



# *Government Gazette*

of the State of

New South Wales

**Number 402–Parliament, Ministerial, Courts and Police  
Friday, 20 August 2021**

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# **DISTRICT COURT ACT 1973**

## **District Court of New South Wales**

### **Direction**

Pursuant to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:-

Albury	10.00am	30 May 2022 (1 week) In lieu of 20 June 2022 (1 week)
Port Macquarie	10.00am	14 June 2022 (1 week)

Dated this 13<sup>th</sup> day of August 2021.

**Justice D Price AO**  
**Chief Judge**

## DISTRICT COURT ACT 1973

### District Court of New South Wales

#### Direction

Pursuant to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:-

Albury	10.00am	14 March 2022 (4 weeks) In lieu of 28 March 2022 (5 weeks)
Albury	10.00am	26 April 2022 (4 weeks)
Albury	10.00am	6 June 2022 (3 weeks) In lieu of 30 May 2022 (3 weeks)
Coffs Harbour	10.00am	14 February 2022 (2 weeks) <b>Sittings Cancelled</b>
Coffs Harbour	10.00am	14 June 2022 (2 weeks) <b>Sittings Cancelled</b>
Griffith	10.00am	28 February 2022 (2 weeks) In lieu of 28 February 2022 (4 weeks)
Griffith	10.00am	11 April 2022 (2 weeks)
Griffith	10.00am	23 May 2022 (2 weeks) In lieu of 2 May 2022 (4 weeks)
Katoomba	10.00am	31 January 2022 (3 weeks)
Katoomba	10.00am	21 March 2022 (3 weeks)
Katoomba	10.00am	23 May 2022 (3 weeks)

Dated this 13<sup>th</sup> day of August 2021

**Justice D M Price AO**  
**Chief Judge**

**CHARITABLE TRUSTS ACT 1993**  
**ORDER UNDER SECTION 12**  
**CY PRES SCHEME RELATING TO**  
**THE ESTATE OF THE LATE NORMA KAY RICE**

Section 12(1)(a) of the *Charitable Trusts Act 1993* permits the Attorney General to establish a cy pres scheme to alter the original purpose of a charitable trust. Section 9(1) permits the application of trust property cy pres where the spirit of the original trust can no longer be implemented.

Under clause 3(c) of the Will of the late Norma Kay Rice, dated 22 June 2018, Ms Rice bequeathed a sum of \$10,000.00 to Northern Region SLSA Helicopter Rescue Service Pty Ltd (**Northern SLSA Helicopter Rescue**) for its general purposes.

Northern SLSA Helicopter Rescue provided helicopter emergency medical services in the Northern Region of New South Wales under the name 'Westpac Life Saver Rescue Helicopter'. The gift under the Will cannot be applied to Northern SLSA Helicopter Rescue as it ceased providing helicopter emergency medical services on 26 April 2017 and was deregistered on 31 October 2018.

The bequest to Northern SLSA Helicopter Rescue is considered to have created a charitable trust, as the provision of helicopter emergency medical services falls within the charitable purpose of relief of the sick. Further, gifts for the 'general purposes' of a charitable organisation are gifts for charitable purposes.

Northern NSW Helicopter Rescue Service Ltd (ACN 002 862 026) (**NNSW Helicopter Rescue**) has been identified as having a similar charitable purpose and providing the same services as Northern SLSA Helicopter Rescue. On 27 April 2017, NNSW Helicopter Rescue commenced providing helicopter emergency services in Northern New South Wales under the same name of 'Westpac Life Saver Rescue Helicopter' and they continue to provide these services. NNSW Helicopter Rescue is registered as a charity with the Australian Charities and Not-for-profits Commission.

The executors and trustees of the estate have no objection to a cy pres scheme applying the funds to NNSW Helicopter Rescue.

In circumstances where the gift in clause 3(c) of the Will cannot be applied to Northern SLSA Helicopter Rescue, as it has ceased to exist, I, as the Attorney General's delegate, have approved the establishment of a cy pres scheme so that the gift to Northern SLSA Helicopter Rescue is to be paid to NNSW Helicopter Rescue for its charitable purposes.

Pursuant to section 12 of the *Charitable Trusts Act 1993*, I hereby order that a cy pres scheme be established in favour of NNSW Helicopter Rescue for its charitable purposes in respect of the failed gift in the Will to Northern SLSA Helicopter Rescue.

The order will take effect 21 days after its publication in the NSW Government Gazette, in accordance with section 16(2) of the *Charitable Trusts Act 1993*.

**Date of Order:** 12 August 2021

**SIGNED**

A handwritten signature in black ink, appearing to read 'M G Sexton SC', with a stylized flourish at the end.

**M G SEXTON SC**

Solicitor General (Under delegation from the Attorney General)

# DISTRICT COURT ACT 1973

## District Court of New South Wales

### Direction

Pursuant to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:-

Armidale	10.00am	11 October 2021 (1 week) <b>Sittings Cancelled</b>
Queanbeyan	10.00am	13 September 2021 (1 week) <b>Sittings Cancelled</b>

Dated this 17<sup>th</sup> day of August 2021.

**Justice D Price AO**  
**Chief Judge**