

St Luke's Liverpool Ordinance 2001

No 54, 2001

Long Title

An Ordinance to provide for the distribution of income derived from certain investments held by Anglican Church Property Trust Diocese of Sydney on and from 1 January 2002 and before 1 January 2007.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the trustee of certain property held subject to the trusts set out in the St Luke's Liverpool Ordinance 1976 (the "Principal Ordinance").

B. By reason of circumstances which have arisen after the creation of those trusts it is expedient that the trusts be varied.

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

1. Name

This Ordinance is the St Luke's Liverpool Ordinance 2001.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the said property is held it is inexpedient to carry out and observe those trusts and it is expedient that those trusts be varied in the manner set out in this Ordinance.

3. Amendment

The Principal Ordinance is amended by the insertion of the following in the place of clause 11 -

- "11. Subject to Clause 13 so much of the said income as is derived on and from 1 January 2002 and before 1 January 2007 shall be applied as follows -
- (a) 58% per annum shall be paid to the churchwardens for the time being of the Church of St Luke's Liverpool to be applied towards -
 - (i) the restoration, maintenance and repair of, and effecting improvements to that church, its grounds and adjacent buildings;
 - (ii) the repayment of moneys borrowed and applied towards the purposes described in paragraph (i);
 - (iii) payment of interest on such borrowings;
 - (b) 20% per annum shall be paid to the churchwardens for the time being of the church of St Luke's Liverpool to be applied to the maintenance of the ministry (excluding the rector's stipend) and the relief of need and distress;
 - (c) 5% per annum shall be paid to the churchwardens of Hoxton Park Anglican Church to be applied for the purposes of that Church; and
 - (d) 17% per annum shall be paid to Georges River Regional Council to be applied from time to time as the said Council may determine.
12. The provisions of clause 11 shall be reviewed during 2006 and any amendments to the provisions arising out of such review shall take effect on and from 1 January 2007. The Corporate Trustee shall not distribute any income derived on or from 1 January 2007 until such time as such a distribution has been authorised by an ordinance passed after such review. The provisions contained in clause 11 shall not be taken as a precedent.
13. **Heritage Buildings**
If in relation to St Luke's Church Liverpool, its grounds and adjacent buildings-
- (a) an order is made under the Heritage Act 1977; or
 - (b) the condition of any building or other improvement is such that it is reasonable to conclude in accordance with recommendation(s) in reports commissioned from at least two independent heritage architects or other experts on heritage buildings, that an order may be made under that Act; or
 - (c) an offence is committed under that Act,
- the Property Trust may -
- (d) do all such works and other things as to comply with the order, avoid the issue of the order or to satisfy the omission or action which has given rise to the offence (as the case may be); and
 - (e) apply the whole or any part or parts of the income referred to in clause 11 in or towards meeting the cost of all such works and things."

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

PETER YOUNG
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 10 December 2001.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
11/12/2001