

PROCEDURES FOR PASSING BILLS FOR PROPOSED ORDINANCES

Short Title *Amending Anguilla School Constitution (Amending).*  
*Ordinance 1997* .....

Member in Charge of the Bill:

Rule 67. (For private members Bills only) Mr.....moved,  
'That leave be given to introduce a Bill.'

Seconded: Mr. ....Carried/Defeated.

Rule 68. Moved: *Mr. Rev. Mr. Allen* .....

'That the Bill be considered' OR

'That ~~consideration of the Bill be an order of the day for~~

.....  
Seconded: Mr. ....Carried/Defeated.

Rule 69(1) The Synod went into Committee to consider the Bill in detail.

Rule 69(2) The Chairman of Committees reported to Synod,

'That the Bill has been considered in Committee and passed  
with/~~without~~ amendment.' OR

'That the ~~Committee reports progress in consideration of~~  
~~the Bill and asks for leave to sit again.~~

Upon the Chairman reporting passage of the Bill through  
Committee, the President, without motion, put the question,

'That the report be adopted.' Carried/Defeated.

(Note - Rule 69 (3) provides for re-committal at this stage  
by amendment of the motion to adopt the report.)

Rule 70(1) Moved: *Mr. Rev. Mr. Allen* .....

'That the Bill do now pass.' OR

'That further ~~consideration of the Bill be an order of the~~  
~~day for~~

.....  
Seconded: Mr. .... Carried/Defeated.

Rule 70(2) The Synod having agreed that the Bill be passed, it was  
presented to the Bishop, who signified his intention of  
giving assent:

## AMENDMENT OF BILLS IN COMMITTEE

Various forms of motion to amend Bills in Committee are set out below. Please complete the first paragraph and the appropriate motion. When the clause you wish to amend is reached in Committee, speak on your proposed amendment and hand the form to the Chairman of Committees.

Short Title of Bill. *Irish Free School Constitution (Amendment) Bill 1997* ..... Clause *314* .....  
Amendment moved by *Rep. Doyle* ..... *R. Doyle* .....  
(Name in block letters) (Signature)

### Insertion of new clause.

'That after clause ..... a new clause be inserted as follows:-

"....."  
.....  
.....  
.....  
.....  
.....

### Substitution of new wording for ALL the printed wording of a clause.

'That all the words after the number ..... be omitted with a view to the insertion of the following words in their stead:- "....."

.....  
.....  
.....  
.....  
.....  
.....

### Substitution of certain words only of a clause.

'That the word/s "*with a minimum of 3 such persons*" ..... be omitted with a view to the insertion of the following words in their stead:- "*with a minimum of 3 such persons immediately following*"

*"School"* .....  
.....

### Omission of certain words of a clause.

'That the words "....." be omitted.'

### Insertion of certain words into a clause.

'That the words "....." be inserted after the word "....." (or added at the end.)'

(Note: for a clause to be omitted in its entirety is sufficient if a majority of the Committee vote 'No' on the question, 'That clause as printed stand part of the Bill.')

RECORD OF CONSIDERATION OF BILL IN COMMITTEE

Short Title. *Lindisfarne Anglican School Constitution (Amending)*.....  
*Ordinance 1997*.....

The Chairman/~~Deputy Chairman~~ of Committee, Mr. *Dr. John Burnett*.....  
took the chair.

The Committee agreed that the following stand part of the Bill:-

Clause 1 as printed/ <del>amended</del> .	Clause 26 as printed/amended.
Clause 2 as <del>printed</del> /amended.	Clause 27 as printed/amended.
Clause 3 as printed/ <del>amended</del> .	Clause 28 as printed/amended.
Clause 4 as printed/ <del>amended</del> .	Clause 29 as printed/amended.
Clause 5 as printed/amended.	Clause 30 as printed/amended.
Clause 6 as printed/amended.	Clause 31 as printed/amended.
Clause 7 as printed/amended.	Clause 32 as printed/amended.
Clause 8 as printed/amended.	Clause 33 as printed/amended.
Clause 9 as printed/amended.	Clause 34 as printed/amended.
Clause 10 as printed/amended.	Clause 35 as printed/amended.
Clause 11 as printed/amended.	Clause 36 as printed/amended.
Clause 12 as printed/amended.	Clause 37 as printed/amended.
Clause 13 as printed/amended.	Clause 38 as printed/amended.
Clause 14 as printed/amended.	Clause 39 as printed/amended.
Clause 15 as printed/amended.	Clause 40 as printed/amended.
Clause 16 as printed/amended.	Clause 41 as printed/amended.
Clause 17 as printed/amended.	Clause 42 as printed/amended.
Clause 18 as printed/amended.	Clause 43 as printed/amended.
Clause 19 as printed/amended.	Clause 44 as printed/amended.
Clause 20 as printed/amended.	Clause 45 as printed/amended.
Clause 21 as printed/amended.	Clause 46 as printed/amended.
Clause 22 as printed/amended.	Clause 47 as printed/amended.
Clause 23 as printed/amended.	Clause 48 as printed/amended.
Clause 24 as printed/amended.	Clause 49 as printed/amended.
Clause 25 as printed/amended.	Clause 50 as printed/amended.

