

Parramatta Cemetery Variation of Trusts Ordinance 1995

No 49, 1995

Long Title

An ordinance to vary the trusts on which certain property is held.

Preamble

Whereas

A. By Deed made the 23rd day of December, 1895 and registered Number 296 Book 570 certain funds ("the Fund") were declared by the trustees named therein to be held for the maintenance of the walls, walks and burial ground of St John's Cemetery, Parramatta.

B. The Fund is church trust property for the purposes of the Anglican Church of Australia Trust Property Act 1917.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Fund is held it is inexpedient to carry out and observe the trusts and it is expedient to vary the trusts on the terms set out in this ordinance.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and the place of the Synod Ordains, Declares, Directs and Rules as follows.

Name of Ordinance

1. This ordinance is the Parramatta Cemetery Variation of Trusts Ordinance 1995.

Declaration of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts on which the Fund is held it is inexpedient to carry out and observe those trusts and it is expedient that the trusts be amended in the manner set out in this ordinance.

Trusts of Fund

3. The Fund shall henceforth be held on the following trusts -

- (a) The Fund shall be known as the "St John's Parramatta Cemetery Fund".
- (b) The trustees may invest any part of the Fund in any investment in which the churchwardens of a church are authorised to invest church trust property under their management or control by the Investment of Church Trust Property Ordinance 1990 of the Synod of the Diocese of Sydney or any ordinance in substitution for the same.
- (c) After payment of all expenses of and incidental to the collection of income and management of the Fund, the trustees shall apply the balance of the income as follows -
 - (a) 30% shall be capitalised; and
 - (b) the balance shall be applied towards keeping the walls and walks of the St John's Cemetery Parramatta in order and repair and otherwise in maintaining and keeping that Cemetery in good order.

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

N.M. CAMERON
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 December 1995.

W.G.S. GOTLEY
Secretary

I Assent to this Ordinance.

R.H. GOODHEW
Archbishop of Sydney
11/12/1995