

Concord and Burwood Trust Ordinance 2003 Amendment Ordinance 2021

No 41, 2021

Long Title

An Ordinance to amend the *Concord and Burwood Trust Ordinance 2003*.

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

1. Name of ordinance

This Ordinance is the Concord and Burwood Trust Ordinance 2003 Amendment Ordinance 2021.

2. Amendment

The *Concord and Burwood Trust Ordinance 2003* is amended as follows –

- (a) insert the matter ‘ACPT –’ in the Long Title before the word ‘Concord’ ,
- (b) delete each occurrence of the words ‘Property Trust’ and insert 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’,
- (c) insert the matter ‘ACPT –’ in clause 4 before the word ‘Concord’,
- (d) delete each occurrence of the word ‘churchwardens’ and insert instead ‘wardens’,
- (e) insert a new subclause 6(2)(c), and consequently renumber the remaining subclauses, as follows –
 - ‘(c) to the extent such personal property arises from a payment made to the ACPT by the wardens of a church in the Parish for the purpose of the ACPT investing the amount, for such purposes as a majority of the parish council may from time to time determine,’
- (f) delete the full stop at the end of clause 6(2)(d) and insert instead the matter ‘, provided that any such purposes directed by resolution must be within the purposes of the Parish in accordance with clause 5.’,
- (g) delete all the matter in clause 7(1)(a) and insert instead the following –
 - ‘(a) if, from time to time, the personal property of the trust fund –
 - (i) is predominantly invested in the ACPT’s Long Term Pooling Fund – no portion is to be capitalised, or
 - (ii) is not predominantly invested in the ACPT’s Long Term Pooling Fund – 30% is to be capitalised, and’,
- (h) delete all the matter in clause 7(2) and insert instead the following –

‘(2) The income of the trust fund arising from a lease or licence granted pursuant to clause 9(1) is to be applied in accordance with clause 7(1)(b).’
- (i) delete the number ‘5’ in clause 8(2) and insert instead the number ‘22’, and
- (j) delete all the matter in clause 9(1) and insert instead the following –

‘(1) 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 any limit that is determined by the Standing Committee by resolution from time to time for the purposes of this clause.’

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

MICHAEL STEAD
Deputy Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 October 2021.

D GLYNN
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

19/10/2021