

ST. PHILIP'S SYDNEY YORK STREET PROPERTY LEASING  
ORDINANCE AMENDMENT ORDINANCE 1983

NO. 18, 1983

AN ORDINANCE to further amend Ordinance No. 10 of 1966 entitled "St. Philip's Sydney York Street Property Leasing Ordinance 1966" (as subsequently amended).

WHEREAS pursuant to Clause 14 of the St. Philip's Sydney York Street Property Leasing Ordinance 1966 as amended (hereinafter called the "existing Ordinance") a proportion of the rent payable by the Lessee until the end of 1982 was directed to be paid annually by Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") to the Churchwardens of St. Philip's Sydney to be applied by them for the purposes therein set forth AND WHEREAS the existing Ordinance contains no provisions for the distribution thereafter AND WHEREAS it is expedient that the said Clause be amended AND insofar as such amendment may further vary the trust, upon which the Corporate Trustee holds the land referred to in the said Ordinance, to vary now the same and make the further provisions hereinafter contained NOW the Standing Committee of 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 the circumstances hereinbefore recited it has become inexpedient to carry out and observe the trusts declared in the existing Ordinance to the extent (if any) to which such trusts are hereby varied and it is expedient. (so far as it may be a variation of trusts) that the said trusts be varied further and as hereinafter set forth.

2, The existing Ordinance is hereby further amended by deleting Clause 14(f) and inserting the following in lieu thereof:-

"(f) During the <sup>first</sup> ~~second~~ six months of the calendar year 1987 the Standing Committee after consulting with

30 the Churchwardens of the Church known as St. Philip's Sydney shall determine by Ordinance the allocation and distribution of such income after the expiration of that year."

35 3. The existing Ordinance is hereby further amended by inserting the following after Clause 14 (g):-

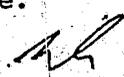
"(h) Subject to paragraph (f) of this clause as to the rent payable by the Lessee for a period of five years from 1 January 1983 less any management and/or administration charges incurred:-

40 (i) Seven-sixteenths of such rent to the Churchwardens of St. Philip's Sydney to be applied by them for general parochial purposes. Such proportion of the amount referred to in this sub-clause (as determined from time to time by the Churchwardens in their absolute discretion) to the Churchwardens of St. Philip's Sydney to be applied by them for the establishment of a capital fund the capital and income of which is to be applied to the continuing restoration preservation renovation and maintenance of the church building rectory parish rooms offices and furnishings including the organ.

45 (ii) Nine-sixteenths of such rent to such purposes as are designated from time to time by Ordinance of the Synod PROVIDED THAT the Standing Committee by resolution may act in the place of the Synod in relation to the allocation of income for 1983 PROVIDED FURTHER that the Parish Council may make recommendations to the Standing Committee in relation to the allocation of the income."

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4. This Ordinance may be cited as "St. Philip's Sydney York Street Property Leasing Ordinance Amendment Ordinance 1983". The existing Ordinance as amended by this Ordinance may be cited as "St. Philip's Sydney York Street Leasing Ordinance 1966-1983".

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

Chairman of Committees

WE CERTIFY that this Ordinance was passed by the Synod of the Diocese of Sydney on this *16th* day of *July* 1983.

Secretaries of Synod *HL*

I ASSENT to this Ordinance.

Archbishop of Sydney

*18. 7. 83.*

*Commissary*

*14/11/1983*