

Clergy Removals (Synod Fund) Ordinance 2007

No 43, 2007

Long Title

An Ordinance to provide for the payment of funds to the Synod to be used to reimburse the removal expenses of the members of the clergy and their families.

Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the trustee of a fund (the "Removals Fund") which is held on the trusts set out in the Clergy Removals Fund Ordinance 2003 (the "Principal Ordinance").

B. By reason of circumstances which have arisen after the creation of the trusts on which the Removals Fund is held it is inexpedient to carry or observe those trusts and it is expedient to vary those trusts in the manner set out in this Ordinance.

C. It is also expedient to authorise the Property Trust to pay the capital and income comprising the Removals Fund to the Synod as an addition to the fund known as Fund 129 (the "Synod Fund") and to amend the Principal Ordinance to enable the Removals Fund to continue to be administered as part of the Synod Fund.

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

1. Name

This Ordinance is the Clergy Removals (Synod Fund) Ordinance 2007.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Removals Fund is held it is inexpedient to carry or observe those trusts or to deal with or apply the Removals Fund for the same or like purposes as those trusts and it is expedient to vary those trusts in the manner set out in clause 3.

3. New trusts

The Removals Fund is henceforth held on the same trusts as the Synod Fund.

4. Payment by the Property Trust

On or before 31 December 2007 the Property Trust is to pay the capital and income comprising the Removals Fund to the Synod as an addition to the Synod Fund.

5. Amendment of the Principal Ordinance

The Principal Ordinance is amended as follows –

- (a) delete the Long Title and insert instead the following –

"An Ordinance to provide for the administration of a fund to reimburse the removal expenses of members of the clergy and their families.",
and
- (b) delete the Preamble in its entirety, and
- (c) delete existing clause 2 and renumber existing clause 3 as clause 2, and
- (d) in renumbered clause 2 insert before the definition of "Removals Fund Administrator" the following additional definition –

"Removals Fund' means the funds paid to the Synod under the Clergy Removals (Synod Fund) Ordinance 2007.", and
- (e) delete existing clause 4 and insert instead the following –

3. Administration of the Removals Fund
(1) The income of the Removals Fund is to be paid to or applied at the direction of the Removals Fund Administrator to reimburse the removal expenses of members of the clergy and their families in accordance with the Removals Fund Rules.

Clergy Removals (Synod Fund) Ordinance 2007

(2) The income of the Removals Fund may also be applied to meet any expenses incurred by the Removals Fund Administrator in administering the Removals Fund.

4. Limitation on benefits

Any entitlement to be reimbursed under the Removals Fund Rules is limited to the lesser of –

- (a) the amount of the entitlement determined in accordance with the Removals Fund Rules, and
 - (b) the balance of the income from the Removals Fund (if any) available to be applied towards the payment of the entitlement."
- (f) delete clause 5(1) and insert instead the following –
- “(1) The Removals Fund Administrator is to report in writing each year about the application in the previous calendar year of the income –
- (a) paid to or applied at the direction of the Removals Fund Administrator to reimburse the removal expenses of clergy and their families, and
 - (b) to meet any expenses incurred by the Removals Fund Administrator in administering the Removals Fund.”

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 on 10 December 2007.

R WICKS
Secretary

I Assent to this Ordinance.

ROBERT FORSYTH
Commissary of Sydney
11/12/2007