
The St. Andrew's Church and School Property Trust Variation Ordinance 1949.

No. 13, 1949.

AN ORDINANCE to vary the trusts of the income of the St. Andrew's Church and School Property and for purposes incidental thereto.

WHEREAS the St. Andrew's Church and School property originally comprised the whole of the land in Certificates of Title Registered Volume LXXXIV Folio 156, and Volume CX, Folio 134.

AND WHEREAS pursuant to the St. Andrew's Church and School Property Act 1916 part of the abovementioned lands were sold.

AND WHEREAS by the said Act of Parliament and the "St. Andrew's Church and School Land Mortgage Ordinance 1916" portion of the proceeds of such sale was expended in or towards the enlargement of the Chapter House attached to St. Andrew's Cathedral or in or towards providing a Church House and Synod Hall.

AND WHEREAS by the said Act the balance of the purchase money together with the residue of the property (hereinafter referred to as the Corpus) is held upon trust for evangelistic mission work and for parochial and educational purposes in connection with the Church of England in the Ecclesiastical District of St. Andrew, Sydney, according to evangelical principles.

AND WHEREAS the said residue of the land is vested in Church of England Property Trust Diocese of Sydney (hereinafter referred to as "The Corporate Trustees") and comprises the whole of the land in Certificate of Title Registered Volume 2754 Folio 105.

AND WHEREAS the said residue is leased for a period of 50 years computed from but excluding the 21st August 1911.

AND WHEREAS the income from the corpus at present comprises the income from the investments of the said balance of the purchase money and the ground rent from the said lease of the residue of the property.

The St. Andrew's Church and School Property Trust Variation Ordinance 1949.

AND WHEREAS by the said Act of Parliament and by several Ordinances of the Synod the income from the corpus' is held upon trust in furtherance or in aid of evangelistic mission work and for parochial and educational purposes in connection with the Church of England in the Ecclesiastical District of St. Andrew, Sydney.

AND WHEREAS when the said lease should terminate it is anticipated that the income from the corpus will exceed the present income therefrom.

AND WHEREAS by the Cathedral Compensation Fund (Organs) Ordinance 1948, and by the Cathedral Compensation Fund (Organs) Amendment Ordinance 1948 authority was given to expend an amount not exceeding £20,000 out of "The Cathedral Compensation Fund" in connection with the two organs in St. Andrew's Cathedral as therein set out.

AND WHEREAS it is expedient that the said sum of £20,000 or such other sum as may be expended pursuant to the said Ordinances should be repaid to the said "Cathedral Compensation Fund."

Now the Synod of the Diocese of Sydney ordains directs and rules as follows:—

1. That by reason of circumstances subsequent to the creation of the said trusts of the said income from the corpus it has become inexpedient to carry out or observe such trusts to the extent to which the same are varied by this Ordinance and it is expedient that such trusts be varied accordingly.

2. Until the termination of the said lease the income from the corpus shall be held upon trust in furtherance or in aid of evangelistic mission work and for parochial and educational purposes in connection with the Church of England in the Ecclesiastical District of St. Andrew, Sydney.

3. From and after the termination of the said lease the income from the corpus shall be held upon trust as follows:—

- (a) So much of the said income shall be applied in each year by the Corporate Trustees in repaying the said sum of £20,000 (or such other sum as may have been

The St. Andrew's Church and School Property Trust Variation Ordinance 1949.

expended pursuant to the said The Cathedral Compensation Fund (Organs) Ordinances) as may be agreed upon by the Standing Committee and the Cathedral Chapter or in the event of disagreement such amount as Synod may from time to time by resolution determine until the whole sum shall be repaid and the balance of the said income shall be applied in furtherance or in aid of evangelistic mission work and for parochial and educational purposes in connection with the Church of England in the Ecclesiastical District of St. Andrew, Sydney.

- (b) After the said sum of £20,000 or such other sum as aforesaid has been repaid as aforesaid the whole of the income shall be held upon trust in furtherance or in aid of evangelistic mission work and for parochial and educational purposes in connection with the Church of England in the Ecclesiastical District of St. Andrew, Sydney.

4. This Ordinance shall be cited as "The St. Andrew's Church and School Property Trust Variation Ordinance 1949."

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

W. G. HILLIARD, Bishop,
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney this 8th day of November, 1949.

S. H. DENMAN } Secretaries
A. L. BLYTHE } of Synod

I assent to this Ordinance.

HOWARD SYDNEY,

November 8, 1949.