

# The JH ROBINSON MEMORIAL TRUST VARIATION ORDINANCE 2005

No 4 of 2005

AN ORDINANCE to vary the trusts relating to a certain bequest and deposit held for the Parish of Kyogle.

## PREAMBLE

WHEREAS: On or about the tenth day of July one thousand nine hundred and sixty nine an amount of money was received from the estate of the late J H Robinson, a parishioner of Kyogle, to be held upon trust that "the interest is to be drawn by St James Church of England each year for the maintenance and repairs of the church, hall and rectory. If not needed the interest to accumulate until such time as needed;"

AND WHEREAS: The monies have been kept since that time and used as authorised by the will and now amount to about \$5,000;

AND WHEREAS: The Rector and Parish Council have lately requested the use of the entire corpus to be used for the purpose of purchasing a new organ for the Parish Church;

AND WHEREAS: By reason of circumstances which have arisen after the creation of the trusts, including the reduction in the value of the monies held and the needs of the church, it is expedient that the trust be varied;

AND WHEREAS: By the Anglican Church of Australia Church Trust Property Act 1917 and the Church Trust Property Ordinance 1934 - 1995 the Bishop-in-Council is empowered during a recess of Synod to exercise certain powers of Synod;

AND WHEREAS: A recess of Synod now exists.

THEREFORE the Bishop-in-Council in pursuance of such powers and in the name of the Synod hereby ordains declares directs and rules on the twenty fourth day of two thousand and five as follows:

## OPINION

1. It has become and is expedient by reasons of circumstances subsequent to the creation of the trusts relating to the money held as the JH Robinson Memorial Trust to vary the trusts relating to the said monies.

## VARIATION OF TRUSTS

2. The trusts relating to the monies in the JH Robinson Memorial Trust Account are hereby varied so as to be held by the Corporate Trustees for the purposes of assisting in the purchase of an organ for the Parish Church and to be available to the Parish upon request.

## SHORT TITLE

3. This Ordinance may be cited as the JH Robinson Memorial Trust Variation Ordinance 2005.

## ASSENT

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

  
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Chairman of Committees

I certify that this Ordinance was passed by Bishop-in-Council on the twenty fourth day of February, 2005.

  
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Registrar

I assent to this Ordinance.

  
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Bishop.