Moderator
171.	V. Rev. Damian Farnon, Moderator
172.	V. Rev. Kevin Bartley, Administrator
173.	V. Rev. John Gilligan, Moderator
174.	V. Rev. Pdraig Gleeson, Administrator
175.	V. Rev. Andrew O'Sullivan, Moderator
176.	V. Rev. John McDonagh, Parish Priest
177.	V. Rev. Lukasz Nawrat, S.D.B., Administrator
178.	V. Rev. John O'Connor, S.A.C., Parish Priest
179.	V. Rev. Declan Blake, Moderator
180.	V. Rev. Melvyn Mullins, Parish Priest
181.	V. Rev. Patrick McKinley, Moderator
182.	V. Rev. Damian Farnon, Moderator
183.	V. Rev. Gerard Tanham, Co Parish Priest
184.	V. Rev. Michael Carey, Moderator
185.	V. Rev. Benedict Moran, O.P., Parish Priest
186.	V. Rev. Laurence Collins, O.P., Administrator
187.	V. Rev. Michael Hurley, Administrator
188.*	V. Rev. Donal Roche, O.P., Administrator
189.	V. Rev. Gerry Moore, Parish Priest
190.	V. Rev. Philip Bradley, Administrator
191.	V. Rev. Paul O'Driscoll, Parish Priest
192.	Vacant
193.	V. Rev. Richard Behan, Parish Priest
194.	V. Rev. Paul St. John, S.V.D., Administrator
195.	V. Rev. Enda Cunningham, Administrator
196.*	V. Rev. Seán MacGiollarnath, O.Carm., Parish Priest
197.	V. Rev. Donal Roche, Administrator
198.	V. Rev. Gregory O'Brien, Parish Priest
199.	V. Rev. Kevin Moore, Moderator

### Schedule 3

In each case where Trustees or Trustee is used in this schedule, it shall refer to the Parish Priest in the case of Parish Trust Property and the Coordination Trustees in the case of the Coordination Trust Property, Common Trust Property, Share Trust Property and Clerical Trust Property.

The Trustees shall in addition to the powers conferred on them by law have the following powers which are exclusively subsidiary and ancillary to the Charitable Objects and which powers may only be exercised in promoting the Charitable Objects. Any income generated by the exercise of these powers is to be applied to the promotion of the Charitable Objects.

**In each case any exercise of power must be in compliance with the requirements of Canon Law.**

**1. Power to promote Trust:**

- 1.1 The Trustees shall have the power to promote and further the Charitable Objects by conferences, public or private meetings, discussions, publications or by such other means as may be desirable or necessary.
- 1.2 The Trustees shall have the power to advertise and make known the Trust and its Charitable Objects by such means as may be deemed expedient and to solicit, receive and hold donations, subscriptions, gifts and bequests of all kinds.

**2. Power of investment:**

- 2.1 Any monies requiring investment may be invested in or upon any investments of whatever nature and wherever situate whether producing income or not (including the purchase of any immovable or movable property or any interest in such property) as the Trustees shall in their absolute discretion think fit so that the Trustees shall have the same full and unrestricted powers of making and changing investments of such monies as if they were absolutely and beneficially entitled to such monies and without prejudice to the generality of the above the Trustees shall not be under any obligation to diversify their investment of such monies.
- 2.2 The Trustees shall have power to exchange property for other property of a like or different nature and for such consideration and on such conditions as they in their absolute discretion think fit.
- 2.3 The Trustees shall have power to invest, re-invest and manage accumulations of income either separately or together with other funds.

**3. Power to lend and give guarantees:**

3.1 The Trustees shall have power to lend money or property either free of interest or on such terms as to payment of interest and generally as the Trustees shall in their absolute discretion think fit.

3.2 The Trustees shall have power to guarantee the payment of money and the performance of obligations in respect of any existing or future borrowings or guarantees indemnities or other commitments of like nature given to third parties including without prejudice to the generality of the above the power to pledge the whole or part of the assets comprising any Trust Property in support of any such guarantee given as above by the Trustees and to enter into such indemnities as they shall in their absolute discretion think fit in connection with any such guarantee.

4. **Power to permit occupation of property:**

The Trustees shall have power to permit any one or more individuals to occupy or reside in or upon any real or immovable property for the time being held upon these trusts on such terms as to payment of rent, rates, taxes and other expenses and outgoings and as to insurance, repair and decoration and generally upon such terms as the Trustees shall in their absolute discretion think fit.

