

ST. ANDREW'S CATHEDRAL CHAPTER (TRUST ACCOUNTS)
ORDINANCE 1979

No. 6 1979

AN ORDINANCE to vary the trusts upon which certain trust funds are presently held and to provide for the management of such Funds.

WHEREAS

A. The Chapter of the Cathedral Church of St. Andrew Sydney (herein called "the Chapter") is the trustee of the several trust funds named as described in part one of the schedules to this Ordinance numbered one to seventeen inclusive and respectively comprising the amounts (or the investments representing the same) specified in part two of the said schedules.

B. There are set out in part three of the said schedules particulars as to the trusts upon which the respective trust funds are held or believed to be held or as the case may be particulars as to such information presently available concerning any known trusts to which such trust funds are or may be subject.

C. Doubts have arisen as to the trusts on which the trust funds specified in the first, second, third, fourth, fifth, eighth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and seventeenth schedules are held.

D. It appears that in relation to each of the trust funds referred to in the said schedules numbered one to seventeen inclusive the trusts on which the respective funds are held have not or may not have been adhered to.

E. By reason of circumstances subsequent to the creation of the trusts on which the trust funds specified in the said several schedules are held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts on which each of the trust funds (or the investments representing the same) specified in the said schedules numbered one to seventeen inclusive are held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied.

2. All moneys and other property or investments referred to in parts one and two

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of any schedule hereto shall, to the extent, if any, to which they have been applied for the purposes or objects not in accordance with the trusts to which they were subject be deemed to have been held upon trusts for the purposes or objects for which the same have been applied.

3. Each of the trust funds (as to corpus and income) and the amounts or investments representing the same specified in part two of the said schedules numbered one to seventeen inclusive together with income thereon shall be respectively held upon the trust set forth in part four of the schedule.

4. The amounts specified in part two of the first, second, sixth, seventh, twelfth, fourteenth, fifteenth and seventeenth schedules (or the property or proceeds from the investments which represent the same) shall be paid or transferred to the party named in part five of the schedule.

5. This Ordinance may be cited as "St. Andrew's Cathedral Chapter (Trust Accounts) Ordinance 1979".

FIRST SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account Centenary Appeal (for music at School). Fund number 2225.

Part 2

Fund at 31 December 1978 -

As to corpus	\$8,013.54
As to income	\$5,094.50

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$5,096.27
Equity units - Sydney Church of England Investment Trust Capital Fund	\$4,025.38
Sydney Church of England Investment Trust Income Fund	\$3,986.39

Part 3

Fund established in May 1967 by donation from Mr. J. Barden in sum of \$6,879 to the St. Andrew's Cathedral (School) Centenary Bursary Fund and donor informed that moneys would be invested and proceeds used "to assist selected boys in their studies at the St. Andrew's Cathedral School". In August 1967 the Chapter resolved that income from these moneys inter alia "be paid to the School at regular intervals" and for some years thereafter the income was paid accordingly.

Part 4

Upon trust for the purpose of providing or contributing towards scholarships and/or bursaries for students at St. Andrews Cathedral School.

Part 5

The St. Andrew's Cathedral School Council.

SECOND SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account J. Barden Fund.
Fund number 2233.

Part 2

Fund at 31 December 1978 -

As to corpus	\$7,584.56
As to income	\$5,321.19

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$5,322.49
Equity units - Sydney Church of England Investment Trust Capital Fund	\$3,810.00
Sydney Church of England Investment Trust Income Fund	\$3,773.26

Part 3

This Fund believed to have been established in the year 1967 by a donation from Mr. J. Barden in the sum of \$8,000 stated to be for "the musical training of Boys for the Choir through the Cathedral School". In August 1967 the Chapter resolved that income from these moneys inter alia "be paid to the School at regular intervals" and for some years thereafter the income was paid accordingly.

Part 4

Upon trust for the purpose of providing or contributing towards scholarships and/or bursaries for boys of the St. Andrews Cathedral Choir.

Part 5

The St. Andrew's Cathedral School Council.

THIRD SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account Choir Boys Fund.
Fund number 2364.

Part 2

Fund at 31 December 1978 -

As to corpus	Nil
As to income	\$ 198.94

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 198.94
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Part 3

Although it appears that no trusts have been expressly declared, this Fund is apparently upon trust for choir boys of the Cathedral Choir.

Part 4

Upon trust for the general purposes of the Choir of the Cathedral Church of St. Andrew Sydney.

FOURTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account Christmas Tree Fund.
Fund number 2372.

Part 2

Fund as at 31 December 1978 -

As to corpus	Nil
As to income	\$1,222.84

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$1,222.84
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Part 3

It appears that no trusts have been expressly declared.

