



Sydney Anglican Car and Insurance Fund Ordinance 1978 Amendment Ordinance 1999

No 30, 1999

Long Title

An Ordinance to amend the Sydney Anglican Car and Insurance Fund Ordinance 1978.

Preamble

A. The Sydney Anglican Car and Insurance Fund (the "Fund") is a body corporate incorporated under the Anglican Church of Australia (Bodies Corporate) Act 1938.

B. The management, government and control of the Fund is the responsibility of the board (the "Board") constituted by the Sydney Anglican Car and Insurance Fund Ordinance 1978 (the "Principal Ordinance").

C. It is expedient to amend the constitution of the Board.

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

1. Name

This Ordinance is the Sydney Anglican Car and Insurance Fund Ordinance 1978 Amendment Ordinance 1999.

2. Amendment of the Principal Ordinance

Clause 4 of the Principal Ordinance is deleted and the following is inserted instead -

"4. Board of the Fund

(1) The Fund shall be managed, governed and controlled by a board (the "Board").

(2) The members of the Board are -

(a) The Archbishop who shall be President;

(b) 3 members of the clergy elected by the Synod;

(c) 6 lay persons elected by the Synod; and

(d) 1 person appointed by the Archbishop.

4A. Election of Members

(1) At each ordinary session of the Synod -

(a) 1 of the members of the Board referred to in clause 4(2)(b) will retire from office; and

(b) 2 of the members of the Board referred to in clause 4(2)(c) will retire from office.

(2) Members will retire in rotation according to the length of their time in office. If members have held office for an equal length of time, the member or members to retire shall be determined by lot by the Chairman.

(3) The member of the Board referred to in clause 4(2)(d) holds office, subject to clause 4B, until the first day of the ordinary session of the Synod which next follows his or her appointment, but is eligible to be reappointed.

4B. Casual Vacancies

(1) A member of the Board ceases to hold office if he or she -

(a) dies;

(b) resigns from office by written notice to -

(i) the Diocesan Secretary, in the case of a member referred to in clause 4(2)(b) or 4(2)(c); or

(ii) to the Archbishop, in the case of a member referred to in clause 4(2)(d); or

(c) is absent from all meetings of the Board for a continuous period of 3 months without the leave of the Board.

(2) A person ceases to be a member of the Board, and is ineligible to be elected or appointed as a member of the Board, if -

(a) the person attains, or has attained, the age of 72 years;

(b) the person becomes, or is, an insolvent under administration; or

(c) the person becomes, or is, an incapable person, a patient, a protected person or a voluntary patient under any statute relating to mental health.

(3) A vacancy in the office of a member of the Board referred to in clause 4(2)(b) or 4(2)(c) -

(a) arising under clause 4B(1) or 4B(2); or

(b) existing because it is not filled at an election conducted by the Synod; may be filled by the Standing Committee.

(4) A casual vacancy arising in the office of a member of the Board referred to in clause 4(2)(d) may be filled by the Archbishop.

(5) Subject to clauses 4B(1) and 4B(2), a person elected or appointed under this clause to fill a vacancy holds office -

(a) where the vacancy arose under clause 4B(1) or 4B(2) for such time as the previous occupant of that office would have held office but for the occurrence of the vacancy; or

(b) where the vacancy exists because it was not filled at an election conducted during the Synod - at such time as that person would have held office if they had been elected by the Synod at that election.

4C. Quorum

Four members constitutes a quorum for a meeting of the Board.

4D. Chairman and Other Officers

(1) The Board must appoint, from time to time a chairman, who, in the absence of the President, will chair meetings of the Board.

(2) The Board may appoint such other officers as it may determine.

(3) The chairman and other officers referred to in clauses 4D(1) and 4D(2) shall hold office for such period as the Board may determine.

(4) The President, if he is chairing a meeting of the Board, or the chairman, in other cases, has a deliberative vote and, in the case of an equality of votes, also has a casting vote."

3. Transitional

(1) Notwithstanding clause 4(2) of the Principal Ordinance, as amended by this Ordinance, but subject to clause 4B of that Ordinance, until the first day of the 3rd ordinary session of the 45th Synod the members of the Board will comprise

(a) the persons who were members of the Board immediately prior to the date of commencement of this clause and,

(b) the persons who were members of the Sydney Church of England Finance and Loans Board immediately prior to the commencement of clause 2 of the Sydney Church of England Finance and Loans Board Ordinance 1957 Further Amendment Ordinance 1999.

(2) Notwithstanding clause 4A of the Principal Ordinance, as amended by this Ordinance, at the 3rd ordinary session of the 45th Synod elections are to take place for the following members of the Board -

(a) 3 members of the clergy to be elected by the Synod and,

(b) 6 laypersons to be elected by the Synod.

4. Commencement

Clauses 2 and 3 commence on 21 October 1999.

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

N M CAMERON

Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 20 September 1999.

M A PAYNE

Secretary

I Assent to this Ordinance.

R H GOODHEW

Archbishop of Sydney

23/9/1999