5. **Power to borrow:**

The Trustees shall have the power to borrow and raise money on the security of any Trust Property for any purpose (including the investment of the monies so raised as part of any Trust Property) and to mortgage charge or pledge any part of any Trust Property as security for any monies so raised and to guarantee the payment of money and the performance of obligations in respect of borrowings by any company fully or partly owned by the Trustees and in connection with such guarantees to enter into such indemnities as the Trustees shall in their absolute discretion think fit.

6. **Powers in relation to immoveable property:**

Where any Trust Property for the time being includes any real or immovable property (in this paragraph referred to as "the land"):

- (a) the Trustees may lease or licence all or any part of the land upon such terms and in such manner in all respects as the Trustees shall in their discretion think fit and may accept (with or without consideration) surrender of any lease of all or any part of the land;
- (b) the Trustees may in executing any trust or power of sale sell all or any part of the land upon such terms and in such manner in all respects as the Trustees in their discretion think fit;
- (c) the Trustees shall not be bound to see nor be liable or accountable for

omitting or neglecting to see to the repair or insurance of the land or to the payment of any outgoings or otherwise as to the maintenance of the land but may maintain, repair or insure the same in such manner in all respects and to such extent as they in their absolute discretion think fit; and

- (d) the Trustees may from time to time expend monies altering or improving the land (including erecting, demolishing or rebuilding any buildings or other structures on the land) to such extent and in such manner in all respects as they in their absolute discretion think fit.

**7. Power to trade:**

- 7.1 Subject to compliance with applicable requirements for a charity to trade without endangering its CRA registration or its CHY status, the Trustees shall have power to trade or take part in any venture in the nature of trade upon such terms and in such manner in all respects as they in their absolute discretion think fit within the confines of Section 208 Taxes Consolidation Act, 1997 and any statutory amendment or replacement thereto and without prejudice to the generality of the above may delegate any exercise of this power to any one or more of their number or to a company or partnership formed for this purpose.
- 7.2 Any power vested in the Trustees under this Trust shall (where applicable) extend to any arrangements in connection with any such trade or venture and the Trustees shall be entitled to be fully indemnified out of any Trust Property against all personal liability to which they may become in any manner subject in connection with any such trade or venture.

**8. Power to give indemnities:**

- 8.1 The Trustees shall have power to enter into any indemnity in favour of any person in respect of liabilities of any nature in connection with this Trust and to charge or deposit the whole or any part of any Trust Property as security for any such indemnity in such manner in all respects as they in their absolute discretion think fit.
- 8.2 The Trustees shall have power to give or enter into any indemnity, warranty, guarantee, undertaking or covenant or enter into any type of agreement that they in their absolute discretion think fit relating to the transfer or sale of a business or private company shareholding held or owned for the time being by the Trustees.

**9. Exclusion of apportionment:**

The statutory and equitable rules of apportionment shall not apply to this Trust and the Trustees shall be permitted to treat all dividends and other payments in the nature of income received by them as income at the date of receipt irrespective of the period for which the dividend or other income is payable.

**10. Power of appropriation:**

The Trustees shall have power in their absolute discretion to appropriate any part of any Trust Property in its then actual condition or state of investment towards the Charitable Objects as may in all the circumstances appear to them to be just and reasonable and for the above purposes from time to time to place such value on any or all investments or other property as they shall in their absolute discretion think fit.

**11. Power to vote and to employ nominees and custodians:**

In respect of any property comprised in any Trust Property the Trustees shall have power to exercise all powers which any individual beneficial owner thereof might exercise in relation thereto without being restricted in any way by the office of Trustee including (without prejudice to the generality of the foregoing power) power:

- (a) to vote upon or in respect of any shares, securities, bonds, notes or other evidence of interest in or obligation of any corporation, trust, association or concern;
- (b) to give proxies or powers of attorney with or without power of substitution for voting or acting on behalf of the Trustees as the owners of any such property;
- (c) to hold any or all securities or other property in bearer form or in the names of the Trustees or any one or more of them or in the name of such other person or partnership or in the name or names of nominees without disclosing the fiduciary relationship created by this Trust;
- (d) to enter into any compromise or arrangement with respect to all or any of their rights as debenture holders, debenture stock holders, creditors, stockholders or shareholders of any company and to accept in or towards satisfaction of all or any of such rights such consideration as they shall in their absolute and uncontrolled discretion think fit; and
- (e) instead of acting personally, to employ and pay, at the expense of any Trust Property, any agent in any part of the world whether attorneys, solicitors, accountants, brokers, banks, trust companies or other agents to transact any business or act as nominee or do any act in the execution of these trusts.

