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*Sydney Church of England Homes for Aged Persons  
Constitution Ordinance, 1961.*

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No. 52, 1961.

AN ORDINANCE to establish and provide a constitution for the body to be known as Sydney Church of England Homes for Aged Persons and for purposes connected therewith.

WHEREAS it is expedient to constitute an organisation or body under the control of the Synod of the Diocese of Sydney to provide for the housing and care of aged persons and to define the powers duties and functions of such body NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DIRECTS AND RULES as follows:-

1. In this Ordinance unless inconsistent with the context of the subject matter:-

"Home" means a Home established and under the control of the Board hereinafter constituted.

"The Archbishop" means the Archbishop of the Diocese of Sydney or in his absence his Commissary and in case no such Commissary shall have been appointed or if the See be vacant the Administrator of the Diocese.

"The Board" means the Board of Management of the organisation.

"The Synod" means the Synod of the Diocese of Sydney.

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

Words importing the masculine gender include the feminine gender.

2. The name of the organisation is "Sydney Church of England Homes for Aged Persons."

3. The objects of the organisation are:-

- (a) To provide for the housing, accommodation, maintenance and welfare of men and women of pensionable age irrespective of creed who are destitute or indigent or who are unable to afford fees normally charged for private accommodation preference being given to people in Australia who are in necessitous circumstances.

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(b) To acquire by purchase, gift or otherwise and to establish, furnish, equip and maintain suitable land and buildings for the purposes of the organisation.

4. The control and management of the organisation its property and officers shall be vested in a Board of Management.

5. The powers duties and functions of the Board shall be to manage administer and control the property both real and personal of the organisation and to carry out the objects thereof.

6. The Board shall consist of the Archbishop ex officio an Executive Officer (if and when appointed) ex officio and twelve other members, one fourth of whom shall be appointed by the Archbishop and three fourths by the Synod. All members shall hold office until their successors are appointed or elected at the first ordinary session of each Synod and shall be eligible for re-appointment or re-election. The first elected members of the Board shall be the following who shall hold office until the first ordinary session of the next Synod namely:-

Rt. Rev. R. C. Kerle	Mr. G. A. Lloyd
Rev. Canon C. A. Goodwin	Mr. Victor Coles
Rev. Canon R. G. Fillingham	Mr. Stuart Johnson
Rev. R. L. Milne	Mr. N. W. Moin
Rev. K. Child	

7. The provisions of the Casual Vacancies Ordinance 1935 shall apply to this Ordinance.

8. At meetings of the Board five members shall form a quorum.

9. The Archbishop shall be the President of the Board and shall act as Chairman at such meetings at which he shall be present. The Board shall at its first meeting after this Ordinance comes into force and thereafter at its first meeting in each financial year appoint one of its members to act as Chairman at all meetings during the ensuing year at which the Archbishop shall not be present. In the absence of the Archbishop and the said Chairman the Board may at any meeting appoint one of its members to act as Chairman of the meeting. The President, Chairman or other member while acting as Chairman of a meeting shall have a deliberative but not a casting vote.

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10. The financial year of the Board shall end on the 31st March each year and a statement of income and expenditure and a balance sheet showing the assets and liabilities shall be prepared and audited in respect of each financial year.

11. The office of any member shall become vacant if:-

- (a) He shall die.
- (b) He shall resign by writing under his hand addressed to the Executive Officer.
- (c) He shall become bankrupt or insolvent.
- (d) He be convicted of any felony or misdemeanor.
- (e) He be absent from six consecutive ordinary meetings of the Board without leave of absence.

12. The Board may appoint an Executive Officer who shall be responsible to the Board for the administration and management of all homes established and maintained by the organisation. He shall be a member of every committee or sub-committee and shall be entitled to vote at all meetings of the Board and such committees or sub-committees.

13. The Board shall meet at least quarterly but the President, or Chairman may convene a meeting whenever he may think fit and the Executive Officer shall convene a meeting on receipt of a request in writing so to do signed by not less than three members of the Board.

14. Each separate Home established by the organisation may be under the management of a committee appointed by the Board for the purpose but shall be subject to the over-riding control and authority of the Board.

15. The members of the Board shall be indemnified out of the assets of the organisation against all loss or liability which they or any of them may have properly incurred for or on behalf of the organisation and to which they or any of them may be subject by reason of his or her being or having been a member of the Board other than those occasioned by his own wilful act or neglect.

16. The Board shall furnish to the Synod or the Standing Committee of Synod any information as to the organisation's affairs

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which it may be requested so to do in pursuance of a resolution of Synod or the Standing Committee and shall at least once in each year report its proceedings to the Synod and shall present a statement of income and expenditure and a balance sheet duly audited and such other accounts as may be required from time to time by resolution of Synod.

17. In the event of the said organisation ceasing to carry on the work and objects for which it was formed and constituted the property or properties shall be used or sold and the proceeds used together with the other assets and funds of the organisation in carrying out some other charitable work of a public benevolent nature in assisting persons in the relief of distress, sickness, misfortune or poverty as shall meet the requirements of Section 78(1)(a) of the Income Tax Assessment Act.

18. This Ordinance may be cited as "Sydney Church of England Homes for Aged Persons Constitution Ordinance 1961."

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

ATHOL RICHARDSON,  
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 11th day of December, 1961.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

11/12/1961.

R. C. KERLE,  
Bishop Commissary.