

Clergy Removals Fund (Amendment) Ordinance 2008

No 5, 2008

Long Title

An Ordinance to provide for the continuation of the Property Trust as trustee of a fund to be used to reimburse the removal expenses of 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 clause 3 of the Clergy Removals (Synod Fund) Ordinance 2007 (the "2007 Ordinance").

B. By clause 4 of the 2007 Ordinance the Property Trust was directed to pay the capital and income comprising the Removals Fund to the Synod. Such payment was not made.

C. 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 out or observe those trusts and it is expedient to vary those trusts in the manner set out in this Ordinance.

D. It is also expedient to direct that the Property Trust retain the capital and income comprising the Removals Fund and to amend the Clergy Removals Fund Ordinance 2003 (the "Principal Ordinance") to enable the Removals Fund to continue to be held by the Property Trust as trustee.

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

1. Name

This Ordinance is the Clergy Removals Fund (Amendment) Ordinance 2008.

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 out or observe 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 by the Property Trust with income from that fund to be used for the purpose of reimbursing the removal expenses of members of the clergy and their families.

4. Retention of Removals Fund by the Property Trust

Despite clause 4 of the 2007 Ordinance, the Property Trust is directed to retain the capital and income of the Removals Fund for the purposes of continuing to act as trustee of that fund.

5. Amendment of the Principal Ordinance

The Principal Ordinance is amended as follows –

- (a) delete the definition of "Removals Fund" in clause 2 and insert instead the following –
"Removals Fund" means the fund held by the Anglican Church Property Trust Diocese of Sydney pursuant to the Clergy Removals Fund (Amendment) Ordinance 2008.", and
- (b) delete clause 7.

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

PG KELL
Chairman of Committees

Clergy Removals Fund (Amendment) Ordinance 2008

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 18 February 2008.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
19/2/2008