

WOLLONGONG VARIATION OF TRUSTS ORDINANCE 1986

NO. 19 1986

AN ORDINANCE to vary the trusts on certain sums of money and to provide for the application thereof.

WHEREAS

A. Pursuant to the St. Michael's Wollongong Glebe Land Sale Ordinance No. 6 of 1908 the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") holds the sum set out in the First Schedule hereto upon trust to be applied "in accordance with the provisions of Section 34 of the Sydney Church Ordinance or any ordinance amending the same."

B. The Sydney Church Ordinance referred to in Recital A was repealed in 1912 and the Sydney Church Ordinance 1912 as subsequently amended was enacted in lieu thereof.

C. Section 27 of the Sydney Church Ordinance 1912 as amended is similar to Section 34 of the Sydney Church Ordinance referred to in Recital A.

D. The Corporate Trustee holds the sum set out in the Second Schedule pursuant to the Will of Frederick William Osborne upon trust "to invest the same and apply the income arising therefrom towards the Stipend of the Incumbent for the time being of St. Michael's Church of England at Wollongong".

E. The sums so held are church trust property within the meaning of Anglican Church of Australia Trust Property Act, 1917 (as amended).

F. By reason of circumstances which have arisen subsequent to the creation of the trusts it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient that the sums be applied as hereinafter set out.

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

1. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the said sums are held it is inexpedient to carry out and observe the same and it is inexpedient to deal with or apply such sums or any part thereof for the same or like purposes and it is expedient that such trusts be varied and that the sums be applied as hereinafter set out.

2. The Corporate Trustee is hereby authorised to pay the said sums to the churchwardens for the time being of St. Michael's Wollongong to be applied by them towards the reduction of the indebtedness of the Parish of Wollongong arising from the purchase of the land described in the Third Schedule hereto held upon trust for the Parish.

3. This Ordinance may be cited as the "Wollongong Variation of Trusts Ordinance 1986".

FIRST SCHEDULE

St. Michael Wollongong Glebe Sale Ordinance 1908 \$4,956.98.

SECOND SCHEDULE

The St. Michael Wollongong Estate F.W. Osborne \$5,004.40.

THIRD SCHEDULE

ALL THAT piece or parcel of land at Coniston in the City of Wollongong known as 34 Iris Avenue, Wollongong being the land in Certificate of Title Volume 9209 Folio 28.

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30 day of June 1986.

W.G.S. GOTLEY
Secretary.

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney.
30/6/1986