The Schedule(s) as printed/amended.

The Preamble as printed/~~amended~~.

The Short Title and Title as printed/~~amended~~.

Other amendments or proceedings .....  
.....  
.....  
.....  
.....

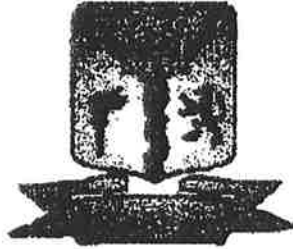
The Chairman reported to Synod the passage of the Bill through  
Committee with/~~without~~ amendment.

I certify that the foregoing is a true record of the consideration  
of the Bill in Committee.

Date: *26.06.1997*..... Signed: *[Signature]*.....  
Clerk of Committees.

(Any motions amending the Bill should be attached to this record.)





DRAFT ONLY

# LINDISFARNE ANGLICAN SCHOOL CONSTITUTION *February 1998*

## PART 1 - DEFINITIONS

- 1.1.0 In this Constitution the singular includes the plural and vice versa and the masculine includes the feminine and vice versa and unless the context otherwise requires or indicates:
- 1.1.1 "Act" means the Anglican Church of Australia (Bodies Corporate) Act 1938 as amended:
- 1.1.2 "Annual General Meeting" means a meeting of Council held between 1st February and 30th April (inclusive) in each year:
- 1.1.3 "Bishop" means the Bishop of the Diocese of Grafton or his Commissary if he be absent from the State or the Administrator of the Diocese if the seat be vacant:
- 1.1.4 "Bishop-in Council" means the Bishop acting with the advice and consent of the Council of the Diocese:
- 1.1.5 "Body Corporate" means the Body Corporate incorporated under the Act for the School:
- 1.1.6 "Business Manager" means the Business Manager appointed by the Council:
- 1.1.7 "Chairperson " means the person appointed hereunder as chairperson of the Council and that person shall act as chairperson of all meetings of the Council in the absence of the President.
- 1.1.8 "Council" means the Lindisfarne Anglican School Council as constituted hereunder:
- 1.1.9 "Financial Year" means the year from 1st January to 31st December:
- 1.1.10 "Lindisfarne Anglican School" means the Body Corporate:
- 1.1.11 "Member" means a member of the Council.

- 1.1.12 "Ordinance" means an ordinance of the Diocese of Grafton:
- 1.1.13 "Principal" means the teacher appointed by the Council as head of Lindisfarne Anglican School (Primary School and Secondary School) and whether known as the Principal, Headmaster or other title.
- 1.1.14 "Rector" means the incumbent of a Parish in the Tweed Region.
- 1.1.15 "Secretary" means the person elected or appointed as Secretary of the Council by the Council.
- 1.1.16 "School or Schools" means the Lindisfarne Anglican School including any campus of the Lindisfarne Anglican School.
- 1.1.17 "Synod" means the Synod of the Diocese of Grafton.
- 1.1.18 "Treasurer" means the person elected or appointed as Treasurer of the Council by the Council.

