

N^o 3 of 1996
Laurel Frauline Swan (Variation of Trust) Ordinance, 1996.

PREAMBLE

WHEREAS LAUREL FRAULINE SWAN, late of Flinders Village, Castle Hill, in part by her last Will and Testament gave devised and bequeathed:

- (a) "the sum of Five thousand dollars (\$5,000) to St. Barnabas Church of England Gladstone Macleay River New South Wales for their general purposes absolutely as a memorial to myself LAUREL FRAULINE SWAN and my late husband JOHN SWAN absolutely."
- (b) "the rest and residue of my estate both real and personal for ST. BARNABAS CHURCH OF ENGLAND of Gladstone Macleay River New South Wales for their general purposes absolutely."

AND WHEREAS the aforementioned ST. BARNABAS CHURCH Gladstone is an Anglican Church within the Parish of Lower Macleay, Diocese of Grafton.

AND WHEREAS the proceeds of the bequest have been received by the Corporate Trustees of the Diocese of Grafton and are held and administered by them in trust.

AND WHEREAS the Trust has been previously varied pursuant to the Laurel Frauline Swan (Variation of Trust) Ordinance 1988.

AND WHEREAS by the Anglican church of Australia Trust Property Act, 1917 and the Church Trust Property Ordinance 1974 the Bishop-in-Council is empowered during recess of Synod to exercise certain powers of Synod including the powers conferred by Section 32 of the said Act **AND WHEREAS** such recess now exists.

NOW THEREFORE the Bishop-in-Council in pursuance of such powers and in the name of the Synod ordains directs and rules as follows:

OPINION

- 1. It has become and is inexpedient, by reason of circumstances subsequent to the creation of the said Trusts, to carry out the Trust with regard to the residue of the estate.

VARIATION OF TRUST

- 2. (a) In respect to that part of the trust known as the LOWER MACLEAY PARISH DEVELOPMENT TRUST which is currently held in trust for the future development of the Parish of the Lower Macleay for such purpose(s) as recommended by the Parochial Council and approved by Bishop-in-Council. Now it is hereby agreed that following a request from the Lower Macleay Parochial Council the LOWER MACLEAY PARISH DEVELOPMENT TRUST be varied so as to permit the application of funds for capital expenditure or repairs and maintenance to Parish plant not exceeding the sum of \$10,000 in any financial year as proposed by the Parochial Council and approved by Bishop-in-Council.
- (b) That this variation be reviewed at three year intervals by Bishop-in-Council.

SHORT TITLE

- 3. This Ordinance may be cited as the "LAUREL FRAULINE SWAN (VARIATION OF TRUST) ORDINANCE, 1996".

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 ninth day of February, 1996.

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Registrar

I assent to this Ordinance.

+ Bruce Grafton
.....
Bishop.