

Cooks River (Tempe Church) Sale Ordinance 1986 Further Amendment Ordinance 1993

No 46, 1993

An Ordinance to further amend the Cooks River (Tempe Church) Sale Ordinance 1986.

Whereas

A. The Property Trust holds certain moneys (the "Funds") being the proceeds of the sale of certain property authorised by the Cooks River (Tempe Church) Sale Ordinance 1986, as amended, (the "Principal Ordinance") subject to the trusts specified in the Principal Ordinance.

B. The parish council of the parish of Cooks River wishes to amend the provisions of the Principal Ordinance relating to the application of the Funds.

C. 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 and observe the trusts and it is expedient that the trusts be varied in the manner set out in this ordinance.

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

1. This ordinance may be cited as the "Cooks River (Tempe Church) Sale Ordinance 1986 Further Amendment Ordinance 1993".

2. 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 and observe the trusts and it is expedient that the trusts be varied in the manner set out in this ordinance.

3. The Principal Ordinance is amended as follows -

- (a) in subparagraph (b)(iv) of clause 5 the words "earned in respect of the period ending on 30 September 1993" are inserted after the word "interest" where first appearing;
- (b) after clause 5, a new clause 6 is inserted as follows -

"6. The whole of net balance of the proceeds of sale (including any interest capitalised under subparagraph 5(b)(iv)) which as at 1 October 1993 has not been applied under clause 5 shall thereafter be applied as follows -

- (a) in the payment of, or the reimbursement for, the costs of the promotion of the Cooks River (Tempe Church) Sale Ordinance 1986 Further Amendment Ordinance 1993; and
- (b) towards the payment of the costs of the erection of a new residence for the minister of the Parish to be erected on the Cooks River parish site, being lot 1 on deposited plan 233214.

Such sums are to be paid as may be requested and directed in writing from time to time by the majority of the churchwardens of St Peter's Church, Cooks River and supported by the written consent of the majority of the parish council of the parish of Cooks River. Pending the application of the net balance under this clause, the balance remaining is to be invested and the interest capitalised"; and

- (c) existing clause 6 is renumbered as clause 7.

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

K.R. Handley
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 September 1993.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
21/10/1993