

# Ryde (Livingstone Lodge) Ordinance 1973 Amendment Ordinance 1992

No 3, 1992

An Ordinance to vary certain trusts set out in the Ryde (Livingstone Lodge) Ordinance 1973.

Whereas

A. Clause 6 of the Ryde (Livingstone Lodge) Ordinance 1973 (the "Principal Ordinance") provides for the distribution of the annual net income arising from the leasing of the residential flat building erected on the land described in the first schedule to the Principal Ordinance ("the property").

B. The Parish of St Anne's Ryde (the "Parish") wishes to vary the distribution of the annual net income so arising.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts for the distribution of the annual net income arising from the property pursuant to the Principal Ordinance it is inexpedient to carry out and observe the same and it is expedient to carry out and observe the same and it is expedient that the trusts be varied to the extent hereinafter provided.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

1. This Ordinance may be cited as the "Ryde (Livingstone Lodge) Ordinance 1973 Amendment Ordinance 1992".

2. By reason of circumstances which have arisen subsequent to the creation of the trusts in accordance with which the annual net income is distributed pursuant to the Principal Ordinance it is inexpedient to carry out and observe the trusts and it is expedient that the trusts be varied to the extent hereinafter provided.

3. The Principal Ordinance is hereby amended as follows –

(a) by the deletion of all the words contained in clause 6(c) and by inserting the following words in their place:

"Subject to the payments mentioned in items (a) and (b) hereof the Corporate Trustee shall apply the residue of the net income as follows –

- (i) Fifty per centum (50%) to be held by the Corporate Trustee and allocated and distributed in accordance with the annual Diocesan Income and Expenditure Ordinance of the Synod towards the mission and ministry of the Anglican Church of Australia Diocese of Sydney;
- (ii) Seven and one half per centum (7.5%) to be paid to the Churchwardens of the Parish and applied only towards the maintenance, repair, restoration or replacement of the property and improvements held on trust by the Corporate Trustee for the Parish; and
- (iii) Forty two and one half per centum (42.5%) to be paid to the Churchwardens of the Parish for such intra-parochial and extra-parochial purposes as the Parish Council of the Parish shall determine in its absolute discretion."

(b) by inserting the following additional provision:

"8. The provisions of Clause 6 shall be reviewed as soon as reasonably possible after 31 December 1996."

(c) by renumbering clause 8 of the Principal Ordinance as clause 9.

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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 the 3rd day of February 1992.

**W.G.S. Gotley**  
Secretary

I Assent to this Ordinance.

**Donald Robinson**  
Archbishop of Sydney  
3/2/1992