

Kellyville Land Sale Ordinance 1994 Amendment Ordinance 2001

No 4, 2001

Long Title

An Ordinance to amend the Kellyville Land Sale Ordinance 1994.

Preamble

A. Anglican Church Property Trust Diocese of Sydney holds proceeds of sale (the "Funds") arising from the Kellyville Land Sale Ordinance 1994 (the "Principal Ordinance").

B. The Funds are church trust property held on the trusts set out in the Principal Ordinance.

C. By reason of circumstances which have arisen after the creation of those trusts it is inexpedient to carry out or observe those trusts and it is expedient to provide for the application of the Funds in the manner set out in this ordinance.

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

1. Name

This Ordinance is the Kellyville Land Sale Ordinance 1994 Amendment Ordinance 2001.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Funds are held it is inexpedient to carry out or observe those trusts or to apply the Funds wholly for the same or like purposes as the trusts on which they are presently held and it is expedient to provide for the application of the Funds in the manner set out in this Ordinance.

3. Amendment

The Principal Ordinance is amended as follows -

- (a) delete "St Stephen's" in recital B, and
- (b) delete the matter "(Churchwardens)" of St Stephen's church" in clause 4(c)(i) and insert instead the following -
"of the principal or only church of the Parish ("Churchwardens")", and
- (c) delete the word "and" at the end of clause 4(c)(ix), and
- (d) delete the matter "." in clause 4(c)(x) and insert instead the matter "; and", and
- (e) insert after clause 4(c)(x) the following -
"(xi) for such other purposes as may be approved by the Standing Committee at the request of a majority of the parish council of the Parish.", and
- (f) delete clause 5 and insert the following instead -
"5. Pending the application of the proceeds of sale under clause 4, the proceeds are to be invested by the Property Trust and the income of such investments earned from 1 January 2001 is to be applied as follows -
 - (a) 30% is to be capitalised; and
 - (b) 70% is to be applied for the general purposes of the Parish upon written request of the Churchwardens other than the payment of the stipend of the rector."; and
- (g) insert the following after clause 5 and before clause 6 -
"5A. Review
The authority to apply income under clause 5(b) earned after 31 December 2003 terminates on 31 December 2003."

4. The costs of and incidental to this ordinance are to be paid from the funds.

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 19 February 2001.

M A PAYNE
Secretary

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I Assent to this Ordinance.

R H GOODHEW
Archbishop of Sydney
6/3/2001