

ST MATTHEW'S MANLY ORDINANCE 1986

NO. 68, 1986

AN ORDINANCE to further amend St Matthew's Manly Ordinance 1941

WHEREAS:

A. The land described in the First Schedule of the St Matthew's Manly Ordinance 1941 (hereinafter 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.

B. There are erected on the said land inter alia certain shops and offices (hereinafter called "the said shops").

C. The 1941 Ordinance has been varied from time to time and was last varied by St Matthew's Manly Ordinance 1982 (hereinafter called "the 1982 Ordinance").

D. The 1982 Ordinance required the Churchwardens for the time being of St Matthew's Manly on or before the 30th day of September 1986 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 1987 having regard to the needs and commitments of the said Parish and organisations within the Diocese of Sydney.

E. 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 ORDAINS DECLARES DIRECTS AND RULES as follows:

1. By reason of circumstances which have arisen subsequent to the creation of the trusts declared by the 1982 Ordinance 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 for the period of one (1) year commencing the 1st day of January 1987 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 (hereinafter called "the net income") shall be paid and applied by the Corporate Trustee as follows:-

(i) in respect of such year the following sums shall be paid:-

(a) the Sydney Anglican Home Mission Society for the purposes of the said Society the sum of Thirteen thousand dollars (\$13,000);

(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 Four thousand dollars(\$4,000);

- (c) the Sydney Church of England New Areas Committee for the purpose of the said Committee the sum of Thirty one thousand dollars (\$31,000);
- (d) the Moore Theological College Council for the general purposes of the College the sum of Ten thousand dollars (\$10,000);
- (e) the Inner City Committee Sydney for the purposes of the said Committee the sum of Five thousand dollars (\$5,000);
- (f) the Archbishop of Sydney's Overseas Relief Fund the sum of Five thousand dollars (\$5,000);
- (g) the Anglican Television Society for the purposes of the said Society the sum of Five thousand dollars (\$5,000);
- (h) the Department of Evangelism Sydney for the purposes of the said Department the sum of Five thousand dollars (\$5,000);
- (i) St Andrew's Cathedral Restoration Appeal the sum of six thousand dollars (\$6,000);
- (j) the Anglican Counselling Centre for the purposes of the said Organization the sum of Four thousand dollars (\$4,000);
- (k) the Churchwardens for the time being of St Matthew's Manly the sum of Thirty two thousand dollars (\$32,000) 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 Twenty thousand dollars (\$20,000);
- (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 Four thousand dollars (\$4,000);
- (n) the Churchwardens for the time being of St Matthew's Manly in or towards the following purposes:-
 - (i) the sum of Forty thousand dollars (\$40,000) for the renovation and repair of external sandstone of St Matthew's Church building;
 - (ii) the sum of Twenty thousand dollars (\$20,000) for the renovation of the pipe organ in the said church; and

- (ii) as to the balance of the net income during 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 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 herein and thereafter towards effecting any repairs alterations or additions to existing improvements on the land described in the First Schedule to the 1941 Ordinance, demolishing any such improvements and erecting any new improvements on the said land provided that no moneys in excess of ten (10) per centum of the balance thereof shall be used, paid or applied as aforesaid without the consent by resolution of Standing Committee.

3. The Churchwardens for the time being of St Matthew's Manly shall on or before the 30th day of September 1987 present an ordinance 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 net income from the said shops as from and including the 1st day of January 1988 having regard to the needs of the said Parish and the Diocese and that in default any net income accruing after the 1st day of January 1988 be distributed through the Diocesan Income and Expenditure Ordinance.

4. This Ordinance may be cited as "St Matthew's Manly Ordinance 1986".

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 15th day of December 1986.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
9/1/1987