

Church of England Television Society Ordinance 1957.

No. 12, 1957.

AN ORDINANCE to constitute and define the functions of the Church of England Television Society and for purposes connected therewith.

WHEREAS:—

- (a) The Church of England Television Ordinance 1956 imposes an assessment on Parishes Parochial Districts and Provisional Districts as therein mentioned to be paid to the Standing Committee of the Synod of the Diocese of Sydney (herein called "the Standing Committee") and to be utilised by it for the purposes set out in the said Ordinance including payment of certain moneys to the Church of England Television Society therein proposed to be formed.
- (b) It is expedient to constitute and define the functions of the Society.

Now the Standing Committee in the name and place of the said Synod Ordains as follows:—

PART I—PRELIMINARY.

1. This Ordinance may be cited as the "Church of England Television Society Ordinance 1957."

2. In this Ordinance unless inconsistent with the context or subject matter—

"The Society" means the Church of England Television Society hereby constituted.

"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.

"The Council" means the Council of the Society.

"The Diocese" means the Church of England Diocese of Sydney.

"The Synod" means the Synod of the Diocese.

"Elected members of the Council" includes members elected to the Council by the Synod, or by the members of the Society.

Words importing the singular number include the plural number and vice versa.

Words importing persons include corporations.

Words importing the masculine gender include the feminine or neuter gender.

PART II—NAME AND OBJECT.

3. The name of the Society is the "Church of England Television Society."

4. The object of the Society is to promote in the Diocese the activities of the Church of England in the use of television and other forms of broadcasting as a means of presenting the Christian message and in furtherance of such object:—

- (a) to set up facilities for the production and distribution of religious and other suitable programmes and for such purposes to procure such programmes from other sources in Australia and elsewhere;
- (b) to supply and distribute its programmes within and outside the Diocese;
- (c) to co-operate with and take part in the management of any other body with similar objects; and to contribute to any such body which carries on the whole or part of its activities within the Diocese.
- (d) to apply for such purposes any money paid to or property vested in it under the said Ordinance or otherwise;
- (e) to acquire property by purchase, donation or otherwise;
- (f) to invest its funds and sell and dispose of any investment;
- (g) to enter into such contracts, employ such persons, and do all such things as are necessary or desirable for or incidental to carrying out the above objects.

PART III—MEMBERSHIP AND SUBSCRIPTIONS.

5. Any person being a member of the Church of England residing within the Diocese or any corporation or association may become a member of the Society provided such person corporation or association is approved by the Council.

6. A member shall pay an annual subscription at such rates as the Council may from time to time determine. Until so determined the annual subscription for a corporation or association is £5 and for any other member is £1.

7. Every member of the Council who is not elected to the Council by the members and who is not otherwise a member of the Society shall during his term of office be ex officio a member of the Society and shall not be liable for the payment of the subscription.

8. The Council may in its discretion terminate the membership of a member of the Society not being an ex-officio member:—

- (a) whose subscription is more than three months in arrear; or
- (b) who, in the opinion of the Council, is not a suitable person to be a member.

Provided that before acting under paragraph (b) of this clause the Council shall give the member at least one month's notice and the member shall be entitled to submit grounds in writing why his membership should not be terminated.

9. A member shall furnish the Council with his name and address. The Council shall keep a register of members and of their addresses and shall send notices to such members at their registered addresses.

PART IV—GENERAL MEETINGS.

10. An annual meeting of the members shall be held in the year 1957 and in each subsequent year within two months after the thirty-first day of March. The ordinary business at such

annual meeting shall be to receive and consider the report and financial statements of the Council, to elect members of the Council as hereinafter provided and to transact any business incidental thereto.

11. The Council may convene a special general meeting at any time and shall do so within one month after being so requested in writing by any ten members of the Society. If the Council fails to do so any ten members may convene a meeting.

12. Seven days' notice of every general meeting shall be given in writing to the members. Such notice shall specify the place day and hour of meeting and the general nature of the business. The accidental omission to give notice of any meeting or the non-receipt of any such notice by any member shall not invalidate any resolution passed at the meeting.

13. At a general meeting:—

- (a) five members personally present is a quorum;
- (b) each member has one vote;
- (c) a corporation or association is deemed personally present if represented by a person appointed in writing by its governing body who on its behalf may exercise the same powers as an individual member.

PART V—CONSTITUTION OF COUNCIL.

14. (1) The Council shall consist of—

- (a) The Archbishop who shall be its President;
- (b) Two persons nominated by the Archbishop who may at any time revoke such nomination;
- (c) Ten persons elected by the Synod;
- (d) Two persons elected by the Standing Committee from amongst its members;
- (e) Three persons elected by the members but subject as hereinafter provided;
- (f) The Organising Secretary during his term of office.

