

South Sydney Variation of Trusts Amendment Ordinance 2002

No 81, 2002

Long Title

An Ordinance to amend the South Sydney Variation of Trusts Ordinance 1997.

Preamble

A. By clause 4 of the South Sydney Variation of Trusts Ordinances 1997 (the "Principal Ordinance") the income earned thereunder after 31 December 2002 shall be applied in accordance with a further ordinance to be presented by the churchwardens of St Saviour's Church South Sydney on or before 31 December 2002.

B. By reason of circumstances arising after the creation of the trusts specified in the Principal Ordinance, it is inexpedient to carry out and observe those trusts and it is expedient to declare other trusts in respect of the income earned under the Principal Ordinance.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the South Sydney Variation of Trusts Amendment Ordinance 2002.

2. Declaration

By reason of circumstances arising after the creation of the trusts specified in the Principal Ordinance, it is inexpedient to carry out and observe those trusts and it is expedient to declare other trusts in respect of the income earned under the Principal Ordinance.

3. Amendment

The Principal Ordinance is amended as follows -

- (a) by deleting the word "The" at the beginning of clause 3(3) and inserting instead "Subject to clause 3A, the";
- (b) by deleting each occurrence of the matter "2002" in clauses 3(3) and 4 and inserting instead the matter "2007";
- (c) by deleting clause 3(3)(c) and inserting instead the following -
 - "(c) 10% shall be paid to the Sydney Anglican Indigenous Peoples' Ministry Committee and applied in accordance with clause 12 of the Sydney Anglican Indigenous Peoples' Ministry Ordinance 2002; and";
- (d) by inserting the following after clause 3 -

"Heritage Buildings

3A. If -

- (a) an order is made under the Heritage Act 1977 in relation to any building or other improvement on land (the "Land") held on trust for the Parish; or
 - (b) the condition of any building or other improvement on the Land is such that it is reasonable to conclude in accordance with recommendation(s) in a report commissioned from a heritage architect or other expert on heritage buildings, that an order may be made under that Act in relation to that building or improvement; or
 - (c) as regards any building or improvement on the Land, an offence is committed under that Act,
- the Property Trust may -
- (d) do all such works and other things as are necessary to comply with the order, avoid the issue of the order or satisfy the omission or action which has given rise to the offence (as the case may be); and
 - (e) apply the whole or any part or parts of the income referred to in clause 3(3) in or towards meeting the cost of all such works and things."

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

PG KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney 9 December 2002.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
11/12/2002