

SYDNEY DIOCESAN SECRETARIAT ORDINANCE 1973-1974

AMENDING ORDINANCE 1977

No. 50 1977

AN ORDINANCE to provide for the appointment of members to Sydney Diocesan Secretariat and to further regulate the proceedings of Sydney Diocesan Secretariat.

WHEREAS Sydney Diocesan Secretariat is a body corporate constituted pursuant to the Church of England (Bodies Corporate) Act 1938 at the instance of the Synod of the Diocese of Sydney AND WHEREAS it is expedient that the method of appointment of members of Sydney Diocesan Secretariat be varied AND WHEREAS it is expedient that the provisions regulating the proceedings of Sydney Diocesan Secretariat also be varied 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:-

1. (1) Sydney Diocesan Secretariat Ordinance 1973-1974 is hereinafter called "the Principal Ordinance".

(2) The Principal Ordinance as amended by this ordinance may be cited as "Sydney Diocesan Secretariat Ordinance 1973-1977".

(3) This ordinance may be cited as "Sydney Diocesan Secretariat Ordinance 1973-1974 Amending Ordinance 1977".

2. The Principal Ordinance is hereby amended by the omission of clause 3 and by the insertion of the following clause in its place:-

"3. (1) The Secretariat shall consist of twelve persons who shall be elected by the Standing Committee.

(2) At the first meeting of the Standing Committee next following each ordinary session of the Synod, one third of the persons who are the members of the Secretariat for the time being, or, if their number is not a multiple of three, then the number nearest one-third, shall retire from office. A retiring member shall be eligible for re-election and shall remain a member until his successor is elected.

30 (3) The members to retire shall be those who have been longest in office since their last election, but as between persons who became members on the same day those to retire (unless they otherwise agree among themselves) shall be determined by lot.

(4) The Standing Committee may elect a person to be a member to fill a casual vacancy.

35 (5) The Standing Committee, by resolution, may remove any member before the expiration of his period of office and need not give any reason for so doing.

(6) The office of a member shall become vacant if the member:-

40 (a) becomes prohibited from being a director of a company by reason of any order made under the Companies Act 1961,

(b) becomes bankrupt or makes any arrangement or composition with his creditors generally,

45 (c) 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,

(d) resigns his office by notice in writing to the Secretariat,

(e) is absent without permission of the members:-

50 (i) where three or more meetings of members are held during any period of three consecutive months - from all of those meetings, or

(ii) where three meetings of members are held during a period which is in excess of three consecutive months - from all of those meetings,

55 (f) holds any office of profit under the Secretariat or Glebe Administration Board or Sydney Church of England Investment Trust, or

(g) is directly or indirectly interested in any contract or proposed contract with any of the corporations named or referred to in paragraph (f) and fails to disclose the nature of his interest to the other members of the Secretariat, or

(h) attains the age of seventy (70) years".

(7) For the purposes of sub-clause (6) a general notice given by a member to the other members to the effect that the member is an officer or a member of a specified corporation or a member of a specified firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with that corporation or firm shall be deemed to be a sufficient declaration of interest in relation to any contract so made or proposed to be made if:-

(a) the notice states the nature and extent of the interest of the director in the corporation or firm,

(b) when the question of confirming or entering into the contract is first taken into consideration the extent of his interest in the corporation or firm is not greater than is stated in the notice, and

(c) the notice is given at a meeting of members or the member takes reasonable steps to ensure that it is brought up and read at the next meeting of the directors after it is given."

3. Clause 4 of the Principal Ordinance is hereby amended by the omission of sub-clauses (2), (3), (4) and (5), by the insertion of the following sub-clauses in their place and by sub-clause (6) being re-numbered as sub-clause (7):-

"(2) The Secretariat shall cause every notice concerning a meeting of the Secretariat to be sent or given to the Archbishop at the same time that such notice is sent or given to members of the Secretariat. Where an agenda is issued in connection with any such notice given to members of the Secretariat, the Secretariat shall cause a copy of the agenda to be sent or given to the Archbishop at the same time that the agenda is issued to members

of the Secretariat.

(3) The Secretariat shall cause a copy of the minutes of every meeting of members of the Secretariat to be sent to the Archbishop immediately after those minutes have been adopted by the Secretariat provided that, if the minutes of any meeting of members of the Secretariat are not adopted at the meeting of members of the Secretariat next following that meeting, then, in addition, a copy of the minutes in the form in which the same were presented to the members at that subsequent meeting, shall be sent to the Archbishop.

(4) The Archbishop shall be entitled to attend any meeting of members of the Secretariat to put before the members of the Secretariat any question or proposal for their consideration and to express his views on any question or proposal being considered by the members of the Secretariat at that meeting but shall not be entitled to vote on any such question or proposal .

(5) At meetings of the Secretariat, five members shall be a quorum.

(6) Subject to the provisions of any Act or Ordinance the members of the Secretariat shall have power to delegate any of their functions to any committee comprised of persons nominated by those members and to revoke any such delegation. Any such committee may include persons who are not members of the Secretariat but at least one half of the members of the committee shall be members of the Secretariat. No such committee shall have or be given authority to approve the affixing of the Common Seal of the Secretariat."

4. The Principal Ordinance is hereby further amended by the omission of clause 5 and by the insertion of the following clause in its place:-

"5. (1) The Secretariat shall comply with the Accounts Ordinance 1975 as amended from time to time.

(2) The Secretariat shall report from time to time to the Standing Committee as to its proceedings and table its minutes each month.

(3) The Secretariat shall comply with all decisions of policy made by the Standing Committee from time to time.

(4) The Secretariat shall provide the Standing Committee with such information regarding the affairs of the Secretariat as the

Standing Committee may require from time to time.

(5) Any member of the Standing Committee may ask a question or questions on any matter relating to the affairs of the Secretariat, after any report from the Secretariat or the Glebe Administration Board or Sydney Church of England Investment Trust is received by the Standing Committee, whether relating to any matter raised in the report or not. If the person who has presented the report cannot answer the question or questions, the Secretary of the Standing Committee shall notify the Secretary of the Secretariat of the question and the Secretariat will ensure that an answer to the question is supplied to the Secretary of the Standing Committee before the next ordinary meeting of the Standing Committee."

5. (1) This ordinance shall take effect on and from the 1st of January 1978.

(2) At midnight at the end of the 31st of December 1977, any persons then holding the office of member of the Secretariat shall cease to hold office and the following persons shall become members of the Secretariat:-

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|---------------------|----------------------|
| Bishop E.D. Cameron | Mr. M.E. Lawrence    |
| Mr. D. Coburn       | Mr. N. Malone        |
| Bishop A.J. Dain    | Mr. D.R. Parr        |
| Mr. B.R. Davies     | Mr. E.W. Riley       |
| Mr. J.N. Goldman    | Rev. George Robinson |
| Mr. R.H.Y. Lambert  | Mr. C.N. Turner      |

6. The Principal Ordinance is hereby further amended by the omission of the words "identical to but separately organised from members of" from the preamble and by the insertion of the words "appointed by" in their place.

I CERTIFY that the Ordinance as printed is in accordance with the Ordinance as reported.

E.D. CAMERON  
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 12th day of December 1977.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

M.L. LOANE  
Archbishop of Sydney 12/12/77