Provided that the right of members to elect members of the Council shall not be exercised if at the date of the annual meeting there are less than twenty members whose subscriptions are paid up to the date of the meeting.

- (2) The quorum at meetings of the Council is five of whom three are persons appointed or elected under paragraphs (a) (b) (c) or (d) of sub-clause 1 hereof.
15. (1) The first members of the Council to be elected by the Synod shall be elected at the ordinary session of the Synod in the year 1957. At the ordinary session of the Synod in each subsequent year one-third or the number nearest to one-third as the case may be of such members of the Council shall retire from office. The members of the Council so to retire are those who have been longest in office since the time they were last elected. As between those members of the Council who have been in office for an equal length of time those to retire shall in default of agreement be determined by vote of the Council. A retiring member of the Council is eligible for re-election.
- (2) The Provisions of sub-clause (1) apply to the retirement by rotation of members of the Council elected by the members as though in that sub-clause the words "members" and "annual general meeting" were substituted for the words "Synod" and "ordinary session" whenever such words occur.

16. Any vacancy occurring among the members of the Council elected by the Synod or the Standing Committee or by the members of the Society or in the Provisional Council appointed under Clause 19 may be filled by the Standing Committee but any person so chosen shall retain his office only until the end of the next ordinary session of the Synod or the end of the annual general meeting of members as the case may be and is eligible for re-election.

17. If an elected member of the Council is absent from the meetings of the Council for three months in succession without the leave of the Council the Council may by resolution declare his office vacant and shall forthwith report the vacancy to the Standing Committee.

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18. Every member of the Council shall be indemnified out of the assets of the Society against all loss or liability properly incurred by him for and on behalf of the Society by reason of being or having been a member of the Council.

19. A Provisional Council consisting of the Archbishop and 18 other persons who shall be appointed thereto by the Standing Committee shall exercise the powers and functions of the Council until the end of the next ordinary session of the Synod.

PART VI—POWERS AND FUNCTIONS OF COUNCIL.

20. The Council shall manage control and carry out the objects of the Society and in particular may—

- (a) open and operate on any bank account and determine the persons by whom cheques and other banking documents shall be signed or endorsed;
- (b) make rules for the conduct of its business;
- (c) provide superannuation benefits for the Organising Secretary and other permanent employees;
- (d) authorise any person or persons (acting as a Committee or otherwise) to do any act or sign or execute any document on its behalf.

21. All acts done by the Council or by any person acting as a member of the Council or of any Committee thereof, notwithstanding that there is any vacancy in their body or that it be discovered that there was some defect in the election or appointment of such Council or Committee or person acting as aforesaid are as valid as if there was no vacancy or as if such Council or Committee or person acting as aforesaid had been duly elected or appointed.

PART VII — ORGANISING SECRETARY.

22. There shall be an Organising Secretary who shall be appointed by the Council for such term not exceeding five years at such remuneration as the Council may determine and shall be eligible for re-appointment. A member of the Council is not disqualified by his office from being appointed Organising Secretary.

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23. The Organising Secretary shall be the Chief Executive Officer of the Council and in that capacity shall perform such duties and exercise such functions as the Council from time to time entrusts to him.

PART VIII—ACCOUNTS, AUDIT AND INVESTMENT.

24. The Society's financial year shall be from the first day of April to the thirty-first day of March next following.

25. The Council shall cause to be kept accounts of moneys received paid and invested by it. Once at least in every year the Society's accounts shall be examined and the correctness thereof ascertained by an auditor appointed by the Standing Committee.

26. A report of the Society's principal transactions during the financial year and an audited statement of its accounts shall be laid before the next ordinary session of Synod and its annual meeting of members.

27. The Council shall forthwith furnish to the Synod or the Standing Committee any information as to the Society's affairs which it is requested to furnish in pursuance of a resolution of the Synod or the Standing Committee.

28. (1) The Church of England Property Trust Diocese of Sydney (herein called "the Trust") is the Trustee for and on behalf of the Society.

(2) A resolution of the Council requesting the Trust to acquire dispose of or deal with any asset held by it on behalf of the Society shall be sufficient authority to the Trust to carry out such request.

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

PART IX—GENERAL.

30. The Council shall pay all expenses of and incidental to the formation of the Society and of this Ordinance.

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31. A notice sent by post shall be deemed to be served on the day after it was posted.

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

W. G. HILLIARD, Bishop.

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of May, 1957.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

HOWARD SYDNEY,

Archbishop of Sydney.

27/5/1957