

ST. MATTHEW'S MANLY ORDINANCE 1977No. 24 1977AN ORDINANCE to further amend St.
Matthew's Manly Ordinance 1941.

WHEREAS the land described in the First Schedule of the St. Matthew's Manly Ordinance 1941 (hereinafter called "the 1941 Ordinance") is vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") and is church trust property held for the sole benefit of the Parish of St. Matthew Manly upon the trusts and for

5 the purposes more particularly described in the 1941 Ordinance AND WHEREAS there are erected on the said land inter alia certain shops and offices (hereinafter called "the said shops") AND WHEREAS in pursuance of the provisions of the 1941 Ordinance the Corporate Trustee was authorised to mortgage the said land to let the said shops and to apply the net income

10 from the said shops upon the terms conditions restrictions and in the manner respectively therein appearing AND WHEREAS the 1941 Ordinance has been varied from time to time and was last varied by St. Matthew's Manly Ordinance 1974 No. 10, 1974 (hereinafter called "the 1974 Ordinance") AND WHEREAS the 1974 Ordinance required the Churchwardens

15 for the time being of St. Matthew's Manly on or before the 31st day of March 1977 to present an ordinance to the Synod of the Diocese of Sydney or the Standing Committee thereof for the purpose of varying the provisions therein appearing as to the allocation of the net income from the said shops having regard to the needs and commitments of the respective

20 Churches and the other organisations therein referred to AND WHEREAS it has become inexpedient to carry out and observe the trusts as aforesaid in their entirety and it is expedient to further vary the same in the manner hereinafter appearing NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod

25 HEREBY DECLARES ORDAINS AND DIRECTS as follows:

Handwritten signature and initials, possibly 'ML' or 'MK', with a checkmark below it.

1. By reason of circumstances which have arisen subsequent to the creation of the trusts declared by the 1941 Ordinance as varied from time to time it is inexpedient to carry out and observe the same and it is expedient to further vary such trusts in the manner hereinafter provided.

2. (1) The Churchwardens for the time being of St. Matthew's Manly shall out of the accumulated income held by them in pursuance of paragraph (b) of Clause 2 of the 1974 Ordinance pay by way of reimbursement to the credit of the account or accounts out of which they have paid the same the costs of repairing and reconditioning the Pipe Organ in St. Matthew's Church Manly and of the work incidental thereto which were in excess of the sum of Fifteen thousand dollars (\$15,000) being the sum which they were authorised by Clause 2 of the 1974 Ordinance to pay out of accumulated income and ALSO pay the further costs as and when incurred by them of repairing and reconditioning that Pipe Organ and of the work incidental thereto PROVIDED HOWEVER that the total amount paid by way of reimbursement and for such further costs shall not exceed Seven thousand five hundred dollars (\$7,500). The balance of the said accumulated income shall be applied in accordance with paragraph (b) of Clause 3 of this Ordinance.

(2) The Churchwardens for the time being of St. Matthew's Manly shall pay to the Churchwardens of St. John's Mona Vale an amount of \$5,734 being the sum allocated under Clause 2(a)(v) of the St. Matthew's Manly Ordinance 1968 plus interest earned thereon, to be used by the Churchwardens of St. John's Mona Vale for the purposes of establishing and maintaining Parish extension activities in the Warriewood Valley area of the Parish of St. John's Mona Vale.

