

NEWCASTLE ANGLICAN SCHOOLS CORPORATION ORDINANCE AMENDMENT ORDINANCE 2019

EXPLANATORY MEMORANDUM

1. The *Newcastle Anglican Schools Corporation Ordinance 2017* provides for the appointment of Board members as follows:
 11. Board Membership
 - 11.1 The members of the Board are:
 - (a) a chair of the Corporation; who will be appointed by the Bishop ("Chair");
 - (b) up to two persons appointed by the Bishop;
 - (c) five persons elected by the Diocesan Council; and
 - (d) up to three additional persons appointed by the Board.
 - 11.2 To be eligible for appointment as the Chair or otherwise for appointment for or election as a Board Member, a person must be a communicant member of the Anglican Church of Australia, must affirm the Mission of the Corporation and must affirm in writing that they will comply with the duties of a Responsible Person.
 - 11.3 To be eligible for appointment as a Board member a person must affirm in writing that they affirm the Christian faith, that they affirm the Mission of the Corporation and that they will comply with the duties of a Responsible Person.
 2. The intention of the ordinance is that the Board members appointed under clauses 11.1(a) – 11.1(c) would be required to comply with clause 11.2 and that the Board members appointed under clause 11.1(d) would be required to comply with clause 11.3.
 3. The ordinance wording is unclear and currently all Board members appointed under clause 11.1(d) are required to comply with the provisions of 11.2. The intention of appointing Board members under clause 11.1(d) was to enable the appointment of suitably skilled Board members who may not be members of the Anglican Church and/or practising Christians.
 4. The Bill provides clarity to enable that intention to be realised.

**NEWCASTLE ANGLICAN SCHOOLS CORPORATION ORDINANCE AMENDMENT
ORDINANCE 2019**

AN ORDINANCE to clarify the eligibility for appointment of Board members.

BE IT THEREFORE Ordained by the Diocesan Council of the Diocese of Newcastle as follows:

PART 1 – PRELIMINARY

Title

1. This Ordinance may be cited as the *Newcastle Anglican Schools Corporation Ordinance Amendment Ordinance 2019*.

PART 2 – DEFINITIONS

2. In this Ordinance, unless the contrary intention appears:

Anglican Ethos	means the Ethos Statement as approved by the Board of the Newcastle Anglican Schools Corporation
Board	means the Board of the Newcastle Anglican Schools Corporation
Corporation	means the Newcastle Anglican Schools Corporation
Mission	means the mission as defined in clause 4 of the Newcastle Anglican Schools Corporation Ordinance
Responsible Person	means a Responsible Person as defined by Governance Standard 5 of the Australian Charities and Not-for-profits Commission.

**PART 3 – AMENDMENT TO THE NEWCASTLE ANGLICAN SCHOOLS CORPORATION
ORDINANCE AMENDMENT ORDINANCE 2019**

Amendment

3. The Newcastle Anglican Schools Corporation Ordinance 2017 is amended by:
 - (a) the repeal of clause 11.2; and
 - (b) the insertion of a new clause 11.2 in the following terms:

“To be eligible for appointment as the Chair or otherwise as a member of the Board appointed under clauses 11.1(a), (b) or (c), a person must be a communicant member of the Anglican Church of Australia, must affirm the Mission and must affirm in writing that they will comply with the duties of a Responsible Person.”

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ORDINANCE 2019**

- (c) the repeal of clause 11.3; and
- (d) the insertion in a new clause 11.3 in the following terms:

“To be eligible for appointment as a Board Member under clause 11.1.(d), a person must affirm in writing that they affirm the Anglican Ethos and the Mission and that they will comply with the duties of a Responsible Person.”


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

PASSED BY DIOCESAN COUNCIL on the **23rd** day of **May 2019**.



Mrs Linda Wilson
Secretary, Diocesan Council

THE ASSENT of Peter Derrick James Stuart, Bishop of the Diocese was given to the above Ordinance on the **23rd** day of **May 2019** in the **Eleventh** year of our Consecration.



PRESIDENT

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