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CHURCH OF ENGLAND PROPERTY TRUST DIOCESE OF SYDNEY  
(AMALGAMATION OF ACCOUNTS) ORDINANCE 1976

No. 27      1976

AN ORDINANCE to provide for the amalgamation of certain trusts and to vary certain trusts.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the trustee of all of the amounts (or of the investments representing the same) specified in part one of the schedules to this ordinance AND WHEREAS each amount specified in part one of a schedule to this ordinance is held (or is believed to be held) upon the trusts set forth in part two of that schedule AND WHEREAS the income from each amount specified in part one of a schedule to this ordinance (or from the investments representing the same) is subject to the direction (if any) set forth in part three of that schedule AND WHEREAS in order to reduce the cost of maintaining accounts in respect of each of the said amounts it is expedient that the trusts on which each of the said amounts are held 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 RULES DECLARES AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts on which each of the amounts (or the investments representing the same) specified in part one of the schedules to this ordinance are held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied.

2. All moneys and other property which have been held upon the trusts set forth or referred to in parts two and three of each schedule and which have been applied or are being applied in any manner inconsistent with those trusts shall be deemed to have been held upon trusts for the purposes for which the same have been applied or are being applied.

3. The amounts (and the investments representing the same) specified in part one of the first and second schedules shall be pooled and

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held upon trust for the Parish of Sutton Forest and all income arising therefrom on and after the date on which this occurs shall be paid at  
30 least annually to the churchwardens of 'All Saints' Church in the Parish of Sutton Forest and applied by them in and towards the maintenance and upkeep of the church buildings in the said Parish and of the rectory in the said Parish and any balance remaining at the expiration of each church year shall be applied by them for such purposes in the said Parish  
35 as the Parish Council thereof considers fit.

4. The amounts (and the investments representing the same) specified in part 1 of the third, fourth, fifth and sixth schedules shall be pooled and held upon trust for the Parish of Sutton Forest and all income arising therefrom on and after the date on which this occurs  
40 shall be paid at least annually to the churchwardens of St. Aidan's Church at Exeter and applied by them in and towards the maintenance and upkeep of the said church building, its grounds and hall and any balance remaining at the expiration of each church year shall be applied by them for such purposes in the said Parish as the Parish Council thereof  
45 considers fit.

5. The amounts (and investments representing the same) specified in part 1 of the seventh and eighth schedules shall be pooled and held upon trust for the Parish of St. Laurence Sydney and all income arising therefrom on and after the date on which this occurs shall be paid at  
50 least annually to the rector and churchwardens of Christ Church St. Laurence Sydney and applied by them towards maintaining the said church and the rectory and in or towards the payment of the clergyman duly appointed to officiate at the said church.

6. The amounts (and investments representing the same) specified in  
55 part 1 of the ninth and tenth schedules hereto shall be pooled and all income arising therefrom on and after the date on which this occurs shall be paid at least annually to Glebe Administration Board by way of reduction of the debt payable pursuant to the Bishopthorpe Estate and

St. Barnabas' Sydney Variation, Declaration of Trusts and Vesting Ordinance 1972 in addition to the provision for repayment of that debt provided in that ordinance.

7. (1) The amounts (and investments representing the same) specified and in part 1 of the eleventh, twelfth, thirteenth, ~~fourteenth, fifteenth, sixteenth, seventeenth and twentieth~~ schedules hereto shall be pooled and held upon trust for the Parish of Narellan. On and after the date on which this occurs, eighty per centum of all income arising therefrom shall be paid at least annually to the churchwardens of St. Paul's Church at Cobbitty and applied by them for general parochial purposes including the stipend of the incumbent for the time being of the Parish of Narellan and the remainder of the income shall be capitalised.

(2) The Narellan Land Sale Ordinance 1967 is hereby amended by the omission of the words "in accordance with the provisions of the Investment of Church Trust Property Ordinance 1944 as amended or any ordinance amending or taking the place of the same".

8. The amounts (and investments representing the same) specified in part 1 of the eighteenth and nineteenth schedules hereto shall be pooled and all income arising therefrom on and after the date on which this occurs shall be paid at least annually to the churchwardens of St. John's Church Camden and applied by them for the purposes of the Parish of Camden.

#### FIRST SCHEDULE

##### Part 1

\$6,291.79

##### Part 2

Upon trust for the Parish of Sutton Forest

##### Part 3

To be applied by the churchwardens of the principal church of the parish towards the maintenance of other church buildings in the parish as directed by the Parish Council.

#### SECOND SCHEDULE

##### Part 1

\$2,383.79

Part 2

Upon trust for the Parish of Sutton Forest.

Part 3

To be applied towards the maintenance and upkeep of the rectory of the Parish and, insofar as such application is not required, for the general purposes of the Parish.

THIRD SCHEDULEPart 1

\$650.32

Part 2

On a trust for the maintenance of the grounds of the church building known as St. Aidan's Exeter.

Part 3

Nil

FOURTH SCHEDULEPart 1

\$1,071.14

Part 2

On a trust for a memorial hall in connection with the church building known as St. Aidan's Exeter.

Part 3

Nil.

FIFTH SCHEDULEPart 1

\$1,025.13

Part 2

On the trusts contained in the indenture made the 11th day of June 1937 between Frank Nelson Yarwood and the Corporate Trustee.

Part 3

On (inter alia) the upkeep of a certain memorial hall.

SIXTH SCHEDULEPart 1

\$613.53

Part 2

On certain trusts in connection with the church building known as St. Aidan's

Exeter or the memorial hall referred to in the fifth schedule.