## **PART 2 - AIMS AND OBJECTIVES OF THE SCHOOL**

- 2.1.0 The aims and objectives of the School are:-
- 2.1.1 To establish a co-educational school to be administered on Christian principles as expressed within the Anglican Tradition.
- 2.1.2 To develop a school community which draws together pupils, staff and parents in a Christian environment.
- 2.1.3 To expose students to a well balanced programme and challenge them to develop their unique potential through extensive participation in intellectual, spiritual, cultural, aesthetic and physical pursuits.
- 2.1.4 To cater for the individual educational needs of each child by developing self-confidence, high self-esteem and respect for others. To equip students to become self-disciplined, motivated and expressive individuals.
- 2.1.5 To encourage students to become critical thinkers capable of making reasoned and informed judgements.
- 2.1.6 For students to be socially aware and tolerant of the needs of other members of the community.
- 2.1.7 To allow students to work and mature in an environment characterised by warm personal relationships based on mutual respect and trust.
- 2.1.8 To provide the opportunity for students to develop skills and values necessary for living in contemporary society.

- 2.1.9 To develop students pride in their school and country and to strive for personal excellence in all their activities.
- 2.1.10 To continually re-evaluate the structures and processes of the School and of the School's relationship with parents, the community and Christian education at large, so as to ensure that there is consonance between the Christian values expressed by the school and its actual practice.

### **PART 3 - COUNCIL MEMBERSHIP**

- 3.1.0 The Council shall consist of the following members, each of whom must be aged 18 years or above:-
  - 3.1.1 The Bishop, who shall be President of the Council
  - 3.1.2 A nominee of the Bishop
  - 3.1.3 A Rector from the Tweed Region appointed by the Bishop
  - 3.1.4 Up to 8 persons who support the aims of the School with a minimum of 3 such persons.
- 3.2.0 The members shall appoint the Chairperson from the members under Clause 3.1.2 and Clause 3.1.3. Should there be a deadlock as to the appointment then the Chairperson shall be appointed by the Bishop.
- 3.2.1 A person who is an employee of the School shall not be eligible to be a member of the Council. Such persons may attend meetings of Council (by invitation ) and shall have no voting rights but may participate in debate.
- 3.2.2 The Council shall be deemed to be properly constituted as regards membership even if there is no member under 3.1.1, 3.1.2 and/or 3.1.3 at anytime.

### **APPOINTMENT OF FIRST MEMBER OF COUNCIL**

- 3.3.0 Following the passing of an ordinance approving the Constitution of the School and its Council, Bishop-in-Council shall appoint the first members of the Council as required under Sections 3.1.4:
- 3.3.1 Such appointment under Section 3.1.3 shall be for a term expiring at the date of the next Annual General Meeting occurring after the appointment.

### **APPOINTMENT OF COUNCIL**

- 3.4.0 The term of a member appointed shall be 3 years or such greater or lesser period than 3 years which coincides with the closest Annual General Meeting conducted at or near the date of the expiration of such 3 year period.

- 3.4.1 Qualified persons shall be nominated by members of the Council to fill vacancies under Section 3.1.4:
- 3.4.2 Council may recommend sufficient persons to fill any pending vacancies or may recommend additional persons if it so determines provided the quotas in Part 3 are not exceeded.
- 3.4.3 Bishop-in-Council shall appoint the members of the Council and may, without giving reasons therefore, decline to appoint any persons nominated.
- 3.4.4 The terms of appointed members shall commence on the date of their appointment by Council subject to ratification by Bishop-in-Council.
- 3.4.5 A retiring appointed member shall be eligible for re-appointment and not withstanding anything contained in this Constitution shall remain a member of Council and continue to hold any office to which the member may have been elected or appointed until the vacancy caused by the member's retiring has been filled.
- 3.4.6 Any act or deed done by any member shall on ratification of that member's appointment by the Bishop-in-Council be of full force and effect from the date that such act or deed was done.

### CASUAL VACANCIES

- 3.5.0 A casual vacancy shall occur if a member of the Council other than the Bishop or the Rector:-
  - a) dies;
  - b) resigns in writing addressed to the Chairperson, the President or the Secretary and in such case shall unless the writer specified a later date be deemed to be effective when the Chairperson, President or Secretary as the case may be receives the written resignation;
  - c) becomes bankrupt within the meaning of the law in force for the time being relating to bankrupts or if the member's affairs are compounded with creditors;
  - d) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
  - e) is absent without leave of Council from three consecutive meetings of Council;
  - f) is removed by the Bishop-in Council and Bishop-in-Council may remove any member without assigning any reason therefore.
- 3.5.1 The Bishop-in-Council upon request from the Council that the office of an appointed member be declared vacant may:-
  - a) inform the member of the requested declaration of vacancy and the grounds on which it will be proposed;

b) give the member a reasonable opportunity at the next meeting of Bishop-in-Council to make a written submission showing cause why the office should not be declared vacant.