3. Subject to the provisions hereinafter appearing the net income from the said shops after the payment of all rates, taxes and other outgoings charged or to be charged against the said land and/or buildings insofar as the same are not recoverable from any tenant under any lease or leases, shall be applied each year by the Corporate Trustee on and from the 1st day of April 1977 as follows:-

(a) As to the sum of Forty five thousand dollars (\$45,000) by annual payments to each of the following that is to say:-

- (i) The Sydney Anglican Home Mission Society for the purposes of the said Society the sum of Two thousand dollars (\$2,000).
- (ii) The Sydney Anglican Home Mission Society in the name of St. Matthew's Manly Auxiliary of the Chesalon Parish Nursing Home of the said Society for the purposes of the said Home at North Manly the sum of One thousand dollars (\$1,000).
- (iii) The Sydney Church of England New Areas Committee for the purposes of the said Committee the sum of Four thousand five hundred dollars (\$4,500).
- (iv) The Council of Moore Theological College for the purpose of assisting students formerly parishioners of St. Matthew's Manly and/or other students of the said College preparing for ordination to serve in the Diocese of Sydney the sum of One thousand five hundred dollars (\$1,500).
- (v) The Inner-City Committee Sydney for the purposes of the said Committee the sum of One thousand five hundred dollars (\$1,500).
- (vi) The Board of Diocesan Missions Sydney for the purposes of the said Board the sum of One thousand five hundred dollars (\$1,500).
- (vii) The Archbishop of Sydney's Overseas Relief Fund the sum of One thousand five hundred dollars (\$1,500).
- (viii) The Churchwardens for the time being of St. Matthew's Manly the sum of Nine thousand dollars (\$9,000) to be apportioned or allotted by them between or to all or any one or more of the parishes provisional parishes or provisional districts within the Rural Deanery of Warringah in accordance with the needs from year to year as may be determined by the Rector and Wardens of the said Parish of St. Matthew Manly after consultation with the Archdeacon of that Rural Deanery and with the approval of Standing Committee and moneys so apportioned shall be applied to general Church purposes in connection with the respective recipients PROVIDED THAT any such annual payment wholly or in part not distributed in any one year may be carried forward by the said Churchwardens for distribution in a succeeding year or years.

(ix) The Churchwardens for the time being of St. Matthew's Manly the sum of Eighteen thousand seven hundred and fifty dollars (\$18,750) for general Church purposes in connection with the said Church.

90

(x) The Churchwardens for the time being of St. Matthew's Manly for the support of such missionaries either within or without the Diocese as the Rector and Wardens may determine from time to time the sum of Two thousand two hundred and fifty dollars (\$2,250).

95

(xi) The Churchwardens for the time being of St. Matthew's Manly for the creation and operation of a Free Fund to be accumulated or distributed annually or from time to time at the discretion of the Rector and Churchwardens for the time being of such Church for such urgent diocesan or parochial purpose or purposes as the said Rector and Churchwardens in their absolute discretion shall see fit the sum of One thousand five hundred dollars (\$1,500).

100

105

(b) As to the balance of the said net income the Corporate Trustee shall after deducting therefrom all amounts payable to the Corporate Trustee for commission or other charges in respect of any collection of income as aforesaid pay the same to the Churchwardens for the time being of St. Matthew's Church aforesaid to be applied by them in the creation of an equalisation fund and operation thereon for the purpose of making good any deficit which may arise from time to time in the annual amount proposed to be distributed in pursuance of the provisions of paragraph (a) of this clause and thereafter towards effecting any repairs alterations or additions to existing improvements on the land described in the First Schedule of the 1941 Ordinance, demolishing any such improvements and erecting any new improvements on the said land.

110

115

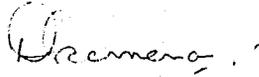
4. The Churchwardens for the time being of St. Matthew's Manly shall on or before the 31st day of March 1980 present an ordinance to the Synod of the Diocese of Sydney or the Standing Committee thereof for the

purpose of varying the provisions hereinbefore appearing as to the allocation of the net income from the said shops having regard to the needs and commitments of the said Parish and organisations within the Diocese of Sydney.

120

5. This Ordinance may be cited as "St. Matthew's Manly Ordinance 1977".

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



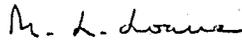
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 25th day of July 1977.



Secretary.

I ASSENT to this Ordinance.



Archbishop of Sydney.

25/7/1977