

Campbelltown (Variation of Trusts) Ordinance 2018

No 37, 2018

Long Title

An Ordinance to vary the trusts of certain land at Campbelltown.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the “ACPT”) is the registered proprietor of the land in folio identifier 27/239199 known as 10 Barrington St, Ruse (the “Land”).

B. The Land is church trust property and forms part of the property for the ACPT – Campbelltown Trust which, under clause 5(1) of the Campbelltown Trust Ordinance 2016 is held on trust for the purposes of the Parish of Campbelltown (“the Parish”).

C. The Parish has a loan in relation to the Land with Sydney Anglican Loans with reference number 341.

D. The ACPT is also the trustee of an amount of \$585,000 (the “Sum”) held as part of the Indigenous Peoples’ Ministry Trust Fund (the “SAIPMC Fund”) which is held on the trusts set out in the Sydney Anglican Indigenous Peoples’ Ministry Ordinance 2002.

E. By reason of circumstances which have arisen after the creation of the trusts on which the Land and the Sum are held, it is inexpedient to carry out or observe these trusts or to deal with or apply the Land and Sum for the same or like purposes as these trusts or to deal with or apply the Land wholly for the purposes of the Parish or the Sum wholly for the purposes of the SAIPMC Fund and it is expedient that the trusts be varied in the manner set out in this Ordinance.

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

1. Name

This Ordinance is the Campbelltown (Variation of Trusts) Ordinance 2018.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land and Sum are held, it is inexpedient to carry out or observe those trusts or to deal with or apply the Land or the Sum for the same or like purposes as those trusts or to deal with or apply the Land wholly for the purposes of the Parish or the Sum wholly for the purposes of the SAIPMC Fund and it is expedient that those trusts be varied in the manner set out in clause 3.

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3. Variation of Trusts

The ACPT is directed to pay the Sum to the capital of the ACPT – Campbelltown Trust, and with effect from the date such payment is made –

- (a) the trusts of the Land are varied so it is held as part of the SAIPMC Fund on the trusts set out in clause 4 of the *Sydney Anglican Indigenous Peoples' Ministry Ordinance 2002*, and
- (b) the trusts of the Sum are varied so that it is held on the trusts set out in clause 5 of the *Campbelltown Trust Ordinance 2016*.

4. Allocations from the ACPT – Campbelltown Trust

(1) Subject to clause 4(2), the ACPT is authorised to make the following payments from the personal property comprising part of the capital of the ACPT – Campbelltown Trust -

- (a) first, an amount equivalent to the full outstanding balance of Sydney Anglican Loan number 341 to be paid to Sydney Anglican Loans, and
- (b) the balance to be paid to the Wardens of St Peter's Campbelltown to be applied in and towards the costs of and incidental to the exercise of the ministry of Macarthur Indigenous Church.

(2) No payment is to be made under clause 4(1) until the Sum has been paid to the capital of the ACPT – Campbelltown Trust.

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

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 12 November 2018.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
12/11/2018