Part 4

Upon trust for the general purposes of the Cathedral Chapter of the Cathedral Church of St. Andrew Sydney.

FIFTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account Adnum Legacy.
Fund number 2196.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 553.82
As to income	\$ 40.55

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 40.82
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 278.38
Sydney Church of England Investment Trust Income Fund	\$ 275.17

Part 3

Fund established by bequest of \$500 to the Dean of St. Andrew's Cathedral Sydney pursuant to the will of the late Miss Adnum, which will apparently directed the Dean to invest with power to vary the investment and to employ income for the Cathedral Choir purposes.

Part 4

Upon trust for the general purposes of the Choir of the Cathedral Church of St. Andrew Sydney.

SIXTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account Beck's Legacy.
Fund Number 2209.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 110.69
As to income	\$ 70.42

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 71.20
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 54.88
Sydney Church of England Investment Trust Income Fund	\$ 55.03

Part 3

Fund established by bequest of \$100 to St. Andrew's Cathedral pursuant to the will of the late Rev. Canon E.C. Beck upon trust for the Cathedral Choir School.

Part 4

Upon trust for the purpose of a prize or prizes for student or students of St. Andrews Cathedral School.

Part 5

The St. Andrew's Cathedral School Council.

SEVENTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account T.W. Beckett Memorial Prize.
Fund number 2217.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 66.15
As to income	\$ 9.91

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 9.51
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 33.53
Sydney Church of England Investment Trust Income Fund	\$ 33.02

Part 3

Fund established by gift of \$60 donated to the Chapter to be invested with power from time to time to vary the same to apply the annual interest deriving therefrom in the purchase of a book to be given annually as a prize to be known as the T.W. Beckett Memorial Prize to a boy in St. Andrew's Cathedral Choir (not necessarily a leading chorister) who has made the most conscientious effort and progress during the year in connection with Choir work as shall be determined by the Precentor, after consultation with the Organist and Master of Choristers.

Part 4

Upon trust for the purpose of a prize for the Choir of the Cathedral Church of St. Andrew Sydney.

Part 5

The St. Andrew's Cathedral School Council.

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Part 1

St. Andrew's Cathedral Chapter Trust Account Canonries' Endowment Fund.
Fund number 2241.

Part 2

Fund at 31 December 1978 -

As to corpus \$3,156.07
As to income \$ 496.51

Represented by -

Cash deposit - Sydney Diocesan Secretariat \$ 497.68
Equity units - Sydney Church of England Investment Trust Capital Fund \$1,584.96
Sydney Church of England Investment Trust Income Fund \$1,569.94

Part 3

This fund apparently upon trust for canons for the time being of the Cathedral to be allocated equally amongst them.

Part 4

Upon trust for the general purposes of the Cathedral Chapter of the Cathedral Church of St. Andrew Sydney.

NINTH SCHEDULE

Part 1

St. Andrew's Cathedral Trust Account W. Chaff Estate.
Fund number 2268.

Part 2

Fund at 31 December 1978 -

As to corpus \$ 170.62
As to income \$ 156.03

Represented by -

Cash deposit - Sydney Diocesan Secretariat \$ 157.26
Equity units - Sydney Church of England Investment Trust Capital Fund \$ 85.34
Sydney Church of England Investment Trust Income Fund \$ 84.05

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Part 3

Fund established by two bequests pursuant to the will of the late W. Chaff, one being "for a new Cathedral" and the other being "for a window in the Cathedral". The terms of the bequest were referred to the Supreme Court of New South Wales which apparently held that the bequest for a new Cathedral was void but that the second bequest was valid. A window was subsequently installed using some of the moneys available and as to the balance the Chapter directed that the moneys be invested and that income therefrom be used for purposes "consistent with the bequest".

Part 4

Upon trust for the general purposes of the Cathedral Chapter of the Cathedral Church of St. Andrew Sydney.

TENTH SCHEDULEPart 1

St. Andrew's Cathedral Chapter Trust Account E.J. Gates Estate.
Fund number 2276.

Part 2

Fund at 31 December 1978 -

As to corpus	Nil
As to income	\$ 2.93

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 2.93
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Note: This Fund has been substantially wound up and distributed.

Part 3

Fund established apparently by bequest pursuant to the will of the late E.J. Gates but the trusts are not known.

Part 4

Upon trust for the general purposes of the Cathedral Chapter of the Cathedral Church of St. Andrew Sydney.

