

ANGLICAN COUNSELLING CENTRE CONSTITUTION AMENDMENT ORDINANCE 1990

No 12, 1990

AN ORDINANCE to amend Anglican Counselling Centre Constitution Ordinance 1963.

WHEREAS

A. The Anglican Counselling Centre (hereinafter called the "Organisation") has hitherto carried out its objects in accordance with the terms of the Anglican Counselling Centre Constitution Ordinance 1963 (hereinafter called the "Principal Ordinance") within the Diocese of Sydney.

B. The Organisation is an approved Anglican organisation to conduct marriage and family counselling with government financial assistance.

C. Current government policy only enables one Anglican organisation in the Province of New South Wales to be so assisted by government funds.

D. The Diocese has received a request from another diocese within the said Province that support be given by the Organisation to the carrying out of similar work in that diocese.

E. It is anticipated that government financial assistance can be made available to such other diocese but only payable through the Organisation.

F. It is considered desirable that the terms of the Principal Ordinance be amended so as to enable such support and financial assistance to be made available for such other diocese and for other dioceses in the Province who may be similarly situated.

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. Clause 3 paragraph (i) of the Principal Ordinance is amended by omitting the words "Diocese of Sydney" and inserting in lieu thereof the words "Province of New South Wales".

2. Clause 3 paragraph (v) of the Principal Ordinance is amended by omitting the words "Diocese of Sydney" and inserting in lieu thereof the words "Province of New South Wales".

3. The Principal Ordinance is further amended by inserting immediately after clause 4 the following new clause:

"4A. The Organisation shall be specifically empowered to receive financial grants for the performance of its objects outside the Diocese of Sydney but within any diocese of the Province of New South Wales and to pay or transfer such grants at such time or times and upon such conditions as it may consider appropriate to any organisation constituted or controlled by the diocesan synod of such diocese. The Organisation shall at all times be responsible to comply with the terms and conditions upon which the financial grants are made.

4B. The Organisation shall use or apply any funds or grants it receives from the Diocese or any parish within the Diocese only for the carrying out of its objects within the Diocese."

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4. The Principal Ordinance is further amended by inserting immediately after clause 14 the following new clause:

"14A. (1) After the Council becomes a body corporate under the Anglican Church of Australia (Bodies Corporate) Act 1938, the Council shall not execute or deliver and shall not have power to execute or deliver any mortgage, charge, debenture, guarantee, indemnity or promissory note or bill of exchange, or other negotiable instrument, other than a cheque drawn on the Council's bank, unless the following clause is included therein:

'Notwithstanding anything contained herein to the contrary each of the parties hereto acknowledge and agree that the Anglican Counselling Centre Council shall not be liable to any other party hereto for any amount whatsoever (whether by virtue of any express or implied obligation) beyond such amount (if any) as the Anglican Counselling Centre Council may be able to pay to that party in the event of the Anglican Counselling Centre Council being wound up.'

And such clause is not made subject to any qualification.

(2) After the Council becomes a body corporate under the Anglican Church of Australia (Bodies Corporate) Act 1938, every order for goods and services or business letter involving securing or credit for the supply of goods or services to the Centre by or on behalf of the Council shall contain the name of the Council and the words,

'Incorporated under Act of Parliament and constituted by the Anglican Counselling Centre Incorporation Ordinance 1990.'

And the same information shall be shown adjacent to every application of the common seal of the Council."

5. This Ordinance may be cited as the "Anglican Counselling Centre Constitution Amendment Ordinance 1990".

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

E.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 23rd day of April 1990.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
23 / 4 / 90