

ST. MARK'S DARLING POINT (MARRINER FUND) ORDINANCE 1977

No. 56 1977

AN ORDINANCE to vary the trusts established by the Will of the late George Taylor Marriner and to provide for the application of the Trust Fund.

WHEREAS

(1) George Taylor Marriner of Double Bay in the State of New South Wales Marine Engineer (hereinafter called "the Testator") duly made and published his last Will dated 3rd January, 1969 and a Codicil thereto dated 30th
5 January 1969 whereof he appointed Perpetual Trustee Company (Limited) to be executor and trustee. By his said Will the Testator bequeathed part of his residuary estate to "St. Mark's Church of England Darling Point Edgecliff Sydney in the said State for the purposes of providing soft seats on the pews for parishioners and for the maintenance of such soft seats if
10 sufficient funds are available after the purchase of the said soft seats" and the Testator declared that the receipt of the Rector or Treasurer of the said church should be a sufficient discharge to his Trustees for such bequest who should not be concerned to see to the application thereof.

(2) The Testator died on or about 12th July 1969 and Probate of his said
15 Will was granted to the said Perpetual Trustee Company (Limited) on the 12th January 1970.

(3) On or about first September 1971 the sum of Seven thousand two hundred dollars (\$7,200) (hereinafter called "the Trust Fund") was paid by the said executors and received by the Rector and Churchwardens of the Church of St.
20 Mark Darling Point in full satisfaction of the said bequest upon the trusts and for the purposes declared and defined by the said Will and the Trust Fund is held in an account under the control of the said Rector and Churchwardens which account is separate and distinct from other accounts of and relating to the said church.

(4) By reason of circumstances which have arisen subsequent to the creation
25 thereof it is considered expedient to vary the trusts of the said Will and to authorise the application of the Trust Fund as hereinafter set out and

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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:-

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1. By reason of circumstances which have arisen subsequent to the creation
of the trusts by the said Will declared and for divers reasons it is
considered inexpedient to carry out and observe the same and it is expedient
that the said trusts be varied as hereinafter set out.

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2. (1) The Trust Fund may be applied at the discretion of the said Rector
and Churchwardens from time to time for the benefit of the said church:-

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(a) insofar as is considered practicable and expedient for the purpose
of improving the comfort of the seating of the said church in
such manner and to such extent (but so that not less than \$1,000
be applied for that purpose) as the said Rector and Churchwardens
shall (after ascertaining the wishes of members of the congregation)
from time to time determine.

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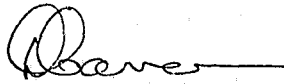
(b) Subject thereto for the restoration renovation or replacement of
any part of the internal fabric of the building of the said church
or the furnishings and fittings and equipment thereof or partly
for one and partly for another or others of such purposes as the
said Rector and Churchwardens shall from time to time determine.

3. Both capital and income of the Trust Fund may be so applied even though
the capital of the Trust Fund may be thereby diminished or even exhausted.

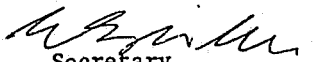
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4. This Ordinance may be cited as "St. Mark's Darling Point (Marriner Fund)
Ordinance 1977."

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

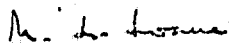

Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the
Synod of the Diocese of Sydney on the 12th day of December 1977.


Secretary.

I ASSENT to this Ordinance.




Archbishop of Sydney.
12/12/1977.