
St. James' Parsonage Act 1912 Ordinance of 1931.

No. 10. 1931.

AN ORDINANCE to vary determine and appoint the application of the rents and profits of the old parsonage site of the Church of St. James situate at Sydney in the County of Cumberland as set out in the "Saint James' Parsonage Act 1912" and ordinances thereon and for other purposes incidental thereto.

WHEREAS by the "Saint James' Parsonage Act 1912" Section 5 it was provided that the rents and profits of the old parsonage site after payment thereof of all necessary outgoings in connection therewith should be applied by the trustees thereof as follows:—

- (a) Firstly in payment of the costs charges and expenses of and incidental to the said Act and any mortgage or mortgages given thereunder.
- (b) Secondly in payment of all interest payable under and by virtue of such last mentioned mortgages and a mortgage of four thousand pounds.
- (c) Thirdly in setting apart in each year two-thirds parts of the balance of such net rents ——— and profits as aforesaid for payment of the principal moneys secured by the said mortgages or any of them and accumulating the same at interest and applying the same in repayment of the principal moneys secured by the said mortgages or any of them and from and after the satisfaction of the said mortgages in assisting towards the repayment of the principal moneys for the time being due in respect of the mortgages authorised by the Saint James' Sydney Parish Hall Ordinances of 1899 and 1902.
- (d) Fourthly in payment of sums not exceeding one-third part of the said balance of such net rents and profits as aforesaid in each year for the period of fifteen years in and towards the repair and improvement of Saint James' Church and all necessary repairs to the new parsonage

or in such further or other manner as the Synod of the Diocese of Sydney or if the Synod be not in session as the Standing Committee of such Synod should from time to time with power to vary the same determine and appoint under and in pursuance of the provisions of section eight of the said Act.

AND by the said section eight it was further provided that the old parsonage site should be deemed to be held subject to preceding provisions of the Act upon express trusts as therein declared and subject to be dealt with as Church Trust Property.

AND WHEREAS by the "Saint James' Church and Parsonage Insurance Ordinance of 1916 it was enacted that in addition to the directions set out in subsection (d) as aforesaid the Trustees were authorised from time to time to maintain and insure the said Church of St. James, and also to insure the said Parsonage AND WHEREAS by the "St. James' Parsonage Act 1912 Ordinance 1928" Section 1 provision was made varying the effect and operation of the said sub-sections (c) and (d) by decreasing the share of rents and profits applicable to the purposes of the said sub-section (c) and providing a fixed sum for payment of or towards the rates and taxes payable in respect of the property known as St. James' Sydney Parish Hall and by affecting the period of operation of the said sub-sections.

AND WHEREAS by "The St. James' Parsonage Compensation Fund Ordinance 1929" Section 3 it was enacted that (A) for the period from the first day of April 1929 to the thirty-first day of March 1931 sub-section (c) of section 5 of the St. James' Parsonage Act shall be read as if after the word "year" the words "a sum less by three hundred pounds per annum reckoned quarterly than" was inserted therein.

(B) For the same period sub-section (d) of the same Act and section shall be read as if the words "for the period of fifteen years" were omitted therefrom and the following words added at the end thereof "and a sum of three hundred pounds per annum reckoned quarterly in and towards the payment of rates and taxes payable in respect of St. James' Sydney Parish Hall."

AND WHEREAS by the "St. James' Sydney Parish Hall Ordinance of 1931" it was enacted that Section 5 of sub-section (d) of the "St. James' Parsonage Act 1912" (subject to Ordinances already passed making other provisions) shall be read as if it contained at the end thereof the following words "And thereafter in and towards the repayment of the principal sum raised under this Ordinance."

AND WHEREAS such last mentioned Ordinance further enacted that it should be read as supplementary to the St. James' Church and Parsonage Insurance Ordinance of 1915 St. James' Parsonage Act 1912 Ordinance of 1928 and "The St. James' Parsonage Compensation Fund Ordinance 1929."

AND WHEREAS the said mortgages other than those authorised by the "Saint James' Sydney Parish Hall Ordinance of 1899 and 1912" have been repaid.

AND WHEREAS there is still or was in August 1931 owing in respect of the Mortgages so authorised as aforesaid and the further advance authorised by the "St. James' Sydney Parish Hall Ordinance of 1931" the sum of £1915.

AND WHEREAS the period of two years mentioned in sub-section A of Section 2 of "The St. James' Parsonage Compensation Fund Ordinance 1929" has expired.

AND WHEREAS it is expedient to vary further the provisions of sub-section (d) of section 5 of the "Saint James' Parsonage Act 1912" by decreasing the share of rents and profits applicable to the purposes of the said sub-section (c) of the said Act and providing a fixed sum for payment of or towards the rates and taxes payable in respect of the property known as St. James Sydney Parish Hall and by affecting the period of operation of the said sub-sections.

AND WHEREAS it is expedient to vary further the said provisions so as for a period of five years to pay less in reduction of the principal moneys owing upon mortgage than has been provided by the said sub-section (c) as varied as aforesaid and to make more adequate sums available for the rates and taxes payable in respect of the property known as St. James' Sydney Parish Hall and for the repair and improvement of the said Church of St. James and the necessary repairs to the new parsonage and the provision hereinafter made being sufficient for working down the mortgage debts. Now the Standing Committee of the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the said Act and by the Church of England Trust Property Act 1917 and the "Land Ordinances Procedure and Delegation of Powers Ordinance 1926" and in pursuance of the powers vested in the said Synod by the constitutions for the management and good government of the Church of England within the State of New South Wales or otherwise in the name and place of such Synod and with the sanction of the Archbishop of Sydney ordains declares determines appoints and rules as follows:—

1. By reason of circumstances subsequent to the passing of the said recited Act and the Ordinances thereon it is expedient to vary determine and appoint the provisions of sub-sections "c" and "d" of Section 5 of the said Act in the following particulars:—

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- (a) For the period from the first day of April 1931 to the thirty-first day of March 1936 sub-section (c) of section 5 of the St. James' Parsonage Act shall be read as if after the word "year" the words "a sum less by three hundred pounds per annum reckoned quarterly than" was inserted therein.
- (b) For the same period sub-section (d) of the same Act and section shall be read as if the words "for the period of fifteen years" were omitted therefrom and the following words added to the end thereof "and a sum of three hundred pounds per annum reckoned quarterly in and towards the payment of rates and taxes payable in respect of the St. James' Sydney Parish Hall."

2. This Ordinance shall be read as supplementary to the "St. James' Church and Parsonage Insurance Ordinance of 1916" the "St. James' Parsonage Act 1912 Ordinance of 1928" "The St. James' Parsonage Compensation Fund Ordinance of 1929" and the "St. James' Sydney Parish Hall Ordinance of 1931."

3. This Ordinance shall be styled and cited as the "St. James' Parsonage Act 1912 Ordinance of 1931."

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

A. J. GOULD,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this thirty-first day of August, 1931.

C. R. WALSH,

Secretary.

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

2nd September, 1931.