



St Luke's Liverpool Ordinance 1976 Amendment Ordinance 1997

No 6, 1997

Long Title

An Ordinance to vary the trusts on which certain property is held.

Preamble

A. The Property Trust is the trustee of certain property held upon trust to apply the income in accordance with the St Luke's Liverpool Ordinance 1976 (the "Principal Ordinance").

B. By reason of circumstances which have arisen after the creation of the trusts on which the property is held it is expedient that the trusts be varied to the extent provided in this Ordinance.

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

Name of Ordinance

1. This ordinance is the St Luke's Liverpool Ordinance 1976 Amendment Ordinance 1997.

Declarations of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts referred to in paragraph A. of the Preamble it is inexpedient to carry out and observe those trusts to the extent that they are hereby varied.

Amendment of Principal Ordinance

3. The following clauses are substituted for clause 10 of the Principal Ordinance -

"10. So much of the said income as is derived on and from 1 January 1997 and before 1 January 2002 shall be applied as follows -

(a) \$130,000 per annum (or the total income available should this amount be less than \$130,000) shall be paid to the Churchwardens and appropriated to a special account to be applied towards -

(i) the restoration, maintenance and repair of and in effecting improvements to the church, the buildings, and the grounds of St Luke's Church, Liverpool;

(ii) making good damage, caused by subsidence, to the walls of the rectory;

(iii) the repayment of moneys borrowed and applied towards the restoration, maintenance and repair referred to in (i);

(iv) the payment of interest payable on the moneys referred to in (iii); or

(v) the payment not exceeding \$20,000 of underpinning the Rectory at 103 Hemphill Avenue, Mount Pritchard or the repayment of a loan not exceeding \$20,000 taken out for that purpose; and

(b) the balance of the income available shall be paid as follows -

(i) 45% per annum to the churchwardens for the time being of St Luke's Church, Liverpool to be applied to the maintenance of the ministry (excluding the rector's stipend) and the relief of need and distress;

(ii) 45% per annum to the Georges River Regional Council as shall be determined by the Synod to be applied from time to time as the said Council may determine.

(iii) 10% per annum to Moore Theological College Council as shall be determined by the Synod to be applied to the purposes of Moore Theological College.

11. The provisions of clause 10 shall be reviewed during 2001 and any amendments to the provisions arising out of such review shall take effect on and from 1 January 2002. The Corporate Trustee shall not distribute any income derived on or from 1 January 2002 until such time as such a distribution has been authorised by an ordinance passed after such review. The provisions contained in clause 10 shall not be taken as a precedent."

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

R. TONG

Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 24 March 1997.

W.G.S GOTLEY

Secretary

I Assent to this Ordinance.

P.W. BARNETT

Commissary for Archbishop of Sydney

22/4/1997