

Belrose Trust Ordinance 2008 Amendment Ordinance 2018

No 43, 2018

Long Title

An Ordinance to amend the Belrose Trust Ordinance 2008.

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

Name

This Ordinance is the Belrose Ordinance 2008 Amendment Ordinance 2018.

2. Amendment

The Belrose Trust Ordinance 2008 is amended by –

- (a) inserting the matter “ACPT – “ in the Long Title before the word “Belrose”,
- (b) inserting the matter “ACPT – “ in clause 1 before the word “Belrose”,
- (c) deleting each occurrence of the words “Property Trust” and inserting instead “ACPT”, excluding when the words appear in –
 - (i) recital A of the Preamble in the phrase “Anglican Church Property Trust Diocese of Sydney”, and
 - (ii) clause 9(3) in the phrase “Anglican Church Property Trust Ordinance 1965”,
- (d) deleting each occurrence of the word “churchwardens” and inserting instead “wardens”,
- (e) deleting the full stop at the end of clause 6(2)(d) and inserting instead “, provided that any such purposes directed by resolution must be purposes within the purposes of the Parish in accordance with clause 5.”,
- (f) amending clause 7 as follows -
 - (i) delete the full stop at the end of clause 7(1)(b) and insert instead “, except the payment of the stipends, allowances and benefits paid or provided to the minister.”,
 - (ii) substitute clause 7(2) with the following –
 - (2) The income of the trust fund arising from a lease or licence granted pursuant to clause 9(1) or 9(2) is to be applied in accordance with clause 7(1)(b).”,
- (g) deleting the number “10” in clause 8(2) and inserting instead the number “20”,
- (h) amending clause 9 as follows –
 - (i) substitute clause 9(1) with the following –

“(1) Subject to clause 9(2), with the written consent of the parish council of the Parish, the ACPT may lease or license any part of the real property forming part of the trust fund, except any part which is consecrated or licensed for use as a church, if –

 - (a) the term of the lease or licence (when aggregated with the term of any option to renew such lease or licence) does not exceed 5 years, and
 - (b) the rental payable by the lessee or licensee is not more than \$50,000 per annum (including GST), or such other amount as may be determined by the Standing Committee by resolution from time to time.”,
 - (ii) insert a new subclause 9(2) (and consequently renumber the remaining subclauses) –

“(2) Notwithstanding clause 9(1), the ACPT may lease or license the property known as 12 Lockwood Avenue, Belrose for the purposes of a preschool or other similar purpose if –

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- (a) the term of the lease or licence (when aggregated with the term of any option to renew such lease or licence) does not exceed 10 years, and
- (b) the rental payable by the lessee or licensee is not more than \$100,000 per annum (including GST), or such other amount as may be determined by the Standing Committee by resolution from time to time.”,
- (i) insert the words “Diocese of Sydney” after the words “Anglican Church Property Trust” in clause 9(3), and
- (j) insert a new row at the end of the table in the Schedule as follows –

ACPT Client Fund 433	The funds are held on trust for the Parish although there are no written trusts.
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I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

P COLGAN
Deputy Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 10 December 2018.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
10/12/2018