ELEVENTH SCHEDULEPart 1

St. Andrew's Cathedral Chapter Trust Account Gunther Lectureship.
Fund number 2284.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 253.17
As to income	\$ 171.88

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 172.97
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 127.00
Sydney Church of England Investment Trust Income Fund	\$ 125.08

Part 3

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Fund established by gift of Archdeacon Gunther and apparently with the object of "stimulating and promoting the study of Christian evidences by means of an annual sermon or lecture given in the Cathedral by one who has a knowledge of the wants of the Church at the present time with a good understanding of the method of experts in dealing with the various aspects of unbelief and scepticism that obtain at different periods. Such sermon to be printed and circulated. The Archbishop to select and notify the name of the Preacher beforehand".

Part 4

Upon trust for the general purposes of the Cathedral Chapter of the Cathedral Church of St. Andrew Sydney.

TWELFTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account M. Logan Prize.
Fund number 2292.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 116.62
As to income	\$ 17.31

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 19.00
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 57.90
Sydney Church of England Investment Trust Income Fund	\$ 57.03

Part 3

Fund apparently upon trust to provide income for an annual prize for one of the Choir boys of the St. Andrew's Cathedral Choir.

Part 4

Upon trust for the purpose of a prize for the Choir of the Cathedral Church of St. Andrew Sydney.

Part 5

The St. Andrew's Cathedral School Council.

THIRTEENTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account F.M. McMahon Estate.
Fund number 2305.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 110.65
As to income	\$ 151.81

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Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 152.55
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 54.88
Sydney Church of England Investment Trust Income Fund	\$ 55.03

Part 3

Fund established by bequest of \$100 to the "St. Andrew's Cathedral Choir Fund" pursuant to the will of the late F.M. McMahon. No other trusts have apparently been declared.

Part 4

Upon trust for the general purposes of the Choir of the Cathedral Church of St. Andrew Sydney.

FOURTEENTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account J. Massey Prize.
Fund number 2313.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 221.29
As to income	\$ 33.25

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$ 33.73
Equity units - Sydney Church of England Investment Trust Capital Fund	\$ 110.74
Sydney Church of England Investment Trust Income Fund	\$ 110.07

Part 3

Fund apparently upon trust to provide income for an annual prize for pupil of St. Andrew's Cathedral School.

Part 4

Upon trust for the purpose of a prize or prizes for ^a student or students of St. Andrews Cathedral School.

Part 5

The St. Andrew's Cathedral School Council.

FIFTEENTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account T. Robinson Prize.
Fund number 2321.

Part 2

Fund at 31 December 1978 -

As to corpus	\$ 110.26
As to income	\$ 16.55

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$	16.90
Equity units - Sydney Church of England Investment Trust Capital Fund	\$	54.88
Sydney Church of England Investment Trust Income Fund	\$	55.03

Part 3

Fund apparently upon trust to provide income for an annual prize for pupil of St. Andrew's Cathedral School.

Part 4

Upon trust for the purpose of a prize or prizes for student or students of St. Andrews Cathedral School.

Part 5

The St. Andrew's Cathedral School Council.

SIXTEENTH SCHEDULE

Part 1

St. Andrew's Cathedral Chapter Trust Account E. Robson Fund.
Fund number 2348.

Part 2

Fund at 31 December 1978 -

As to corpus	\$2,213.65
As to income	\$ 160.44

Represented by -

Cash deposit - Sydney Diocesan Secretariat	\$	161.93
Equity units - Sydney Church of England Investment Trust Capital Fund	\$1,111.50	
Sydney Church of England Investment Trust Income Fund	\$1,100.66	

Part 3

Fund established by bequest of \$2,000 pursuant to the will of the late Miss E. Robson, clause 3 of which will reads as follows:-

"MY TRUSTEES shall invest the sum of One thousand pounds (£1,000) in any of the investments hereinafter authorised in the name of The Church of England Property Trust Diocese of Sydney (hereinafter called 'the Special Trustee') On Trust that during the lives of the issue now living of His late Majesty King George V and the lives and life of the survivors and survivor of such issue and during a period of twenty one years after the death of such survivor and for such further period (if any) as shall be allowed by law the Special Trustee shall hold the said legacy and the investments for the time being representing the same (hereinafter called 'the said Trust Fund') On Trust to pay or apply the income from the said Trust Fund each year to or for the benefit of three boys from the Choir School of St. Andrews Cathedral at Sydney who are eligible as Choirmen and who are under the age of twenty five years and it is my wish that selections in connection therewith and any conditions relating thereto shall be made by the Precentor or Organist of the said Cathedral with the sanction of the Dean or Acting Dean for the time being of the said Cathedral AND I DIRECT that the fund so established shall be called 'The Emily Robson Fund' and that if for any reason the Special Trustee shall at any time be unable lawfully to apply the said Trust Fund and the income thereof for any of the purposes aforesaid then the Special Trustee shall apply the same for the benefit of St. Andrews Cathedral aforesaid."

