

CHURCH OF ENGLAND NATIONAL EMERGENCY FUND
CONSTITUTION ORDINANCE 1958-1972
AMENDING ORDINANCE 1974

No. 48, 1974

AN ORDINANCE to provide for the distribution of the income of the organisation known as Church of England National Emergency Fund.

WHEREAS since the disposal of the building known as the "CENEF Building" 511 Kent Street, Sydney the organisation known as Church of England National Emergency Fund has been distributing its income amongst certain organisations and bodies AND WHEREAS the Standing Committee of the Synod of the Diocese of Sydney has asked that the said income be distributed pursuant to an ordinance of the Synod NOW the said Standing Committee, at the request of the said organisation and in the name and place of the said Synod HEREBY ORDAINS, DECLARES, DIRECTS AND RULES as follows:

1. (1) This ordinance may be cited as "Church of England National Emergency Fund Constitution Ordinance 1958-1972 Amending Ordinance 1974".

(2) The Church of England National Emergency Fund Constitution Ordinance 1958-1972 is hereinafter referred to as the "Principal Ordinance".

(3) The Principal Ordinance as amended by this ordinance may be cited as "Church of England National Emergency Fund Constitution Ordinance 1958-1974".

2. The Principal Ordinance is hereby amended by the insertion of the following clauses after clause 8A: -

"8B (1) The provisions of this clause shall apply in relation to the year 1975 and in relation to each subsequent year.

(2) By the 15th day of April in each year, the Board shall send to the Standing Committee

- (a) an audited statement of the income and expenditure of the Board in respect of the twelve months ending on the 31st day of December of the immediately preceding year,
- (b) a statement as to the profit or loss from the Board's operations at 87 Darley Road, Randwick for those twelve months,
- (c) a statement as to the other profits of the Board,
- (d) an audited balance sheet giving a true and fair view of the affairs of the Board as at the last day of those twelve months,
- (e) a statement as to whether or not the Board has made any determination pursuant to paragraph (b) of subclause (3) of this clause and, if so, the amount so determined, and
- (f) the recommendation of the Board as to the part (if any) of the greater of the amounts described in paragraphs (a) and (b) of subclause (3) of this clause which ought to be distributed to the organisations and bodies described or referred to in Clause 8A.

(3) The amount which shall be distributed amongst the said organisations and bodies in the year 1976 or in any subsequent year shall not exceed the greater of -

- (a) three fourths of the amount (if any) by which the profit disclosed in the statement referred to in paragraph (c) of subclause (2) of this clause and sent to the Standing Committee during the preceding year exceeds any loss disclosed in the statement referred to in paragraph (b) of subclause (2) of this clause and sent to the Standing Committee during the preceding year, and
- (b) such amount (if any) which the Board may determine, by resolution, and notify the Standing Committee.

(4) The amount to be distributed amongst the organisations and bodies described or referred to in Clause 8A shall be determined by resolution of the Standing Committee and the part thereof to which each of the said organisations and bodies shall be entitled to receive shall be determined by ordinance of the Synod. Where the bill for the said ordinance is prepared by or on behalf of the Standing Committee, the Standing Committee shall -

- (a) in the bill indicate, separately from every other amount, the said amount to be distributed and the part thereof to be distributed to each of the said organisations and bodies, and
- (b) notify the Synod of any recommendations sent by the Board to the Standing Committee pursuant to subclause (2) of this clause.

(5) After the said amount to be distributed has been determined by the Standing Committee, the Board shall remit the said amount to the Standing Committee as the Standing Committee, by resolution, may require.

(6) The Board may notify the Standing Committee that an amount, being profits of the Board which have not been or are not to be distributed pursuant to the preceding subclauses of this clause, is available for distribution and may recommend to the Standing Committee the part (if any) thereof which ought to be distributed to the said organisations and bodies. The Standing Committee may determine by resolution whether the whole or any part of the said amount should be distributed. If the Standing Committee so resolves, the amount to be distributed shall be remitted to the Standing Committee which shall determine the part thereof which each of the said organisations and bodies shall receive.

(7) The Board shall not otherwise support or assist any of the said organisations or bodies provided that, pending the completion of the building to be known as "St. Andrew's House", the Board may meet or contribute towards the rent payable by any of the said organisations or bodies in respect of space in the building known as "CENEFF building" 511 Kent Street Sydney leased by that organisation or body. Any payment made by the Board pursuant to this proviso shall be deemed to be expenditure of the Board.

(8) Subject to subclause (7), all moneys distributed pursuant to this clause, unless the Board by resolution thereof otherwise approves (which approval may be general or limited to any particular distribution or distributions or part or parts thereof), shall be applied for capital purposes or for the purpose of repaying moneys borrowed for capital purposes or of paying interest thereon and the term "capital purposes" where used in this subclause includes the acquiring of any real or personal property and the erection, construction, re-construction and renovation of any building or other structure or improvement on or to land and all costs incidental or preparatory thereto.

8C If the Board, by a unanimous resolution of the members thereof, determines that there is current a national emergency, the provisions of

Clauses 8A and 8B shall cease to apply until the national emergency comes to an end."

3. The Principal Ordinance is hereby further amended by the omission of the words "by at least one of the Synod Auditors showing the financial position of CENEF" from Clause 15.

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

D. Cameron
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 16th day of December 1974.

W.G.S. Gotley
Secretary

I ASSENT to this Ordinance.

M.L. Loane
Archbishop of Sydney
16/12/1974