- 3.5.2 After considering the request of Council and the submission from the member the Bishop-in-Council shall determine whether or not to declare the office vacant.
- 3.5.3 A casual vacancy shall be filled by the nomination of a new person by the Council to the Bishop-in-Council for appointment.
- 3.5.4 A person who fills a casual vacancy shall hold office until the day on which the person whose vacancy was filled would have retired had the vacancy not occurred.

#### PART 4 - COUNCIL MEETINGS

- 4.1.0 The council shall hold Ordinary Meetings at least four times a year at intervals not exceeding three months.
- 4.1.1 Ordinary Meetings of the Council may be convened by either the President, the Chairperson or the Secretary who shall cause at least 3 days written notice to be given to each member.
- 4.2.0 The President if present, may preside at meetings of Council.
- 4.2.1 At the first meeting of the Council after it has been constituted and at the first meeting held after the appointment of new members under Section 3.4.1 each year, a member (other than the President) shall be elected as Chairperson by the Council.
- 4.2.2 The Chairperson shall hold office for one year and shall be eligible for re-election.
- 4.2.3 In the absence of both the President and the Chairperson the Council shall elect one of the members of the Council then present to the Chairperson at that meeting.
- 4.3.0 The person presiding at a meeting of Council shall have both a deliberative and a casting vote at that meeting.
- 4.4.0 A quorum at meetings of the Council shall be calculated by reference to the following formula:
  - a) where there are up to 7 members a quorum shall be 3 members;
  - b) where there are more than 8 or 9 members a quorum shall be 4 members;
  - c) where there are 10 members a quorum shall be 5 members.
- 4.5.0 The Council may invite a person not a member of Council to be present for the whole or part of a meeting of Council and to speak thereat.



### **SPECIAL MEETINGS**

- 4.6.0 A Special Meeting of the Council may be held to consider a specific item of business. At least 7 days written notice shall be given to each member specifying the date, time and place of meeting and the business to be discussed.
- 4.6.1 Decisions of a Special Meeting shall be in the form of a Special Resolution for which at least a majority of members of the Council present at the meeting have voted in the affirmative.
- 4.6.2 Provided all members are present and those members all agree the 7 days notice may be dispensed with.

### **ANNUAL GENERAL MEETING**

- 4.7.0 The Agenda for Annual General Meetings shall include the following:-
- a) Confirmation of the minutes of any preceding Annual General Meeting and attending to any business arising therefrom;
  - b) presentation of report by the Principal;
  - c) presentation of report by the Chairperson;
  - d) presentation of financial statements;
  - e) nomination of members of Council (when required under clause 3.4.0, 3.4.1, 3.4.2) followed by election of:-
    - 1) Chairperson
    - 2) Treasurer
    - 3) Secretary
- The Council may appoint a non-member to fulfil the positions of Treasurer and or Secretary;
- f) election of auditor;
  - g) any business of which Council has been given notice.
- 4.7.1 Any election hereunder shall be deemed to have been passed if approved by a majority vote of those present and entitled to vote.
- 4.7.2 At least 14 days written notice shall be given to each member specifying the date, time and place of the Annual General Meeting. Any member, the Treasurer or Secretary may issue such notice, subject to the provisions of 1.1.2.
- 4.7.3 A quorum for the Annual General Meeting shall be in accordance with the formula set out in 4.4.0.