Part 3

Not known.

SEVENTH SCHEDULE

Part 1

\$16,660.47

Part 2

Upon trust for Christ Church St. Laurence Sydney.

Part 3

To be applied by the churchwardens for the time being of Christ Church St. Laurence Sydney towards maintaining the said Church and in or towards the payment of the clergyman duly appointed to officiate at the said church.

EIGHTH SCHEDULE

Part 1

\$1,601.52

Part 2

Upon trust for Christ Church St. Laurence Sydney.

Part 3

To be paid to the churchwardens for the time being of Christ Church St. Laurence Sydney and applied by them towards maintaining the rectory and in or towards the payment of the clergyman duly appointed to officiate at the said church.

NINTH SCHEDULE

Part 1

\$3,885.49

Part 2

Upon a trust for the Parish of St. Bartholomew Pymont.

Part 3

- (a) In payment of all arrears due by the Parish of St. Bartholomew's Pymont under and by virtue of the Registry and Synod Assessment Ordinance of 1895 or any ordinance amending or taking the place of the said ordinance.
- (b) In payment of all premiums for fire insurance of certain

buildings erected or to be erected on the land referred to in paragraph (b) of clause 5 of the St. Bartholomew's Pymont Land Resumption Ordinance 1925,

- (c) In discharging the obligations imposed by any ordinance rule or resolution of Synod upon the said Parish directly or through any person or persons on behalf of the said Parish.
- (d) In payment of all rates taxes assessments and outgoings in respect of any church lands and buildings in the said Parish,
- (e) And the balance (if any) in payment to the rector and churchwardens of St. Bartholomew's Pymont for parish purposes.

TENTH SCHEDULE

Part 1

\$8,811.71

Part 2

Upon a trust for the Parish of St. Bartholomew Pymont.

Part 3

In the first instance, in paying and discharging the Assessment for Synod and Resistry expenses and insuring parish church property against loss by fire and any other pecuniary obligations imposed by any ordinance of Synod upon the Parish of St. Bartholomew or the clergyman licensed thereto and the balance controlled as parish church funds and property within the meaning of the Sydney Church Ordinance 1912 or any ordinance or ordinances amending or taking the place of the same.

ELEVENTH SCHEDULE

Part 1

\$4,999.99

Part 2

Upon the trusts recited in the preamble to the Narellan Land Sale Ordinance 1962.

Part 3

To be paid as to eighty per centum thereof to the churchwardens of St. Paul's Church Narellan for general parochial purposes and the stipend of the Incumbent of the Parish of Narellan and as to twenty per centum thereof to be capitalised and reinvested and the income applied in the same manner.

TWELFTH SCHEDULE

Part 1

\$6,217.12

Part 2

Upon trust for the sole benefit of the Parish of Narellan as glebe in connection with St. Paul's Church Cobbitty and the Incumbent of such church.

Part 3

To be paid as to 80% thereof to the churchwardens for the time being of St. Paul's Church Cobbitty to be applied towards the general parochial purposes of the Parish of Narellan and as to 20% thereof to be added to the capital and reinvested from time to time.

THIRTEENTH SCHEDULE

Part 1

\$98,191.95

Part 2

Upon trust for a glebe.

Part 3

To be paid as to eighty per centum thereof to the churchwardens of St. Paul's Church Narellan for general parochial purposes and the stipend of the Incumbent of the Parish of Narellan and as to twenty per centum thereof to be capitalised and reinvested and the income applied in the same manner.

FOURTEENTH SCHEDULE

Part 1

\$1,000

Part 2

Upon trust for the rector of the Parish of Narellan and his successors.

Part 3

Not known.

FIFTEENTH SCHEDULE

Part 1

\$185.75

Part 2

Upon trusts for the Parish of Narellan the precise nature of which are not known.

Part 3

Not known.

SIXTEENTH SCHEDULE

Part 1

\$1,241.70

Part 2

Upon trust for the Parish of Narellan

Part 3

Not known.

SEVENTEENTH SCHEDULE

Part 1

\$1,240.00

Part 2

Upon trust for the Parish of Narellan

Part 3

Not known.

FOURTEENTH  
EIGHTEENTH SCHEDULE

Part 1

\$3,270.39

Part 2

Upon trusts for purposes in connection with the Parish of Camden.

Part 3

To be paid to the churchwardens of St. John's Church Camden and applied by them, as to an unidentifiable part, for the maintenance and improvement of the property of the Church of England in the Parish of Camden and, as to the balance, for general purposes of the Parish of Camden.

FIFTEENTH  
NINETEENTH SCHEDULE

Part 1

\$124,685.22

Part 2

Upon trusts for purposes in connection with the Parish of Camden.

Part 3

To be paid to the churchwardens of St. John's Church Camden and applied by them for the purposes set forth in the St. John's Camden Land Sale Leasing and Variation of Trust Ordinance 1966 as amended by the St. John's Camden Land Sale Leasing and Variation of Trust Amendment Ordinance 1969.

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TWENTIETH SCHEDULEPart 1

\$4,430.59

Part 2

Upon trust to supplement the stipend of the rector of the Parish of  
St. Paul's at Cobbitty

Part 3

Not known.

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

D. Cameron

Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of  
the Synod of the Diocese of Sydney on the 30th day of August 1976.

W. Gotley

Secretary

I ASSENT to this Ordinance.

M.L. Loane

Archbishop of Sydney

30/ 8/76