

ST. MATTHEW'S MANLY ORDINANCE 1982

No. 57 1982

AN 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 (herein after called "the 1941 Ordinance") is vested in the Anglican Church 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 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 the 1941 Ordinance has been varied from time to time and was last varied by St. Matthew's Manly Ordinance 1979 (hereinafter called "the 1979 Ordinance") AND WHEREAS the 1979 Ordinance required the Churchwardens for the time being of St. Matthew's Manly on or before the 30th day of September 1982 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 as from and including 1st January 1983 having regard to the needs and commitments of the said Parish and organisations within the Diocese of Sydney 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 HEREBY DECLARES ORDAINS AND DIRECTS as follows:

1. By reason of circumstances which have arisen subsequent to the creation of the trusts declared by the 1979 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. 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 or on a pro rata basis in respect of part of each year by the Corporate Trustee on and from the 1st day of January 1983 in respect of the ensuing four (4) years in accordance with the following provisions namely: In respect of each of the said years the following sums shall be paid:

- (a) the SYDNEY ANGLICAN HOME MISSION SOCIETY for the purposes of the said Society the sum of Ten Thousand Dollars (\$10,000.00),
- (b) 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 Two Thousand Dollars (\$2,000.00),
- (c) the SYDNEY CHURCH OF ENGLAND NEW AREAS COMMITTEE for the purposes of the said Committee the sum of Twentyfour Thousand Dollars (\$24,000.00),
- (d) the MOORE THEOLOGICAL COLLEGE COMMITTEE for the general purposes of the College the sum of Four Thousand Dollars (\$4,000.00),
- (e) the MOORE THEOLOGICAL COLLEGE COMMITTEE for the purpose of reducing liabilities of debts in respect of buildings of the College the sum of Four Thousand Dollars (\$4,000.00),
- (f) the INNER CITY COMMITTEE SYDNEY for the purposes of the said Committee the sum of Four Thousand Dollars (\$4,000.00),

- (g) the DEPARTMENT OF EVANGELISM SYDNEY for the purposes of the said Department the sum of Four Thousand Dollars (\$4,000.00),
- (h) the ARCHBISHOP OF SYDNEY'S OVERSEAS RELIEF FUND the sum of Four Thousand Dollars (\$4,000.00),
- (i) the ANGLICAN TELEVISION SOCIETY for the purposes of the said Society the sum of Six Thousand Dollars (\$6,000.00),
- (j) ST. ANDREW'S CATHEDRAL RESTORATION APPEAL the sum of Five Thousand Dollars (\$5,000.00),
- (k) the Churchwardens for the time being of St. Matthew's Manly the sum of Thirty Five Thousand Dollars (\$35,000.00) for general Church purposes in connection with the said Church,
- (l) the Churchwardens for the time being of St. Matthew's Manly for support of such missionaries either within or outside the Diocese as the Rector and the Churchwardens may determine from time to time the sum of Five Thousand Dollars (\$5,000.00),
- (m) the Churchwardens for the time being of St. Matthew's Manly for the operation of the 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 purposes or purposes as the said Rector and Churchwardens in their absolute discretion shall see fit the sum of Three Thousand Dollars (\$3,000.00).

provided always that:-

- (i) in the case of the second, third and fourth years, each of the sums mentioned in paragraphs (a) to (m) shall be increased by multiplying the same by the figure for Sydney of the Consumer Price Index (All

Groups) published immediately prior to the commencement of that year and by dividing the resultant by 118.7, and

- (ii) the Corporate Trustee may make interim distributions.

As to the balance of the said net income in each such year the Corporate Trustee shall after deducting therefrom all amounts payable to the Corporate Trustee for commission or other charges in respect of any collection 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 (with any amounts previously credited to that fund) 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 hereof and thereafter towards effecting any repairs alterations or additions to existing improvements on the land described in the First Schedule of the 1941 Ordinance, any such improvements and erecting any new improvements on the said land.

3. The churchwardens for the time being of St. Matthew's Manly shall on or before the 30th day of September 1986 present an ordinance to the Synod of the Diocese or to the Synod of the Diocese or to the Standing Committee thereof for the purpose of varying the provisions hereinbefore contained as to the allocation of the nett income from the said shops as from and including the 1st day of January 1987 having regard to the needs of the said Parish and the Diocese and that in default that any surplus income accruing after 1st January be distributed through the Income and Expenditure Ordinance.

4. This Ordinance may be cited as "St. Matthew's Manly Ordinance 1982".

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

E.D. CAMERON  
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 13th day of December 1982.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

Archbishop of Sydney  
13 / 12 /1982