

# Yagoona Trust Ordinance 2004 Amendment Ordinance 2016

No 22, 2016

## Long Title

An Ordinance to amend the Yagoona Trust Ordinance 2004.

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

### 1. Name

This Ordinance is the Yagoona Trust Ordinance 2004 Amendment Ordinance 2016.

### 2. Amendment

The Yagoona Trust Ordinance 2004 is amended by –

- (a) inserting the matter “ACPT – ” in the Long Title before the word “Yagoona”,
- (b) deleting recital D of the Preamble,
- (c) inserting the matter “ACPT – ” in clause 4 before the word “Yagoona”,
- (d) deleting each occurrence of the words “Property Trust” and inserting instead “ACPT”,
- (e) deleting each occurrence of the word “churchwardens” and inserting instead “wardens”,
- (f) deleting the matter “or under the Yagoona Leasing Ordinance 1997” in clause 6(1)(f),
- (g) deleting the matter “.” in clause 6(2)(d) and inserting instead the following matter –  
“, provided that any such purposes directed by resolution must be purposes within the purposes of the Parish in accordance with clause 5.”,
- (h) deleting clause (7)(1)(a) and inserting instead the following matter –
  - “(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”,
- (i) deleting the matter after the first occurrence of the word “from” in clause 7(2) and inserting instead the following matter –  
“a lease or licence granted pursuant to clause 9(1) is to be applied in accordance with clause 7(1)(b).”,
- (j) deleting the number “10” in clause 8(2) and inserting instead the number “22”,
- (k) deleting the matter after the word “if” in clause 9(1) and inserting instead the following –  
“ –
  - (a) the term of the lease or licence (when aggregated with the term of any option to renew lease or license) 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.”,
- (l) inserting the words “Diocese of Sydney” before the first occurrence of the word “Ordinance” in clause 9(2),
- (m) deleting clauses 10 and 11, and
- (n) deleting the matter “580 Hume Highway, Yagoona” from the last row of Column 1 of the Schedule and inserting instead the matter “590 Hume Highway, Yagoona”.

## **Yagoona Trust Ordinance 2004 Amendment Ordinance 2016**

### **3. Application of income of the ACPT – Yagoona Trust**

Notwithstanding clause 8 of the Yagoona Trust Ordinance 2004, income of the trust fund earned in the period 27 October 2014 to the date of assent to the Yagoona Trust Ordinance 2004 Amendment Ordinance 2016 may be applied in accordance with clause 7(1)(b) of the Yagoona Trust Ordinance 2004.

### **4. Repeal of the Yagoona Leasing Ordinance 1997**

The Yagoona Leasing Ordinance 1997 is repealed with effect from the date of commencement of this Ordinance.

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 25 July 2016.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
26/07/2016