



Villawood (East Fairfield) Variation of Trusts Ordinance 1999

No 17, 1999

Long Title

An Ordinance to authorise the application of the proceeds of sale of certain land at East Fairfield.

Preamble

A. The Villawood (East Fairfield) Land Sale Ordinance 1998 authorised the sale of certain land which was then situated in the provisional parish of Guildford with Villawood.

B. The land has now been sold and the balance of the proceeds of sale together with capitalised interest, but after the payment of certain costs, (the "Proceeds of Sale"), is held by Anglican Church Property Trust Diocese of Sydney (the "Property Trust") upon the same trusts as the land was held, namely, upon trust to permit the same to be used for a church, parsonage and parish hall or partly for one and partly for another or others of such purposes in connection with the Anglican Church of Australia in the provisional parish of Guildford with Villawood or any provisional parish or parish of which it may subsequently form part.

C. Since the making of the Villawood (East Fairfield) Land Sale Ordinance 1998, the provisional parish of Guildford with Villawood has been amalgamated with the parish of Merrylands with South Granville to form the parish of Woodville Road (the "Parish").

D. By reason of circumstances which have arisen after the creation of the trusts on which the Proceeds of Sale are held, it is expedient that the trusts be varied and that the Proceeds of Sale be applied in the manner set out in this Ordinance.

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

1. Name

This Ordinance is the Villawood (East Fairfield) Variation of Trusts Ordinance 1999.

2. Declaration of Expediency

By reason of circumstances which have arisen after the creation of the trusts on which the Proceeds of Sale are held, it is inexpedient to carry out and observe those trusts and it is inexpedient that the Proceeds of Sale be applied-

(a) solely for the same or like purposes as the trusts on which they are presently held; or

(b) solely for the purposes of the Parish.

3. Trusts

The Proceeds of Sale, and any income earned thereon which is capitalised under clause 4, shall be applied for such purposes within or without, or partly within or partly without, the Parish as the Standing Committee may by written resolution determine at the written request of the majority of the parish council of the Parish.

4. Investment

Pending the application of the proceeds of sale referred to in clause 3, the proceeds must be invested and the income capitalised.

5. Minimum Sum

If the balance of the proceeds of sale and any capitalised income, after any application or applications under clause 3 is less than the minimum sum, the minimum sum is to be paid to the churchwardens of the principal church of the Parish and applied for the purposes set out in clause 3. The expression "minimum sum" at any time means the amount last determined prior to that time by the Property Trust to be the smallest sum in relation to which the Property Trust wishes to act as trustee.

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

R TONG

Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 21 June 1999.

M A PAYNE

Secretary

I Assent to this Ordinance.

P R WATSON

Commissary

21/6/1999