## **PART 5 - DUTIES AND POWERS OF COUNCIL**

- 5.1.0 The Council as constituted by Ordinance and this Constitution shall be constituted as a Body Corporate under the Act by an enabling ordinance and shall enjoy and exercise the powers pertaining to a Body Corporate.
- 5.1.1 The Council shall manage and conduct the affairs of the School in accordance with the provisions of any relevant Act of Parliament and this constitution.
- 5.1.2 The Council shall pursue the aims of the School as stated in Part 2 hereof.
- 5.1.3 The Council, subject to the provisions hereof, may regulate its own proceedings including the administrative and management structure of the School and for that purpose it shall have power to make rescind or alter regulations or by-laws not inconsistent with this constitution.
- 5.1.4 The Council may authorise, in writing, any person or persons to do any specified act on its behalf and may prescribe conditions for the exercise of the authorisation.
- 5.1.5
- a) The Council may appoint sub-committees either specifically or generally or generally and co-opt non-Council members to such sub-committees.
  - b) Such sub-committees shall perform such tasks as are specified by the Council.
  - c) The Council may from time to time determine the legal structure and composition of such sub-committees and the basis and guidelines on which such sub-committees shall operate.
- 5.2.0 The Council shall manage the assets of the School.
- 5.2.1 The Council may maintain, improve, extend and add to the lands premises and other property of any kind held occupied or used directly or indirectly by the School and may from time to time purchase additional lands to develop additional schools and whether as an extension of the original school or otherwise.
- 5.2.2 The Council may solicit and accept real or personal property of any kind by way of gift subsidy or subvention as the Council may think fit.
- 5.2.3 The Council may purchase , take on lease or hire any real or personal property or any rights or privileges which the Council may think fit.

## **MANAGEMENT OF FINANCES**

- 5.3.0 The Council shall make financial and other arrangements and decisions for the present and future conduct of the School whether at the original site or at any other site acquired for School use.
- 5.3.1 The Council shall determine the scale or scales of fees to be paid for tuition of pupils. The Council may determine, or may delegate in writing to an employee the power to determine, any allowances or subsidies which may be granted to parents or other persons responsible for payment of fees.

- 5.3.2 The School may borrow or raise money and secure the repayments thereof with or without interest in such manner as the Council may think fit and to secure the sums or the repayment of performance of any debt, contract, guarantee or other liability incurred or entered into by the Council in any way and in particular (subject to Section 5.2.5) by charging all or any of the lands, premises or other property of any kind both present and future owned by the Body Corporate or the Council or occupied or used directly or indirectly by it in connection with the School.
- 5.3.3 The School may invest and deal with money in accordance with the provisions of the Church Trust Property Ordinance 1934, as amended, or any such other form or forms of investments as shall be approved by resolution of the Bishop-in-Council at the request of the Council provided that no such approval shall be effective for a period in excess of three years. The School may also invest funds in any authorised trustee investment.
- 5.3.4 The School may enter into contracts of any kind (including contracts of guarantee and indemnity) and draw, make, accept, endorse, discount, execute and issue cheques and other negotiable or transferable instruments.
- 5.3.5 The Council may determine the School Policy on any matter, thing or issue what so ever and may delegate the administration of any policy to the Principal of the School.
- 5.3.6 Notwithstanding Clause 5.3.4 the School may lend and advance money or give credit to any person or company whether on security or not and take such security (if any) as the School may think fit for money, lent or advanced or credit given by it.
- 5.3.7 All funds received by the School shall be deposited without deduction in a financial institution approved by Council. Accounts shall be opened and closed only with the authority of Council, which shall determine the names and styles of accounts.
- 5.3.8 Any funds not required to be disbursed immediately may be invested in the name of the School in any form of investment authorised under the Church Trust Property Ordinance for trust funds.
- 5.3.9 All cheques or withdrawal forms drawn on any account in the name of the School shall be signed by 2 persons authorised by Council. Such persons so authorised may be a member of Council, the Principal of the School (or in the absence of the Principal a deputy or assistant Principal) or the Business Manager.

#### **LIABILITIES OF COUNCIL**

- 5.4.0 The Council shall not execute or deliver any mortgage, charge, debenture, guarantee, indemnity or promissory note unless the following clause is included therein:-  
 "Notwithstanding anything contained herein acknowledge and contrary each of the parties hereto acknowledge and agree that the Lindisfarne Anglican School Council shall not be liable to any express or implied obligation beyond such amount (if any) as the Lindisfarne Anglican School (or any receiver or manager or liquidator) may be able to pay out of the assets of the School to that party in the event of the

Lindisfarne Anglican School being wound up." And such clause shall not be made subject to any qualification.

- 5.4.1 The School shall be solely responsible for all liabilities incurred by it or on its behalf.
- 5.4.2 The Council and its members and each of them shall not represent to any person or persons or corporation that the Bishop of Grafton or the Synod of the Diocese of Grafton or the Bishop-in-Council thereof or any person or persons or any other corporate body or corporation holding church trust property for the Anglican Church of Australia in the Diocese of Grafton or any other corporate body constituted by or pursuant to the Act (other than the Body Corporate as herein defined) shall or may meet or discharge all or any part of any liability which has been or may or will be incurred wholly or partly by or on behalf of the Council.
- 5.4.3 Members of the Council shall be indemnified out of the property of the School, the Council and or the Body Corporate for any loss or liability properly incurred by the Council for which they may become personally liable in so far as such liability was not incurred by reason of their misconduct or wilful default.

