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THE ANGLICARE NORTH COAST ORDINANCE 1999

No. 3 of 1999

AN ORDINANCE

To provide for the community welfare and social justice work of the Diocese of Grafton.

PREAMBLE

WHEREAS it is desirable to provide for the community welfare and social justice work of the Diocese of Grafton.

THEREFORE the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled, decree and enact as follows:

SHORT TITLE

1. This ordinance may be cited as the Anglicare North Coast Ordinance 1999.

INTERPRETATION

2. In this Ordinance, unless the context or subject matter otherwise indicates or requires,
"Board" means the Board of Management appointed under Clause 5 of this Ordinance
"Diocese" means Diocese of Grafton
"Director" means the Director appointed under Clause 17 of this Ordinance
"Parishes" means parishes, provisional districts or experimental pastoral areas in the Diocese of Grafton
"Trustees" means the Corporate Trustees of the Diocese of Grafton
In this Ordinance words importing the singular shall include the plural.

OBJECTS

3. The objects of Anglicare North Coast shall be:
 - (a) to promote and conduct activities within Australia and particularly within the Diocese to relieve sickness suffering poverty distress misfortune destitution or helplessness, or any other social inequality or disadvantage.
 - (b) to provide and support caring services for the relief of those who are in need.
 - (c) to assist in the development and implementation of social policy consistent with the Christian Gospel that will help people to grow in well being and dignity.
 - (d) to press for social transformation on behalf of the disadvantaged by challenging inequity in the Church, governments and community.

BOARD

4. Anglicare North Coast shall be managed and administered by a Board of Management.
5. The Board shall consist of:
 - (a) The Bishop of Grafton who shall be the President of the Board.
 - (b) A Chairperson who shall be appointed by the Bishop of Grafton.
 - (c) The Registrar of the Diocese.
 - (d) The Social Responsibilities Officer of the Diocese.
 - (e) Two clergy and two Lay members to be elected by the Synod.

- (f) Two members appointed by the Bishop-in-Council one of whom shall be nominated by the Board of the North Coast Children's Home, one of whom shall be nominated by the Board of The Buttery.
 - (g) Disaster Plan Co-ordinator
 - (h) Up to three members appointed by the Board itself.
 - (i) The Director shall not be a member of the Board. He/she shall nevertheless be entitled to attend all meetings of the Board and have the right to speak but not vote.
6. The Chairperson shall hold office for a period of one year but may be re-appointed for such further periods of one year as the Bishop from time to time may determine.
 7. All other appointments to the Board shall be made for the term of the Synod. A casual vacancy of the Board shall be filled in the case of a Synod appointee by the Bishop-in-Council, and in the case of a Board appointee by the Board.
 8. The office of any member of the Board shall become vacant if that person:
 - (a) resigns by writing under their hand addressed to the Chairperson
 - (b) becomes bankrupt
 - (c) is convicted of any felony
 - (d) be absent from four consecutive ordinary meetings of the Board without leave of absence.

MEETINGS OF THE BOARD

9. (a) Meetings of the Board shall be held at least quarterly or at other times called by the President or the Chairperson or by five members of the Board. The times and places of meetings shall be decided by the Board, or, if appropriate, by the President or Chairperson. At least seven (7) days notice shall be given to members of the meetings of the Board.
- (b) No meeting shall be held unless at least seven members of the Board are present.
- (c) Each member shall have one vote, and the Chairperson may exercise a casting vote.

POWERS AND DUTIES OF THE BOARD

10. The Board shall have the following powers and duties:
 - (a) To appoint an Executive Committee of its members to act on its behalf and to attend to the detailed administration of Anglicare North Coast. Such committee shall report to each meeting of the Board and its powers and authority shall be determined from time to time by the Board.
 - (b) To appoint Committees to attend to the management of establishments or activities under the control of the Board. Such Committees may include persons who are not members of the Board. The Committees shall be responsible to the Board and the Executive Officer for the proper control and management of establishments or activities committed to their charge and shall report to each meeting of the Board or as the Board may determine. The Board may make By-laws for the conduct of the Committees and may amend or revoke such By-laws or substitute others in their place as it may see fit from time to time.
 - (c) To appoint or terminate the services of officers in charge of the establishments or activities under its control and such other staff as it may decide but it may delegate such powers to any appointed Committees as it may see fit from time to time.
 - (d) Subject to the approval of the Bishop-in-Council to make arrangements to acquire by purchase or otherwise any property for the purposes of social development or to raise money thereon for completing acquisitions or for other purposes of the Board.