**12. Power to delegate management of investments:**

- 12.1 The Trustees shall have power to engage the services of such investment manager or managers or investment adviser or advisers as the Trustees may from time to time think fit (the "investment adviser") to advise the Trustees in

respect of the investment and reinvestment of any Trust Property with power for the Trustees without being liable for any consequent loss to delegate to the investment adviser discretion to manage all or any part of any Trust Property within the limits and for the period stipulated by the Trustees and the Trustees shall settle the terms and conditions for the remuneration of the investment adviser and the reimbursement of the investment adviser's expenses as the Trustees shall in their absolute discretion think fit and such remuneration and expenses shall be paid by the Trustees from any Trust Property.

- 12.2 The Trustees shall not be bound to enquire into nor be in any manner responsible for any changes in the legal status of the investment adviser.
- 12.3 The Trustees shall incur no liability for any action taken pursuant to or for otherwise following the advice of the investment adviser however communicated.

**13. Power to promote companies:**

The Trustees may (without prejudice to the generality of their powers of investment) promote or join with any other person or persons in promoting or incorporating any company in any part of the world or subscribe for or acquire any of the shares or stock or debentures or debenture stock or loan capital of any company with a view to or in consideration of:

- (a) the establishment and carrying on by such company of a business of any kind which the Trustees are for the time being authorised to carry on themselves and the acquisition of any of the assets comprised in the Trust Property which may be required for the purposes of such business;
- (b) the acquisition of the assets and undertaking of any business being carried on by the Trustees under the above power; and
- (c) the acquisition of all or any of the assets comprised in the Trust Property to be held as investments of the company acquiring the same.

**14. Trustees not bound to interfere in business of company in which the settlement is interested:**

The Trustees shall not be bound or required to interfere in the management or conduct of the business of any company, wherever resident or incorporated, in which the Trust shall be interested although holding the whole or a majority of the shares carrying the control of the company but, so long as the Trustees shall have no notice of any act of dishonesty or misappropriation of monies on the part of the directors having the management of such company, the Trustees shall be at liberty to leave the conduct of its business (including the payment or non-payment of dividends) wholly to the directors and the Trustees shall not be required to distribute any dividend of any such company.

**15. Power to insure property:**

The Trustees shall have power to insure against any loss or damage from any peril any property for the time being comprised in any Trust Property for any amount and to pay the premiums out of any Trust Property.

**16. Power to acquire intellectual property:**

The Trustees shall have the power to acquire and become registered owners of copyrights and trademarks and other forms of intellectual property.

**17. Power to permit self-dealing:**

The Trustees shall have power to enter into any transaction concerning any Trust Property notwithstanding that one or more of the Trustees may be interested in the transaction other than as one of the Trustees.

**18. Power to institute proceedings:**

The Trustees shall have power to institute, prosecute and defend any suits or actions or other proceedings affecting the Trustees or any Trust Property, to compromise any matter or difference or to submit any such matters to arbitration, to compromise or compound any debts owing to them as such Trustees or any other claims and to adjust any dispute in relation to debts or claims against them as Trustees upon evidence that the Trustees shall deem sufficient and upon such terms and for such terms as the Trustees deem advisable, to make partition with co-owners or joint owners with the Trustees having any interest in any properties in which the Trustees are interested and to make such partition either by sale or by set-off or by agreement or otherwise.

**19. Protection of purchasers and mortgagees:**

No person purchasing any part of any Trust Property from or advancing any money on the security thereof or any part thereof to the Trustees shall be concerned to see or require that the power or trust under which any such sale or mortgage is made is exercisable by the Trustees or as to the propriety of any exercise thereof by the Trustees or as to whether more moneys than are required are realised by such exercise or otherwise howsoever in relation to such exercise but shall be entitled to and shall assume that such exercise is a completely valid and effective exercise of such power or trust.