## **ACCOUNTS**

- 5.5.0 The Council shall:-
  - a) cause to be prepared an annual budget of income and expenditure;
  - b) cause to be kept such accounting records as correctly record and explain the transactions and financial position of the School;
  - c) cause its accounting records to be audited annually in accordance with this constitution;
  - d) cause all records to be kept for at least 7 years after the end of the financial year to which they relate, and
  - e) notify immediately the Secretary of Bishop-in-Council if in its opinion any circumstances have arisen that may affect the ability of the School to meet its liabilities as and when they fall due.
- 5.5.1 At least once in every year the Council shall present a report on its proceedings and the progress and condition of the School to the Synod and the Bishop-in-Council and shall furnish such other information as may be required from time to time by resolution of Synod or Bishop-in-Council.

## **AUDIT**

- 5.6.0 The Council shall:-
  - a) appoint, as the auditor of the School, a person or persons registered as a company auditor under the Acts or Ordinances of any State or Territory of the Commonwealth of Australia or any person who is not so registered but who is a member of the Australian Society of Accountants or the Institute of Chartered Accountants in Australia;

- b) upon the resignation or retirement of any person so appointed, appoint another person or persons and;
- c) notify the Bishop-in-Council of the name and address of every person or persons so appointed.

5.6.1 It shall be a condition of the appointment of every auditor appointed pursuant to this Constitution that the auditor will promptly notify the Secretary of the Bishop-in-Council:-

- a) if the auditor is of the opinion that communication with the Council is inadequate regarding deficiencies in internal control, qualification of the auditor's report or any other matter; or
- b) if the auditor has not signed a report on accounts prepared pursuant to this Constitution within six (6) months of the end of the financial year of the School.

### **INSURANCE**

5.7.0 The Council shall effect insurance cover through the Diocese of Grafton Master Insurance Policies or such other Company approved by the Bishop-in-Council for the following risks and for cover approved by the Bishop-in-Council from time to time:-

- a) Workers Compensation;
- b) Public Risk;
- c) Property;
- d) Voluntary Workers;
- e) Pupils for any liability accruing to the School;
- f) Professional Indemnity;
- g) Council members liability.

5.7.1 The Council shall effect insurance against such other risks and cover as may be required by Bishop-in-Council and may insure against such other risks as it sees fit.

### **COMMON SEAL**

5.8.0 The Common Seal of the School shall be in the custody of a person determined by resolution of Council. The Common Seal shall only be affixed to a document if so resolved by Council. The Common Seal shall be attested by the signature of the Chairperson of the Council and one member of the Council. Where the Chairperson is absent the Council may authorise another member of the Council to attest the fixing of the Common Seal. A register of the use of the Common Seal shall be kept by the person having custody of the Common Seal.



## **CERTIFICATION OF SCHOOL**

- 5.9.0 The Council shall ensure that the facilities, administration, curriculum and educational practices of the School meet the standards required for certification by the Department of Education or any other relevant statutory authority.

## **CUSTODY OF SCHOOL RECORDS**

- 5.10.0 The Principal shall have custody of all educational, administrative and financial records of the school. The Principal may delegate authority to the Business Manager to be responsible for certain administrative and financial records. The Principal may revoke that authority from time to time.

- 5.10.1 The following shall form part of the permanent educational records of the school and shall not be disposed of:

- a) Admission Register
- b) Staff Meeting Records and Staff Register
- c) Equipment Register
- d) Manual of Policies and Procedures
- e) Class Rolls
- f) Annual Timetable
- g) Records of Accreditation and Certification

- 5.10.2 The following records shall be kept until the relevant student reaches the age of 24 years:

- a) Student Record and Assessment Files
- b) Work Programmes, Teaching Programmes and Registers
- c) Copies of written communication to parents

- 5.10.3 The following shall form part of the permanent administrative and financial records of the School and shall not be disposed of:

- a) Minutes of Council and Sub-Committees
- b) Audited Annual Financial Statements
- c) Reports of auditors
- d) Deeds of conveyance of land
- e) Certificate of Title
- f) Lease or mortgage documents
- g) Contracts of sale
- h) Declarations of trust.