- (e) To control all monies received for the purpose of Anglicare North Coast and to authorise all expenditure necessary for the proper running of Anglicare North Coast.
- (f) To open banking accounts for Anglicare North Coast and to authorise operations thereon provided that no account shall be operated upon by less than two persons and shall not be overdrawn without the approval of the Bishop-in-Council.
- (g) To invest monies from time to time in institutions that invest funds as if they were trustees. The income derived from such investments shall be applied solely towards the promotion of the objects of Anglicare North Coast as stated in this Ordinance.
- (h) Subject to the approval of the Bishop-in-Council to raise funds by appeal for the purpose of furthering the objects of its social development.
- (i) To receive, administer and provide for the investment of donations, gifts, and legacies and to receive, administer and distribute income to charitable and mission work of the Diocese.
- (j) To encourage Ministry Regions, parishes and other associated caring organisations to participate in the on-going work of Anglicare North Coast in ways which suit their particular circumstances and interests.
- (k) To encourage and develop the social and community services at present being undertaken and provided within the parishes.
- (l) To initiate and develop projects in response to emerging community needs.
- (m) To present an annual report of Anglicare North Coast and duly audited statements of account to Synod.
- (n) To do all such things as are incidental or conducive to the exercise and performance of all or any of the powers and duties of the Board, and to carry out the objects of Anglicare North Coast.

FUNDS

- 11. All real estate relating to Anglicare North Coast and any establishment or agency administered by Anglicare North Coast shall be vested in the Corporate Trustees of the Diocese of Grafton.
- 12. The Board shall establish and maintain a General Fund of Anglicare North Coast which shall consist of such property of Anglicare North Coast that is held for purposes that allow the application of capital and income derived therefrom to be used towards the attainment of any of the objects of Anglicare North Coast.
- 13. The Board shall establish and maintain with the Corporate Trustees an Endowment Fund which shall consist of property of Anglicare North Coast that is held for the purpose of deriving income for purposes that allow its application in or towards the attainment of any of the objects of the Anglicare North Coast. Each year the Trustees shall from time to time pay all income derived therefrom to the Board for the purpose of attaining the objects of Anglicare North Coast.
- 14. Nothing herein contained shall be taken to prevent the acceptance of gifts of property or testamentary gifts for purposes of Anglicare North Coast not covered by any of the Funds established in pursuance of this Ordinance.
- 15. If upon the winding up or dissolution of Anglicare North Coast there remains, after the satisfaction of all its debts and liabilities any assets, they shall be given or transferred to an institution or fund which meets the requirements of section 78 (1) (a) of the Income Tax Assessment Act.
- 16. The income and property of Anglicare North Coast whencesoever derived shall be applied solely towards the promotion of the objects of Anglicare North Coast as set forth in this ordinance. No portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise, to the members of Anglicare North Coast or to any person claiming through any of them.

This is provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of Anglicare North Coast or to any member of Anglicare North Coast in return for any services actually rendered to Anglicare North Coast or for goods supplied in the ordinary and usual way of business nor prevent the payment of interest on money borrowed from any members of Anglicare North Coast or reasonable and proper rent for premises demised or let by any member of Anglicare North Coast. No member of the Board or Governing Body of Anglicare North Coast shall be appointed to any salaried office of Anglicare North Coast or any office of Anglicare North Coast paid by fees. Relatedly, no remuneration or other benefit in money or moneys worth shall be paid or given by Anglicare North Coast to any member of the Board or Governing Body except repayment of out-of-pocket expenses and interest aforesaid on money lent or reasonable and proper rent for premises demised or let to Anglicare North Coast as provided.

DIRECTOR

17. (a) The Director of Anglicare North Coast, who may be either a member of the clergy or laity, shall be the executive officer of Anglicare North Coast and be responsible to the Board for the management and administration of Anglicare North Coast.
 - (b) The Director shall be appointed by the Bishop on the nomination of the Board and the Board shall determine the terms of appointment subject to the approval of the Bishop.
 - (c) The appointment of the Director may be terminated by the Board at any time by the giving of three months notice in writing and after consultation with the Bishop. The Director shall give to the Board at least three months notice in writing of his/her intention to resign.
18. Every member of the Board, officers and servants of Anglicare North Coast shall be indemnified by Anglicare North Coast from and against all costs, losses and expenses, which any such member of the Board, officer or servant may properly incur, or become liable to pay by reason of any contract entered into, or other act, or thing, or any way in the discharge of their duties, and it shall be the duty of the Board to pay the same out of the funds of Anglicare North Coast.


INCORPORATION

19. Pursuant to Sections 4 and 11 of the Anglican Church (Bodies Corporate) Act, 1938, Synod declares that it is expedient for the purpose of managing or controlling an organisation of the Anglican Church of Australia that the Board established by this Ordinance should be a body corporate under the name and style, "Anglicare North Coast Board of Management Incorporated."
20. The Board shall have a Common Seal for its use.
21. All documents requiring to be sealed shall be sufficiently executed if the said Common Seal is affixed thereto pursuant to a resolution of the Council and two members of the Board attest the affixing of the Seal appending their signatures.

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


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Chairman of Committees

I hereby certify that the Ordinance was passed by Synod on fifteenth day of May, 1999.


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Registrar

I assent to this Ordinance.


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Bishop