

CENEF UNIVERSITY HALL COUNCIL ORDINANCE 1977

No. 53 1977

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

WHEREAS Church of England 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 AND DIRECTS as follows:-

PART I PRELIMINARY

1. This Ordinance may be cited as the "CENEF University Hall Council Ordinance 1977".
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) "CENEF University Hall" means the said land and the improvements thereon;
 - (d) "the Diocese" means the Diocese of Sydney of the Church of England in Australia;
 - (e) "the Synod" means the Synod of the Diocese;
 - (f) "the Standing Committee" means the Standing Committee of the Synod; and
 - (g) 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 FUNCTION AND POWERS

3. The name of the Council shall be "CENEF University Hall Council".

4. The functions of the Council shall be:-

- (a) to govern and control the management and use of the CENEF University Hall; and
- (b) to establish and provide other residential accommodation for students; and
- (c) to ensure that, in the CENEF University Hall 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.

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

6. The Council shall consist of nine persons elected by the Synod provided that:-

- (a) in the first instance, the said persons shall be elected by the Standing Committee, and
- (b) the Casual Vacancies Ordinance 1935 (as amended) shall apply in relation to any casual vacancy.

7. (1) At each ordinary session of the Synod, one-third of the members of the Council for the time being or, if their number is not a multiple of three, then the number nearest one-third shall retire from office. The members to retire at each such session 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.

(2) A retiring member shall be eligible for re-election.

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

- (a) he attains the age of seventy years;
- (b) he resigns by notice given or sent to the Archbishop or the Chairman of the Council;
- (c) he becomes bankrupt or insolvent;
- (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

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 deliverative but not a casting vote.

PART V PROPERTY AND ACCOUNTS

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.

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.

12. The Council shall comply with the provisions of the Accounts Ordinance 1975 as amended from time to time.

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.

14. All moneys belonging to the Council and available for investment shall be invested in accordance with the Investment of Church Trust Property Ordinance 1944 or any Ordinance amending or taking the place of the same.

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

D. CAMERON
Chairman of Committees.

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

W.G.S. GOTLEY
Secretary.

I ASSENT to this Ordinance.

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