

Lawson (Variation of Trusts) Ordinance 1993

No 50, 1993

An Ordinance to vary the trusts relating to certain funds and for certain other purposes incidental thereto.

Whereas

A. The Property Trust is the trustee of the St Paul's Woodford new church building fund which comprises the funds described in the First and Second Schedules.

B. The funds described in the First and Second Schedules are church trust property held for the purposes of the Anglican Parish of Lawson ("Parish") to enable the construction of a new church building at Woodford.

C. By reason of circumstances which have arisen after the creation of the trusts on which the funds described in the First and Second Schedules are held it is inexpedient to carry out and observe those trusts and to apply the funds for the same or like purposes as those specified in B. and it is expedient to amend those trusts on the terms set out in this ordinance.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Directs Declares and Rules as follows.

1. This ordinance may be cited as the "Lawson (Variation of Trusts) Ordinance 1993".
2. By reason of circumstances which have arisen after the creation of the trusts on which the funds described in the First and Second Schedules are held it is inexpedient to carry out and observe those trusts and to apply the funds for the same or like purposes as those specified in B. of the preamble and it is expedient to amend those trusts on the terms set out in this ordinance.
3. The funds described in the First and Second Schedules shall be combined into one fund to be known as the "Parish of Lawson Building Fund".
4. (1) The Parish of Lawson Building Fund shall be applied in or towards the payment of, or reimbursement for, any costs, incurred after the date of assent to this ordinance, in relation to -
 - (a) the construction of a new building or buildings; or
 - (b) the alteration, renovation or refurbishment of an existing building or buildings,on church land held for the purposes of the Parish and the costs of all furnishings, equipment, fittings and lawful ornaments within or for use within such building or buildings.
(2) The majority of the parish council of the Parish may request that a payment be made from the Parish of Lawson Building Fund for the purposes specified in subclause 4(1).
5. Pending the application of the Parish of Lawson Building Fund in accordance with clause 4, the Parish of Lawson Building Fund shall be invested and the income earned shall be applied as follows -
 - (a) so much of the interest derived in any financial year as is required in payment of any assessment imposed upon the Parish in respect of that financial year to the extent that the assessment is increased by the inclusion of such interest in the assessable receipts of the Parish shall be applied for that purpose; and
 - (b) the balance is to be capitalised.
6. If the balance of the Parish of Lawson Building Fund, after any application or applications made under clause 4, is less than the Minimum Sum, such balance is to be paid to the churchwardens of the principal church of the Parish and is to be applied for the purposes set out in clause 4. The expression "Minimum Sum" means, at any time, the amount last determined prior to that time by the Property Trust to be the smallest sum in relation to which the Property Trust wishes to act as trustee.

First Schedule

The fund comprising the capital sum of \$59,789.25 received pursuant to the Will of the Late Owen Furley Thomas and accrued interest but excepting amounts paid under subclause 2(2) of the Lawson (Variation of Trust) Ordinance 1988.

Second Schedule

The Fund comprising the capital sum of \$11,750.30 received by the churchwardens of St Paul's Woodford on trust for the building fund and accrued interest but excepting amounts paid under subclause 2(2) of the Lawson (Variation of Trust) Ordinance 1988.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

N.M. Cameron
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 22 November 1993.

W.G.S. Gotley
Secretary

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I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
30/11/1993