

**EMMANUEL ANGLICAN COLLEGE CONSTITUTIONAL ORDINANCE 1997  
AMENDING ORDINANCE 2007**

No. 1

**AN ORDINANCE** to insert Clause 6.16.3 and to amend clause 7.3.1(a) of the Emmanuel Anglican College Constitution 1997.

**PREAMBLE**

WHEREAS The Emmanuel Anglican College has requested Bishop-in-Council to make certain changes to the Constitution of the Emmanuel Anglican College Council, it is desirable that Clause 6.16.3 be inserted and clause 7.3.1(a) be amended;

AND WHEREAS by the provisions of the *Anglican Church of Australia (Bodies Corporate) Act 1938* and *Bodies Corporate (Delegation of Powers) Ordinance 1988* the Bishop-in-Council is empowered during a recess of Synod to exercise certain powers and such a recess now exists;

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

**AMENDMENT**

1. Clause 6.16.3 to be inserted;

**6.16.3 College Scholarship Fund**

- (a) The Council shall establish a College Scholarship Fund which shall be applied and used exclusively for providing money for scholarships, bursaries or educational prizes that meet the following broad criteria:
  - i. May only be awarded to Australian citizens or residents of Australia.
  - ii. Is open to individuals or groups of individuals throughout Australia, a state, a territory or region of at least 200,000 people.
  - iii. To promote the recipient's education in pre-school, primary courses, secondary courses or tertiary courses in Australia and/or in educational institutions overseas by way of study of a component of such an Australian Course.
  - iv. The award must be based on merit or for reasons of equity.
- (b) The assets and income of the Scholarship Fund shall be applied solely in furtherance of the objectives specified in Clause 6.16.3 (a), and no portion shall be distributed directly or indirectly to the members of the Council except as bona fide compensation for services rendered or expenses incurred on behalf of the Scholarship Fund.
- (c) The Scholarship Fund may invest and deal with moneys in accordance with Section 6.10.3.
- (d) The Council shall open and maintain in the name of the Emmanuel Anglican College Scholarship Fund an account or accounts at such financial institutions as the Council may from time to time determine and the Council shall pay into such account or accounts all moneys which come into its hands and which form part of the Scholarship Fund.
- (e) The Council shall cause to be kept such accounting records as correctly record and explain the transactions and financial position of the Scholarship Fund, and such records shall be audited at least once a year, by the Council Auditor appointed under Section 6.7.1(g).
- (f) Upon the winding up or dissolution of the Scholarship Fund, the amount which remains after the satisfaction of all debts and liabilities shall be paid and applied by Council in accordance with Section 7.3.1 (a) and 7.3.1(b).

2. Present Clause 7.3.1 concerning the winding up of the College to be deleted and replaced with a new 7.3.1:

7.3.1 If the Bishop-in-Council so consents, after all proper debts and liabilities have been discharged, the residue of all property of the College shall be distributed as follows:

- a) The net proceeds from the sale of Land and Buildings, together with the College Building Fund, be transferred to the Building Fund of another Diocesan College which has objects substantially similar to the College and is approved under Sub-Division 30-A and Sub-Division 30-B of the Income Tax Assessment Act 1997 or any succeeding legislation.
- b) The net proceeds of any account held for the College Library Fund, be transferred to the Library Fund of another Diocesan College which has objects substantially similar to the College and is approved under Sub-Division 30-A and Sub-Division 30-B of the Income Tax Assessment Act 1997 or any succeeding legislation.
- c) The net proceeds of any account held for the College Scholarship Fund, be transferred to the Scholarship Fund of another Diocesan College which has objects substantially similar to the College and is approved under Sub-Division 30-A and Sub-Division 30-B of the Income Tax Assessment Act 1997 or any succeeding legislation.
- d) As to the balance of such property, to the Corporate Trustees of the Diocese of Grafton.

**SHORT TITLE**

3. This Ordinance may be cited as the *Emmanuel Anglican College Council Ordinance 1997 Amending Ordinance 2007*.

**COMMENCEMENT**

4. This Ordinance shall come into effect upon receiving the assent of the Bishop.

**ASSENT**

I hereby certify that the Ordinance is as passed by Bishop-in-Council.

.....  
Chairman of Committees

I hereby certify that the Ordinance was passed by Bishop-in-Council on the 22nd day of February 2007

.....  
Registrar

I assent to this Ordinance.

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Bishop