**20. Power to grant pensions:**

The Trustees shall have the power to grant pensions, gratuities, allowances or Charitable aid to any person who may have served the Trust as an employee, or to the spouses, children or other dependants of such person provided that

such pensions, gratuities, allowances or Charitable aid shall be no more than that provided by a pension scheme covered by part 30 of the Taxes Consolidation Act, 1997 or any statutory amendment or replacement thereof and provided that such pension scheme has been operated by the Trust and the beneficiary of the pensions, gratuities, allowances or Charitable aid, or their spouse or parent has been a member of the pension scheme while employed by the Trust; and to make payments towards insurance and to form and contribute to provident and benefit funds for the benefit of any persons employed by the Trust and to subscribe or guarantee money for Charitable objects.

**21. Delegation of powers:**

Subject to the provisions of the Diocesan Norms from time to time, the Trustees may delegate signing authority regarding the operation of any bank account in their names.

**22. Liability of trustees:**

In the professed execution of the trusts and powers of this Trust the Trustees shall not be liable for any loss to any Trust Property arising by reason of the failure, depreciation or loss of any investment or investments made in good faith or by reason of any improper investment or investments made in good faith or by reason of any mistake or omission made or omitted in good faith or for the default, negligence or fraud of any agent employed by the Trustees hereof or any loss occasioned by the employment of such agent (although the employment of such agent was not strictly necessary or expedient) or for any loss or damage which may happen to the Trust Property or by reason of any other matter or thing whatsoever except wilful fraud or conscious wrongdoing on the part of the Trustees and the Trustees may arrange for payment out of the Trust Property to an insurer of sums required to be paid to the insurer in consideration of the insurer agreeing to indemnify each Trustee in respect of any liability of such Trustee to pay any damages or other sum to a person in respect of any act done or omitted to be done by the Trustee in good faith and in the performance of his functions as Trustee.

**23. Power to act by majority:**

If the Trustees or any of them shall at any time disagree or differ from the others as to the exercise of any of the powers and discretions hereby or by law or by any instrument executed hereunder conferred on the Trustees or as to the manner of the exercise of any such power or discretion then such power or discretion and all other powers and acts incidental thereto shall become exercisable by a majority of the Trustees wishing to exercise such power or discretion subject always in the case of the Coordination Trustees to the Archbishop agreeing with the proposed exercise of such power or discretion. The Parish Priest is a sole trustee in relation to the Parish Trust Property.

## **Schedule 4 Consultation and Consent requirements**

### **1. Priests' Council**

#### **Consult:**

- Parishes, their alteration (c.515§2)
- Stole Fees (c.531)
- Building a church (c.1215§2)
- Reduction of a church to secular use (c.1222§2)
- Imposition of a tax (c.1263)

### **2. College of Consultors**

#### **Consult:**

- Appointment and removal of the Financial Administrator (c.494)
- Acts of administration of major importance (c.1277)

#### **Consent:**

- Acts of extraordinary administration both for diocese and parishes (c.1277, c.1281)
- Acts of alienation for both diocese and parishes above minimum limit (c.1292)
- Other acts which may jeopardise the patrimonial condition of the juridic person (c.1295)

### **3. Finance Committee**

#### **Consult:**

- Appointment and removal of the Financial Administrator (c.494)
- Acts of administration of major importance (c.1277)
- Imposition of a tax (c.1263)
- To determine what constitutes an act of extraordinary administration for juridic persons subject to the local bishop (c.1281)

#### **Consent:**

- Acts of extraordinary administration both for diocese and parishes (c.1277, c.1281)
- Acts of alienation for both diocese and parishes above minimum limit (c.1292)
- Other acts which may jeopardise the patrimonial condition of the juridic person (c.1295)

**Schedule 5  
Diocesan Norms**

**IN WITNESS whereof** the Trustees have hereunto set their hands and affixed their  
Seals and the day and year first above **WRITTEN.**

**SIGNED AND SEALED by THE MOST**

**REVEREND DIARMUID MARTIN**

in the presence of:-

Witness:

Signature:

Name:

Address:

Occupation:

**SIGNED AND SEALED by**

**THE MOST REVEREND EAMONN WALSH**

in the presence of:-

Witness:

Signature:

Name:

Address:

Occupation:

**SIGNED AND SEALED** by

**THE MOST REVEREND RAYMOND FIELD**

in the presence of:-

Witness:

Signature:

Name:

Address:

Occupation:

**SIGNED AND SEALED** by

**THE VERY REVEREND MONSIGNOR**

**PAUL CALLAN**

in the presence of:-

Witness:

Signature:

Name:

Address:

Occupation:

**PRESENT** when the common seal of  
**ST LAURENCE O'TOOLE DIOCESAN TRUST**  
was affixed hereto:-

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