Any other records may be disposed of if Council so determines after they have been kept for seven years.

## **PART 6 - SCHOOL STAFF**

- 6.1.0 The Council may create new staff positions at the School. The Council may abolish staff positions at the School.
- 6.2.1 The Principal shall be a person of Christian faith and character and committed to furthering and capable of furthering the cause of Christian education in the School as a Church School.
- 6.2.2 A Principal shall be appointed by the Council on such terms and conditions as the Council sees fit.

### **PRINCIPAL**

- 6.3.0 Subject to the constitution and the directions of the Council, A Principal shall be responsible for the conduct and the management of the School.
- 6.3.1 A Principal shall ensure the proper attention of pupils to their studies and to any exercises required of them out of school hours and may make rules and regulations for any such purpose subject to any School policy.
- 6.3.2 The Principal subject to any School policy may suspend any pupil for misconduct and shall report the suspension and the cause thereof to the next ordinary meeting of the Council or to a special meeting called for such purpose.
- 6.3.3 The appointment and dismissal of all members of the staff other than the Business Manager shall rest with the Principal, provided that the terms of their appointment and dismissal shall conform to this Constitution and with any directions of Council in that regard.
- 6.3.4 The Principal shall submit to meetings of Council any proposal to change any existing policy in respect of :-
  - a) the conduct and management of the School;
  - b) any changes in the membership of the staff;
  - c) any other matter which appears to the Principal or the Council to require consideration by the Council.
- 6.3.5 The Principal shall submit to the Council at the Annual General Meeting (and at such other meetings as the Council may determine) reports on the progress of the School and the state of the education therein.
- 6.3.6 The Principal shall meet the requirements of the Principal set out in any job description given to the Principal.
- 6.4.0 Any Deputy Principal, Head of Primary School, head of Secondary School or any similar positions shall be appointed by the Principal in consultation with the Council.
- 6.4.1 During a Principal's absence from the School or suspension or inability to act the Deputy Principal or such person as appointed by the Council, may exercise the powers and duties of the Principal and shall be subject to all provisions of this Constitution in respect of the Principal.

## **BUSINESS MANAGER**

- 6.5.0 A Business Manager may be appointed, such appointment must be in writing, and such appointment and any subsequent dismissal shall be made by the Council in conjunction with the Principal.
- 6.5.1 The Business Manager may be Secretary to the Council and shall perform such other duties as are determined by Council or the Principal.
- 6.5.2 The Business Manager may, at the discretion of the Council, by the Treasurer of the School.
- 6.5.3 The Business Manager shall meet the requirements of the Business Manager set out in any job description given to the Business Manager.

## **POLICIES RELATING TO STAFF**

- 6.6.0 The Council in conjunction with the Principal shall develop in writing and shall implement policies regarding the appointment and dismissal of staff, duties of staff, the welfare of staff, procedures for the revaluation of staff and procedures for resolving grievances of staff.

## **PART 7 - WINDING UP THE SCHOOL**

- 7.1.0 If a proposal is made to wind up the School, a Special Meeting of the Council shall be convened to discuss the matter. If a Special Resolution to wind up the School is passed, the Bishop-in-Council shall be requested to consent to the winding up.
- 7.1.1 If the Bishop-in-Council so consents, after all proper debts and liabilities have been discharged, the residue of all property of the School shall be distributed as follows:
  - a) As to the School Building Fund and the School Library Fund, to a Building Fund and Library Fund respectively of another Anglican School or Schools which has/have objects substantially similar to the School;
  - b) As to the balance of such property, to the Corporate Trustees of the Diocese of Grafton.
- 7.1.2 The Bishop-in-Council shall enact a Variation of Trust Ordinance to determine the disposition of the said property.

## **MANAGEMENT OF SCHOOL FOUNDATION**

- 8.1.0 The School Council is authorised to establish a foundation to encourage the making of gifts and testamentary dispositions to or for the benefit of the School or any of its funds accounts or any trusts or funds established for the benefit of the School.
- 8.1.1 For the purpose of 8.1.0 above the Council may establish an incorporated body being a proprietary company, a company limited by guarantee or such other legal entity as the Council may in its discretion determine.
- 8.1.2 Any legal entity referred to in 8.1.0 or 8.1.1 above may establish or settle any trust or trusts for the purposes of the Foundation.
- 8.1.3 The School Council is authorised to obtain approval (when appropriate) from the Australian Taxation Office for tax deductibility for donations or gifts made to the Foundation or any of the above legal entities or to the School.

