

Church Land Acquisitions Levy Ordinance 2022

No 33, 2022

Long Title

An Ordinance for a levy for the acquisition of land for church sites payable by parochial units in the years 2023 to 2032.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Church Land Acquisitions Levy Ordinance 2022.

2. Definitions

In this Ordinance –

“church land acquisition projects” means the acquisition of land for church sites in areas in the Diocese which are experiencing or are likely to experience a rapid increase in population.

“levy” means the levy known as the ‘Church Land Acquisitions Levy’ that is payable under this Ordinance.

“Mission Property Fund” means the fund constituted under the *Mission Property Ordinance 2002*.

“Net Operating Receipts” means the sum of that name determined under Part 3 of the *Cost Recoveries Framework Ordinance 2008*.

“parochial unit” means a parish, provisional parish, recognised church, and provisional recognised church in the Diocese of Sydney.

“year” means a period of 12 calendar months commencing on 1 January.

3. Levy

In each of the years 2023 to 2032 each parochial unit is to pay a levy calculated as 2.0% of the Net Operating Receipts of the parochial unit for the year that is 2 years prior to the year in which the levy is payable.

4. Payment of the levy

The levy is payable by 12 equal instalments in each year, the first due and payable on 1 January and subsequent instalment due and payable on the first day of each succeeding month.

5. Application of the proceeds of the levy

The levy is to be added to the Mission Property Fund and applied towards church land acquisition projects and the repayment of loans for such projects in accordance with the *Mission Property Ordinance 2002*.

6. Visit from Archdeacon if levy not paid

If a parish fails for any reason to pay any instalment of the levy for a period of 3 months after the due date the Archdeacon (or their delegate) of the area in which the parish is situated is to confer with the minister and wardens with a view to finding a solution to the situation in which the levy has not been paid and is to report the result of such consultation to the Standing Committee.

7. Relief from the levy

(1) In any case where –

- (a) 2 or more parishes are amalgamated,
- (b) a parish is dissolved, or
- (c) the area of a parish is changed,

the Standing Committee may provide such relief from the levy as it considers equitable in the circumstances.

(2) The Standing Committee has the power to enter into an arrangement with a parish for the payment of accumulated arrears of the levy over a period of time.

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(3) The Standing Committee is authorised to waive the whole or any part of the arrears of the levy owing by any parish if it declares by resolution the circumstances which in its opinion make it expedient so to do.

(4) The Standing Committee is to report to the Synod on all relief provided and all waivers made under this clause.

8. Settlement of disputes

If a dispute arises as to the meaning or application of this Ordinance the dispute is to be determined by the Chancellor or by some person appointed by him and the decision of the Chancellor or that person is final and binding on the parties involved.

9. Delegation

The Standing Committee may delegate all or any of its powers under this Ordinance to a committee appointed by the Standing Committee.

10. Amendment to the Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2021

The *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2021* is amended by inserting the words “and the repayment of loans for such projects” at the end of subclause 4(3) before the full stop.

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

R TONG
Chair of Committee

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 12 September 2022.

D GLYNN
Secretary of Synod

I Assent to this Ordinance.

BISHOP CHRIS EDWARDS
Commissary for Archbishop of Sydney

26/09/2022