
LISGAR HOUSE TRANSFER ORDINANCE 1987

No. 41 , 1987

AN ORDINANCE to effect the transfer of assets from Anglican Church Property Trust Diocese of Sydney to Sydney Anglican Home Mission Society Council.

WHEREAS

A. The late Margaret Harris of Knight Street, Arncliffe in the State of New South Wales in her will dated 27 May, 1955 left to Church of England Property Trust Diocese of Sydney now called Anglican Church Property Trust Diocese of Sydney (hereinafter referred to as "the Corporate Trustee") the land comprised in Certificate of Title Volume 962 Folio 193 upon which was erected the cottage and buildings known as 38 Knight Street, Arncliffe together with the furniture and contents therein (hereinafter referred to as "Lisgar House") UPON TRUST "for the Church of England in the Diocese of Sydney to be used for a hostel for girls to be carried on as a Church of England Institution in such manner and under such constitution as shall be approved by the Synod of such Diocese or should it become impossible or inexpedient to use such land, buildings, furniture and contents for the purpose of a hostel for girls as aforesaid then for such Church of England or otherwise charitable purpose in connection with the said Diocese as the Synod thereof shall determine" (hereinafter referred to as "the Trust").

B. The Corporate Trustee was registered as the proprietor of Lisgar House by the Registrar General on 10 February 1959.

C. By successive agreements with the Corporate Trustee and the Standing Committee of the Synod, the Church of England Deaconess Institution Sydney, now called Anglican Deaconess Institution Sydney, (hereinafter referred to as "The Deaconess Institution") has been running a hostel for girls at Lisgar House since 1958 on the basis that The Deaconess Institution meets all rates and other outgoings connected with the property.

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D. The Deaconess Institution has now handed over responsibility for the work at Lisgar House to the Sydney Anglican Home Mission Society (hereinafter referred to as "the Society") which under its constitution (inter alia) looks after and cares for girls in necessitous circumstances.

E. The management, conduct and control of the Society is vested by its constitution in a Council which is a body corporate incorporated under the provisions of the Church of England (Bodies Corporate) Act 1938 known as the Sydney Anglican Home Mission Society Council (hereinafter referred to as "the Council").

F. It is expedient for the purpose of carrying out the work at Lisgar House that the said land and buildings comprising Lisgar House be vested in the Council as Trustee in the place and in the stead of the Corporate Trustee.

G. By reason of circumstances which have arisen subsequent to the creation of the Trust, it is inexpedient to carry out and observe the same and it is expedient that the Trust be varied as hereinafter set out.

NOW The Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DIRECTS AND RULES as follows:

PART I: SHORT TITLE

1. This Ordinance may be cited as the Lisgar House Transfer Ordinance 1987.
 2. By reason of circumstances which have arisen subsequent to the creation of the Trust, it is inexpedient to carry out and observe the same and it is expedient that Lisgar House be held and applied by the Council subject to the Sydney Anglican Home Mission Society Ordinance 1971 and to be used, as far as practicable in accordance with the terms of the will of the late Margaret Harris.
- SL*
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~~PART II: VESTING OF PROPERTY~~ ML

~~3. Lisgar House is hereby transferred to and vested in the Council to be held and applied subject to the Sydney Anglican Home Mission Society Council Ordinance 1971 and to be used, as far as practicable, in accordance with the terms of the will of the late Margaret Harris.~~

~~4. (a) In assuming the control and management of the said property and assets the Society shall ensure that the best interests of the girls heretofore in the care of The Deaconess Institution is maintained and that no detriment is caused to them thereby.~~

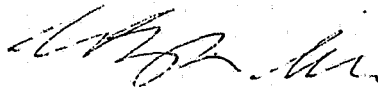
~~(b) All liabilities and responsibilities of The Deaconess Institution in relation to the management and running of Lisgar House shall be assumed by the Society.~~ ML

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



Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on ~~23rd~~ ^{November} 1987.



Secretary

I CONSENT to this Ordinance



Archbishop of Sydney

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