## **PART 8 - AMENDMENT OF THE CONSTITUTION**

- 8.1.0 This constitution may be amended from time to time by the Bishop-in-Council, either at the request of the Council or at the initiative of the Bishop-in-Council.

Please note the following changes:

Insertion of 3.4.6.

- 3.4.6 The council shall by resolution determine which two of the members first appointed for 3 years under 3.1.4 shall retire after 1 year and which 2 of the members first appointed for 3 years under 3.1.4 shall retire after 2 years provided that period of 1 year and 2 years respectively shall be adjusted to coincide with the closest Annual General Meeting conducted at or near the date of the expiration of such 3 year period

hence 3.4.6 becomes

- 3.4.7 A retiring appointed member shall be eligible for re-appointment and not withstanding anything contained in this Constitution shall remain a member of Council and continue to hold any office to which the member may have been elected or appointed until the vacancy caused by the member's retiring has been filled.

and 3.4.7 becomes

- 3.4.8 Any act or deed done by any member shall on ratification of that member's appointment by the Bishop-in-Council be of full force and effect from  
the date that such act or deed was done.



Please find the following amendments to the Lindisfarne Constitution and also some other grammatical changes that were necessary upon re-reading:

- 1.1.3          seat to "see"          typo error
- ✓ 1.1.13        change delete (Primary School and Secondary School) felt unnecessary
- ✓ 1.1.14        change of the Parish of Tweed Heads to "a Parish in the Tweed Region" – otherwise inconsistent with amending ordinance of 1997 with 3.1.3
- 3.2.0          should be "3.1.2, 3.1.3 and 3.1.4" otherwise inconsistent with amending ordinance of 1997
- ✓ 3.2.1          remove "s" from members
- 3.2.2          insert clause numbers- " under 3.1.1, 3.1.2 and/or 3.1.3" otherwise inconsistent with amending ordinance of 1997
- 3.3.0          change clause number to "3.1.4" " otherwise inconsistent with amending ordinance of 1997
- 3.3.1          change "3.1.3 to "3.1.4 " otherwise inconsistent with amending ordinance of 1997
- 3.4.0          same as old constitution except change to: "3.1.4" otherwise inconsistent with amending ordinance of 1997
- 3.4.1.        change to "3.1.4" - " otherwise inconsistent with amending ordinance of 1997
- 3/ ✓ 3.4.2        change to Council "may" .....determines "provided the quotas in Part 3 are not exceeded" – to clarify
- 3.4.4        The terms of appointed member shall commence on the date of their appointment by bishop-in Council –same as old constitution
- 3.4.5          "The term of a member appointed shall be 3 years or such greater or lesser period than 3 years which coincides with the closest Annual General Meeting conducted at or near the date of the expiration of such 3 year period" – School Council requested change of term of office to 3 years

*all members at 3.1.4*

\* 3.4..6 Delete the term of a member .....after the appointment" replace with " a retiring appointed member shall be eligible for re-appointment and not withstanding anything contained in this Constitution shall remain a member of Council and continue to hold any office to which the member may have been elected or appointed until the vacancy caused by the member's retiring has been filled" – because of amendment 3.4.0

✓ 3.4.7 Add "Any act or deed done by any member shall on ratification of that member's appointment by the Bishop-in-Council be of full force and affect from the date that such act or deed was done." New clause due to solicitors requirement.

✓ 3.5.0 change – delete (f) – change (g) to (f) - voted on by Council

✓ 4.2.3 "be" the Chairperson – typo

\* 4.7.0 add to e) nominations of members of Council "(when required under clause 3.4.0, 3.4.1, 3.4.2)" followed by ..... Council decision And g) any "other"

5.1.5 delete one "or generally" – typo

change  
✓ Part 8 becomes MANAGEMENT OF SCHOOL FOUNDATION  
Part 9 becomes AMENDMENT OF THE CONSTITUTION – tidying up

✓ Change 8.1.0 to 9.1.0 – tidying up