

ST. MATTHEW'S MANLY ORDINANCE 1979

NO. 58 1979.

AN ORDINANCE to further amend St.
Matthew's Manly Ordinance 1941.

WHEREAS the land described in the First Schedule of the St. Matthew's Manly Ordinance 1941 (hereinafter called "the 1941 Ordinance") is vested in the Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") and is church trust property held for the sole benefit of the Parish of St. Matthew Manly upon the trusts and for the purposes more particularly described in the 1941 Ordinance AND WHEREAS there are erected on the said land inter alia certain shops and offices (hereinafter called "the said shops") AND WHEREAS in pursuance of the provisions of the 1941 Ordinance the Corporate Trustee was authorised to mortgage the said land to let the said shops and to apply the net income from the said shops upon the terms conditions restrictions and in the manner respectively therein appearing AND WHEREAS the 1941 Ordinance has been varied from time to time and was last varied by St. Matthew's Manly Ordinance 1977 No. 24, 1977 (hereinafter called "the 1977 Ordinance") AND WHEREAS the 1977 Ordinance required the Churchwardens for the time being of St. Matthew's Manly on or before the 31st day of March 1980 to present an ordinance to the Synod of the Diocese of Sydney or the Standing Committee thereof for the purpose of varying the provisions therein appearing as to the allocation of the net income from the said shops having regard to the needs and commitments of the said Parish and organisations within the Diocese of Sydney AND WHEREAS it has become inexpedient to carry out and observe the trusts as aforesaid in their entirety and it is expedient to further vary the same in the manner hereinafter appearing NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows: *gh*

1. By reason of circumstances which have arisen subsequent to the creation of the trusts declared by the 1941 Ordinance as varied from time to time it is inexpedient to carry out and observe the same and it is expedient to further vary such trusts in the manner hereinafter provided.

2. The Churchwardens for the time being of St. Matthew's Manly shall pay to the Churchwardens of St. John's Mona Vale an amount of \$4,000.00 being the sum allocated under Clause 2(a)(v) of the St. Matthew's Manly Ordinance 1968 plus interest earned thereon to the date of payment but less diocesan assessments paid thereon to be used by the Churchwardens of St. John's Mona Vale for the purpose of contributing towards the cost of construction of extensions to the existing Church building of St. John's, Mona Vale and incidental works associated therewith.

3. The said Churchwardens shall out of the accumulated income held by them be authorised to pay a sum not exceeding Fifteen thousand dollars (\$15,000.00) in or towards the costs as and when incurred of repairing and re-conditioning the Pipe Organ in St. Matthew's Church, Manly and any work incidental thereto.

4. Subject to the provisions hereinafter appearing the net income from the said shops after the payment of all rates, taxes and other outgoings charged or to be charged against the said land and/or buildings insofar as the same are not recoverable from any tenant under any lease or leases shall be applied each year or on a pro rata basis in respect of part of each year by the Corporate Trustee on and from the 1st day of April 1980 ^{until the 31st Day of December, 1982} as follows:-

(a) As to the sum of Sixty thousand dollars (\$60,000.00) by annual payments of the following that is to say:-

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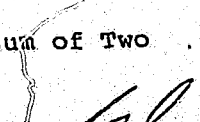
- (i) The Sydney Anglican Home Mission Society for the purposes of the said Society the sum of Three thousand dollars (\$3,000.00).
- (ii) The Sydney Anglican Home Mission Society in the name of St. Matthew's Manly Auxiliary of the Chesalon Parish Nursing Home of the said Society for the purposes of the said Home at North Manly the sum of One thousand dollars (\$1,000.00).
- (iii) The Sydney Church of England New Areas Committee for the purposes of the said Committee the sum of Six thousand dollars (\$6,000.00).
- (iv) The Council of Moore Theological College for the purpose of assisting students formerly parishioners of St. Matthew's Manly and/or other students of the said College preparing for ordination to serve in the Diocese of Sydney the sum of Two thousand dollars (\$2,000.00).
- (v) The Inner-City Committee Sydney for the purposes of the said Committee the sum of Two thousand dollars (\$2,000.00).
- (vi) The Department of Evangelism Sydney for the purposes of the said Department the sum of Two thousand dollars (\$2,000.00).
- (vii) The Archbishop of Sydney's Overseas Relief Fund the sum of Two thousand dollars (\$2,000.00).
- (viii) The Anglican Television Society for the purposes of the said Society the sum of Two thousand dollars (\$2,000.00).
- (ix) The Churchwardens for the time being of St. Matthews Manly the sum of Nine thousand dollars (\$9,000.00) to be apportioned or allotted by them between or to all

or any one or more of the parishes provisional parishes or provisional districts within the Rural Deanery of Warringah in accordance with the needs from year to year as may be determined by the Rector and Wardens of the said Parish of St. Matthew Manly after consultation with the Archdeacon of that Rural Deanery and with the approval of Standing Committee and moneys so apportioned shall be applied to general Church purposes in connection with the respective recipients PROVIDED THAT any such annual payment wholly or in part not distributed in any one year may be carried forward by the said Churchwardens for distribution in a succeeding year or years.

(x) The Churchwardens for the time being of St. Matthew's Manly the sum of Twenty six thousand dollars (\$26,000.00) for general Church purposes in connection with the said Church.

(xi) The Churchwardens for the time being of St. Matthew's Manly for the support of such missionaries either within or without the Diocese as the Rector and Wardens may determine from time to time the sum of Three thousand dollars (\$3,000.00).

(xii) The Churchwardens for the time being of St. Matthew's Manly for the creation and operation of a Free Fund to be accumulated or distributed annually or from time to time at the discretion of the Rector and Churchwardens for the time being of such Church for such urgent diocesan or parochial purpose or purposes as the said Rector and Churchwardens in their absolute discretion shall see fit the sum of Two thousand dollars (\$2,000.00).



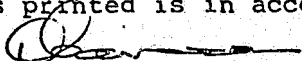
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(b) As to the balance of the said net income the Corporate
Trustee shall after deducting therefrom all amounts
payable to the Corporate Trustee for commission or other
charge in respect of any collection of income as aforesaid
5 pay the same to the Churchwardens for the time being of
St. Matthew's Church aforesaid to be applied by them in
the creation of an equalisation fund and operation thereon
for the purpose of making good any deficit which may arise
from time to time in the annual amount proposed to be
10 distributed in pursuance of the provisions of paragraph
(a) of this clause and thereafter towards effecting any
repairs alterations or additions to existing improvements
on the land described in the First Schedule of the 1941
Ordinance, demolishing any such improvements and erecting
15 any new improvements on the said land.

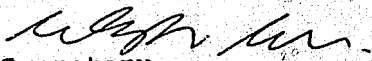
5. The Churchwardens for the time being of St. Matthew's
Manly shall on or before the 30th day of September 198²
present an ordinance to the Synod of the Diocese of Sydney or
the Standing Committee thereof for the purpose of varying the
20 provisions hereinbefore appearing as to the allocation of the
net income from the said shops as from and including 1st
January 198³ having regard to the needs and commitments of the
said Parish and organisations within the Diocese of Sydney.

6. This Ordinance may be cited as "St. Matthew's Manly
25 Ordinance. 1979".

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 10th
day of December 1979.


Secretary

I ASSENT to this Ordinance

M. L. Louane,

Archbishop of Sydney

10/12/1979.