Anglican Church Diocese of Sydney

St James Sydney Phillip Street Property Ordinance 1962 Amendment Ordinance 1997

No 51, 1997

Long Title

An Ordinance to vary the St James Sydney Phillip Street Property Ordinance 1962 to provide for the application of income from the building authorised by that Ordinance for the year from 1 January, 1998.

Preamble

A. The St James Sydney Phillip Street Property Ordinance 1962 ("Principal Ordinance") provides for the Glebe Administration Board to lease the Building (as defined in the Principal Ordinance) and to apply the income in a certain manner.

B. By clause 8 of the Principal Ordinance, on or before 31 December 1997, the Churchwardens (as defined in the Principal Ordinance) must promote an Ordinance varying the provisions of the Principal Ordinance from and including 1 January 1998.

C. It is expedient to amend the Principal Ordinance and to vary the trusts upon which the Land (as defined in the Principal Ordinance) is held so as to provide for the application and distribution of the income from the Building for the year commencing on 1 January, 1998.

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

Name of Ordinance

1. This Ordinance is the St James Sydney Phillip Street Property Ordinance 1962 Amendment Ordinance 1997.

Declarations

2. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held, it is inexpedient to carry out and observe those trusts and it is expedient to vary those trusts in the manner set out in this Ordinance.

Amendment of Principal Ordinance

3. The Principal Ordinance is amended as follows-

(a) by deleting clause 7 in its entirety and inserting in its place the following -

"7. The following distributions are authorised -

(a) payment of all costs, expenses and outgoings in relation to or arising from the preparation and promotion of the St James Phillip Street Property Ordinance 1962 Amendment Ordinance 1997;

(b) in 1997, payment of $324,330 to the Churchwardens for the use and benefit of the Anglican Church of Australia in -

(i) the Parish; and

(ii) the St James' Ethic Centre Inc., by equal quarterly instalment in advance;

(c) in 1997, payment of $56,701 to the Churchwardens for the restoration, preservation, renovation, refurbishment and improvement of St James' Church by equal quarterly instalments in advance;

(d) in the year 1998, the payment of moneys payable in respect of the year 1998 by the Churchwardens under clause 4(4);

(e) in the year 1998, the payment of such moneys as are required to reimburse the Churchwardens for costs incurred arising from the inability for any reason, other than that mentioned in clause 4(2) hereof, to use or to authorise the use of any part or parts of the Parish Area;

(f) in the year 1998, the same amounts referred to in paragraphs (b) and (c) to the respective persons and purposes but varied in accordance with the Price Index; and

(g) in the year 1998, to the Sydney Diocesan Synod Fund, for the use and benefit of the Anglican Church of Australia in the Diocese of Sydney as determined from time to time by the Synod, and amount equal to the amount to be paid in that year pursuant to paragraph (b) as adjusted pursuant to paragraph (f)"; and

(b) by deleting clause 8 and inserting the following instead -

"8. (1) The Churchwardens shall on or before 31 March 1998 lodge an ordinance to the Synod of the Diocese or to the Standing Committeethereof for the purpose of authorising the sale of the Land and Building and application of the Refurbishment Fund, if any.

(2) The Churchwardens shall on or before 31 December 1998 promote an ordinance to the Synod of the Diocese or to the Standing Committee thereof for the purpose of varying the provisions of clause 7 hereof for the period from and including 1 January 1999. "

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 8 December 1997.

M.A. PAYNE
Secretary

I Assent to this Ordinance.

R.H. GOODHEW
Archbishop of Sydney
30/12/1997