

ANGLICAN CHURCH OF AUSTRALIA (BODIES CORPORATE) CONSTITUTION AND ADMINISTRATION ORDINANCE 1994

AN ORDINANCE to provide for the exercise by the Diocesan Council of the Diocese of Newcastle, during the recess of the Synod of certain powers, authorities, duties and functions of the Synod relating to certain Acts, matters and things arising under the Anglican Church of Australia [Bodies Corporate] Act, 1938.

WHEREAS during the recess of the Synod it may be necessary to declare that it is expedient for the purpose of managing, governing or controlling certain institutions or organisations of the Anglican Church of Australia and of holding managing and dealing with Church Trust property subject to the control of Synod, that the members of unincorporated bodies be constituted bodies corporate and certain other provision in relation to such bodies corporate be made.

BE IT THEREFORE enacted by the Bishop, Clergy and Laity of the Diocese of Newcastle in Synod assembled as follows:

PART 1 – PRELIMINARY

Short Title

1. This Ordinance may be cited as the ***"Anglican Church of Australia [Bodies Corporate] Constitution and Administration Ordinance 1994"***.

PART 2 – OPERATIVE PART

Delegation of Power

2. Pursuant to the provisions of Section 11 of the Anglican Church of Australia [Bodies Corporate] Act 1938, the Diocesan Council of the Diocese of Newcastle is hereby constituted and may exercise and is hereby empowered to exercise during the recess of the Synod all the powers, authorities, duties and functions of the Synod as relate to acts, matters and things arising under the said Act the same to be exercised by ordinance.
3. Without prejudice to the generality of Clause 1, the said Diocesan Council may from time to time during the recess of the Synod:
 - a. By Ordinance, declare that it is expedient for the purpose of managing, governing and controlling any institutions or organisations of the Anglican Church of Australia and of holding, managing and dealing with Church Trust Property subject to the control of Synod, that persons who for the time being are members of any unincorporated body should be constituted a body corporate;
 - b. By Ordinance, change the name of such body corporate;
 - c. In relation to such body corporate by Ordinance fix the number of members of such body corporate, prescribe the method of election or appointment and of retirement of such members and prescribe the circumstances in which a vacancy in the office of any such member shall occur.
4. Every Ordinance passed by the Diocesan Council shall have and take effect as an Ordinance when the same has been assented to under the Anglican Church of Australia Constitutions

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Act 1092, or any Act amending or replacing that Act PROVIDED that no such assent shall be given after the expiration of one month from the date upon which the Ordinance is passed by the Diocesan Council.

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