

Anglican Education Commission (Transitional Provisions) Ordinance 2006

No 40 , 2006

Long Title

An Ordinance to make provision for transitional arrangements for the Anglican Education Commission Ordinance 2006.

Preamble

A. The Anglican Youth and Education Division Diocese of Sydney (“Anglican Youthworks”) holds funds in the account described in the Schedule (the “AEC Assets”) on trust for its purposes.

B. The Anglican Education Commission currently forms part of Anglican Youthworks.

C. It is proposed to constitute the Anglican Education Commission as a separate body from Anglican Youthworks and to apply the AEC Assets for the purposes of the separately constituted body.

D. By reason of circumstances which have arisen after the creation of the trusts on which the AEC assets are held it is inexpedient to carry out or observe those trusts.

E. It is also expedient to provide for other transitional arrangements to constitute the Anglican Education Commission as a separate body.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Anglican Education Commission (Transitional Provisions) Ordinance 2006.

2. Interpretation

A term used in this Ordinance which is defined in the Anglican Education Commission Ordinance 2006 has the same meaning as in that Ordinance.

3. Inaugural Synod elected members of the Commission

(1) The following persons are taken to be the 6 persons elected by the Synod under clause 7(a) of the Anglican Education Commission Ordinance 2006 –

Dr Michael Anderson
The Rev Vanessa Bennett
Mr Garry Brown
Mrs Dianne Bryant
Professor Trevor Cairney
Mr Ian Wing

(2) Despite clause 8 of the Anglican Education Commission Ordinance 2006, but subject to clauses 9 and 10 of that Ordinance –

- (a) Dr Michael Anderson and the Rev Vanessa Bennett are to retire as persons elected by the Synod on the first day of the first ordinary session of the 48th Synod, and
- (b) Mr Garry Brown and Mrs Dianne Bryant are to retire as persons elected by the Synod on the first day of the second ordinary session of the 48th Synod, and
- (c) Professor Trevor Cairney and Mr Ian Wing are to retire as persons elected by the Synod on the first day of the third ordinary session of the 48th Synod.

4. Inaugural Executive Director

(1) The inaugural Executive Director of the Commission is to be Dr Bryan Cowling who is to hold office for such term and upon such conditions as the Archbishop thinks fit.

Anglican Education Commission (Transitional Provisions) Ordinance 2006

(2) Pending the commencement in office of the inaugural Executive Director, the Archbishop may appoint an Interim Executive Director for such term and upon such conditions as the Archbishop thinks fit.

5. Variation of trusts

(1) By reason of circumstances which have arisen after the creation of the trusts on which the AEC assets are held, it is inexpedient to carry out or observe those trusts and it is expedient to vary those trusts in the manner set out subclause (2).

(2) The AEC assets are held on trust for the purposes of the Commission.

6. Liabilities and obligations

All liabilities and obligations which –

- (a) are properly incurred by Anglican Youthworks prior to the commencement of this Ordinance, and
- (b) become payable or are to be performed on or after the commencement of this Ordinance,

are to be met by the Commission to the extent that such liabilities and obligations were incurred to fulfil the object of the Commission.

7. Amendment of the Anglican Youth and Education Diocese of Sydney Ordinance 1919

The Anglican Youth and Education Diocese of Sydney Ordinance 1919 is amended as follows –

- (a) delete the second occurrence of the word “Division” in clause 2, and
- (b) delete the word “Gospel” in clause 3(a) and insert instead the word “gospel”, and
- (c) delete clauses 4(d), (e) and (f) (with consequential relettering of existing clauses 4(g), (h), (i), (j), (k) and (l)), and
- (d) delete the matter “30” in clause 6(c) and insert instead the matter “35”, and
- (e) delete clause 10(2) and insert instead the following –
 - “(2) A person so elected to fill the casual vacancy shall hold office until the day on which the person whose vacancy he or she fills would have retired had the vacancy not occurred.”, and
- (f) delete the matter “6” in clause 14 and insert instead the matter “5”.

8. Amendment of the Synod Appropriations and Allocations Ordinance 2006

Clause 4(2) of the Synod Appropriations and Allocations Ordinance 2006 is amended by deleting at the end that clause the matter “.” and inserting instead the following matter –

“except that the amounts allocated for ‘Youthworks – Advocacy on Education Policy (for SRE)’ are to be allocated to ‘Anglican Education Commission – Advocacy on Education Policy (for SRE)’.”.

9. Amendment of the Accounts, Audits and Annual Reports Ordinance 1995

The Accounts, Audits and Annual Reports Ordinance 1995 is amended by inserting “Anglican Education Commission” in alphabetical order in the list appearing in the First Schedule of that Ordinance

10. Commencement

Except for this clause, this Ordinance commences on 1 January 2007.

Schedule

Westpac Bank Account “Anglican Youthworks – Anglican Education Commission” No. 173 682
--

Anglican Education Commission (Transitional Provisions) Ordinance 2006

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

R TONG
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 December 2006.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
13/12/2006