

**SAMARITANS HOUSING ORDINANCE 2017 GOVERNANCE
AMENDMENT ORDINANCE 2020**

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

PART 1 – PRELIMINARY

Short Title

1. This Ordinance may be cited as the ***Samaritans Housing Ordinance 2017 Governance Amendment Ordinance 2020.***

PART 2 – OPERATIVE PART

2. In clause 3.1:
 - (a) repeal the definitions “**Chief Executive Officer**”, “**Committee**”, “**Financial Year**” and “**Responsible Persons Ordinance**”; and
 - (b) insert the following definitions:

Diocesan Chief Executive Committee	means the Diocesan Chief Executive of the Diocese
Finance Debt	means and includes any indebtedness or other liability (present or future, actual or contingent) relating to any financial accommodation including: <ol style="list-style-type: none"> a) an advance or loan; b) drawing, accepting, endorsing, discounting, collecting or paying a bill of exchange, cheque or other negotiable instrument; c) the discounting or sale of receivables; d) entering into any agreement or transaction in connection with raising financial accommodation as a result of which a debt or liability or a contingent debt or liability, will or might arise (including any finance lease, hire purchase agreement or title retention agreement); e) any commodity, currency or interest rate swap agreement, forward exchange rate agreement or futures contract (as defined in any statute); f) any reimbursement obligation or indemnity relating to any financial accommodation (including any letter of credit or bank undertaking); or g) any Guarantee of any other Finance Debt.
Guarantee	means the guarantee of any obligation of another party by Anglican Care.
NAC Security	means Newcastle Anglican Corporation means any mortgage, charge, lien, pledge, general security agreement or any assignment, trust or other arrangement securing the

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performance or payment of any obligation. It includes a security interest under section 12 of the *Personal Property Securities Act 2009 (Cth)*

3. Clause 15.3 is repealed and replaced with:

“Where the Bishop is not present and has not appointed a delegate or the delegate is not present, the Chairperson shall preside over any general meeting or, if the Bishop is the Chairperson, the Deputy Chairperson shall preside.”
4. Clauses 20.1 and 20.3 are amended such that the final paragraph of each clause commencing with the phrase “provided however” and finishing with “leasing arrangement” is repealed.
5. Clause 21.1 is repealed and replaced with:

“The Board Members may delegate any of their powers and functions to a Committee of NAC, an individual Board Member, the Diocesan Chief Executive an Executive Director or any person as they consider appropriate on such terms and conditions they consider appropriate and with such restrictions they consider expedient.”.
6. Clause 22 is repealed and replaced with:

“22.1 Any powers the Board seeks to delegate to a committee shall be delegated to a Committee of NAC.

22.2 Where any power is delegated to a Committee of NAC by the Board, the Board shall convey any directions or restrictions upon the delegation of the power.

22.3 The Committee of NAC to which any power is delegated under clause 23.1 shall conduct its business in accordance with the framework provided under clause 23 of the *Newcastle Anglican Corporation Ordinance 2017 (as amended)*.”
7. Clause 23 is repealed.
8. In clause 34.2, replace “Chief Executive Officer” with “Diocesan Chief Executive”.
9. Clause 38 is repealed and replaced with:

“38. Management of Samaritans Housing

The Diocesan Chief Executive shall be responsible for the management and administration of Samaritan Housing’s operations and may with the concurrence of the Bishop delegate any powers or responsibilities to an Executive Director or some

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In Force Date: 17 August 2020

Last Review: 17 August 2020

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other person as determined by the Diocesan Chief Executive and approved by the Board.”

10. This Ordinance shall come into effect on a date determined by the Bishop by notice in writing to the Diocesan Chief Executive.

I HEREBY CERTIFY the Ordinance as printed is in accordance with the Ordinance as reported.
PASSED BY DIOCESAN COUNCIL on 17 August 2020.



Mrs Linda Wilson
Secretary, Diocesan Council



ASSENT by
Peter, Bishop of Newcastle
17 August 2020

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