

Arundel House Council Ordinance 1977

(Reprinted under the Interpretation Ordinance 1985.)

The CENEF University Hall Council Ordinance 1977 as amended by the Diocesan Officers (Retirement) Ordinance 1987, the Investment of Church Trust Property Ordinance 1990, the CENEF University Hall (Change of Name) Ordinance 1994, the Committee Membership Amendment Ordinance 1995, the Accounts, Audits and Annual Reports Ordinance 1995, the Miscellaneous Amendments Ordinance 2001, the Diocesan Officers (Retirement) Repeal Ordinance 2001 and the Arundel House Council Amendment Ordinance 2006.

Table of Provisions

Clause	
1-2	Preliminary
3-5	Name Function and Powers
5A-8	Membership
9-9A	Proceedings of the Council
10-14	Property and Accounts

XXXXXXXXXX

Long Title

An Ordinance to constitute a council to govern and control the management and use of certain property and for certain other purposes.

Preamble

Whereas

Anglican Church Property Trust Diocese of Sydney has entered into a Contract to purchase the land comprised in Certificate of Title Volume 11699 Folio 173 and known as 29 Arundel Street, Forest Lodge on which is erected premises to be known as "CENEF University Hall" And Whereas it is expedient that a council be constituted to govern and control the management and use of such property.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

Part I - Preliminary

Name of Ordinance

1. This ordinance is the Arundel House Council Ordinance 1977.

Interpretation

2. In this Ordinance unless inconsistent with the context or subject matter -
 - (a) "the Archbishop" means the Archbishop of the Diocese of Sydney or in his absence his Commissary or if the See be vacant, the Administrator of the Diocese;
 - (b) "the Council" means the Council constituted by this Ordinance;
 - (c) "Arundel House" means the said land and the improvements thereon;
 - (d) "the Diocese" means the Diocese of Sydney of the Anglican Church of Australia;
 - (e) "the Parish" means the parish of Broadway or any parish in which Arundel House is subsequently situated;
 - (f) "the Synod" means the Synod of the Diocese;
 - (g) "the Standing Committee" means the Standing Committee of the Synod; and
 - (h) words importing the masculine gender include the feminine gender, words importing persons include corporations and words importing the singular number include the plural number and vice versa.

Part II - Name Functions and Powers

Name of the Council

3. The name of the Council shall be "Arundel House Council".

Functions of the Council

4. The functions of the Council shall be -

- (a) to govern and control the management and use of the Arundel House; and
- (b) to establish and provide other residential accommodation for students; and
- (c) to ensure that, in the Arundel House and in such accommodation, the Scriptures are regularly and faithfully expounded; and
- (d) to thereby promote the extension of the Kingdom of Christ among students.

Powers of the Council

5. The Council shall have power to perform the functions conferred upon it and, without limiting the generality of the foregoing, shall have power -

- (a) to open and operate on bank accounts and determine the persons by whom cheques and other banking instruments shall be signed or endorsed;
- (b) to raise or borrow money for the purposes of the Council, whether with or without security provided that a resolution of the Council to borrow shall be approved by resolution of the Standing Committee before action is taken upon it; and
- (c) to employ persons and dismiss persons employed by the Council.

Part III - Membership

President

5A. The minister of the Parish is the President of the Council.

Membership of the Council

6. The Council shall consist of 7, 8 or 9 persons elected by the parish council of the Parish.

Term of office of members of the Council

7. (1) At the first meeting of the parish council of the Parish held after each annual vestry meeting of the principal or only church of the Parish, one third of the members of the Council for the time being or, if their number is not a multiple of 3, then the number nearest one third shall retire from office.

(2) The members of the Council to retire under subclause (1) are those who have held office the longest since last being elected but, in the case of competition, is to be determined by the members concerned. If those members cannot agree, the order of retirement is to be determined by lot.

(3) Retiring members shall be eligible for re-election.

Casual Vacancies

8. A person who is a member of the Council shall cease to be a member of the Council if or when -

- (a)
- (b) he resigns by notice given or sent to the Chairman of the Council.
- (c) he becomes an insolvent under administration;
- (d) he is convicted of any criminal act punishable by imprisonment; or
- (e) he is absent from three consecutive ordinary meetings of the Council without leave of absence.

Part IV - Proceedings of the Council

Proceedings of the Council

9. (1) Subject to this Ordinance the members of the Council shall meet at such times and in such places and conduct the business of the Council in such manner as the said members consider appropriate.

(2) Four members of the Council shall form a quorum.

(3) A vacancy in the membership of the Council shall not invalidate any act or proceeding of the Council.

(4) The members of the Council may appoint one of their number to act as Chairman of the Council for a particular meeting or meetings or for any period not exceeding twelve months, but only whilst that person is a member of the Council.

(5) The Chairman of a meeting shall have a deliberative but not a casting vote.

Attendance of other persons at meetings of the Council

- 9A. (1) The President may attend any meeting of the members of the Council and may –
- (a) put before the members any question or proposal for their consideration; or
 - (b) express his views on any question or proposal being considered by the members of the Council.
- (2) The Council may invite any person who is not a member of the Council to be present for the whole or part of any meeting of the Council.

Part V - Property and Accounts

Property

10. All assets and property, officers and staff managed and controlled engaged or employed by the Council which as at the date upon which this Ordinance receives the assent of the Archbishop is known as "The Council for the Church of England Residential Halls for University Students" shall thereupon be deemed to be managed and controlled engaged or employed by the Council and upon such assent the first mentioned Council shall cease to exist.

Indemnity

11. Every member of the Council shall be indemnified out of the assets of the Council against all loss or liability properly incurred by him for and on behalf of the Council by reason of being or having been a member of the Council other than that incurred or occasioned by his own wilful act or neglect.

Accounts Ordinance

12. The Council shall comply with the provisions of the Accounts, Audits and Annual Reports Ordinance 1995 as amended from time to time.

Information to be provided

13. The Council shall furnish to the Standing Committee and Synod any information as to the affairs of the Council which it may be requested so to do in pursuance of a resolution of Synod or Standing Committee and shall at least once in every year report its proceedings to Standing Committee and Synod.

Investment Powers

14. All moneys belonging to the Council and available for investment shall be invested in accordance with the Investment of Church Trust Property Ordinance 1990 or any Ordinance amending or taking the place of the same.

Table of Amendments

Clause 1	Amended by Ordinances Nos 28, 1994 and 32, 2001.
Clause 2	Amended by Ordinance No 28, 1994 and 8, 2006.
Clause 3	Amended by Ordinance No 28, 1994.
Clause 4	Amended by Ordinance No 28, 1994.
Clause 5A	Inserted by Ordinance No 8, 2006
Clause 6	Amended by Ordinances Nos 28, 1987; 23, 1995; 32, 2001, 59, 2001 and 8, 2006. New clause inserted by Ordinance No 8, 2006.
Clause 7	New clause inserted by Ordinance No 8, 2006.
Clause 8	Amended by Ordinances Nos 28, 1987; 23, 1995, 59, 2001 and 8, 2006.

Clause 9A Inserted by Ordinance No 8, 2006.
Clause 12 Amended by Ordinance No 34, 1995.
Clause 14 Amended by Ordinance No 5, 1990.

STEVE LUCAS
Legal Officer

ROBERT WICKS
Diocesan Secretary

9 May 2006