

ST ANDREW'S CATHEDRAL VARIATION OF TRUSTS ORDINANCE 1991

No 32, 1991

AN ORDINANCE to vary the trusts in respect of certain moneys held in the Cathedral Ministry Endowment Fund.

WHEREAS

A. Pursuant to the St Andrew's Cathedral and School Property Leasing and Variation of Trusts Ordinance 1958 certain funds were therein referred to as "the balance of income from the corpus" and in relation to such funds certain trusts were declared namely, that such moneys "shall be paid to the St Andrew's Cathedral Chapter which shall apply the same -

- (a) in furtherance or in aid of evangelistic mission work;
- (b) for parochial purposes; and
- (c) for education purposes,

in connection with the Church of England in the Ecclesiastical District of St Andrew Sydney in equal proportions between the said three objects and in such manner with respect of each object as the said Chapter may determine."

B. The St Andrew's Cathedral Variation of Trusts Ordinance 1990 did by clause 4 thereof vary the trusts in respect of the said moneys therein called the "Stafford House Trust" as to capital and income and it was thereby agreed that "an equal one-third share" of the balance "of the said income shall be paid by the Property Trust to the Council of St Andrew's Cathedral School to be applied by the said Council for such educational purposes of the said School as the said Council shall in its absolute discretion determine and the remaining income and the whole of the corpus thereof shall be transferred and paid to the Cathedral Ministry Endowment Fund".

C. The whole of the said moneys as the corpus thereof have been transferred and paid to the Cathedral Ministry Endowment Fund and are presently held upon the trusts thereof.

D. It is desired that in order to more accurately express the original intention of clause 4 of the St Andrew's Cathedral Variation of Trusts Ordinance 1990 that the trusts in relation to the said moneys be varied as herein provided and by reason of the aforesaid circumstances which have arisen subsequent to the creation of the trusts upon which the said moneys are held it is impossible or expedient to carry out and observe the same and it is expedient that the same be varied in the manner and to the extent herein provided.

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 trusts upon which the corpus and income comprised in the hereinbefore recited moneys hereinbefore recited are held it is impossible or inexpedient to carry out or observe the same to the extent that the same are hereby varied and it is accordingly directed that the sum of \$144,545.61 being an equal one-third share of the corpus of the hereinbefore recited moneys presently part of the Cathedral Ministry Endowment Fund shall held by the Property Trust as a separate Fund upon trust to pay the income thereof to the Council of St Andrew's Cathedral School to be applied by the said Council for such educational purposes of the said School as the said Council shall in its absolute discretion determine.

2. This Ordinance may be cited as the "St Andrew's Cathedral Variation of Trusts Ordinance 1991".

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

E.D. CAMERON
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney
on the 30th day of September 1991.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
30 / 9 / 1991