
Anglican Retirement Villages – Regulations Parish Village Committees 2004

A GENERALLY

For each Retirement Village in the Diocese of Bathurst a Village Committee shall be nominated by the Parish Council in which the Village is situated and shall operate in accordance with;

- (i) the Anglican Retirement Villages Ordinance 2004, any other relevant Diocesan Ordinances and regulations pursuant to the ordinances,
- (ii) any legislation, guidelines, regulations or directives of state, commonwealth or local government,
- (iii) any rules or guidelines adopted by the Village Committee and approved in accordance with the provisions of these regulations.

B THE VILLAGE COMMITTEES

1 The Village Committee shall consist of:-

- (a) The Parish Priest for the time being of the Parish, ex officio
- (b) Not less than four nor more than six communicant members of the Anglican Church of Australia at least two of whom shall be members of Parish Council and shall represent the interests of the Parish; these members shall be nominated annually by resolution of the Parish Council at its first meeting after the annual meeting of the Parish.
- (c) Up to four members of other Christian denominations who shall be nominated annually by the Bishop on the recommendation of the Parish Priest (who prior to making such recommendation shall consult with the Parish Council) and who shall hold office until 28 February of the year following their appointment.
- (d) No more than two members appointed by the Anglican Property Trust Diocese of Bathurst should it choose to make those appointments.

2 As soon as practicable after becoming aware of a casual vacancy in the Village Committee the Parish Council shall by resolution nominate a person to fill such casual vacancy.

3 The Bishop and the Bishop's Registrar shall receive notice of all meetings of the Village Committee. The Bishop and with the approval of the Bishop, the Bishop's Registrar shall be entitled to attend any meeting of the Committee.

4 Minutes of all meetings of the Village Committees shall be provided to the Bishop's Registrar.

- 5 The office of a member of Village Committee shall become vacant when the member:
- (a) dies; or
 - (b) resigns in writing delivered to the secretary of the Committee; or
 - (c) is declared by a court or tribunal to be a person whose property or person is subject to management under the Protected Estates Act, 1982; or
 - (d) becomes an insolvent under administration; or
 - (e) is convicted in New South Wales of an offence which is punishable by imprisonment for 12 months or upwards or is convicted elsewhere than in New South Wales of an offence which if committed in New South Wales would be an offence so punishable; or
 - (f) fails to attend three consecutive meetings of the Village Committee without leave of the Village Committee; or
 - (g) if a member appointed by the Parish Council or from another Christian Denomination, is removed by resolution of Bishop-in-Council following a recommendation from the Parish Council or the Bishop; or
 - (h) if a member appointed by the Anglican Property Trust Diocese of Bathurst, is removed by resolution of the Anglican Property Trust Diocese of Bathurst.
- 6 A quorum at any meeting of the Village Committee shall be a majority of members of the Village Committee.
- 7 Meetings may be held by telephone so long as **all members** have or dispense with Notice of Meeting and are party to the telephone conference and a resolution approved by a majority of the members shall be taken to be a resolution of the Village Committee.
- 8 The Village Committee may, if it thinks fit, transact any of its business by the circulation of papers among all its members for the time being, and a resolution in writing **approved in writing by all of those members** is taken to be a resolution of the Village Committee.
- 9 The Village Committee shall appoint a secretary, treasurer, manager and such other office bearers to the Committee as it thinks fit. The Village Committee with the approval of the Bishop's Registrar or the Registrar's nominee may contract with any person to provide goods or services.
- 10 The Village Committee may from the income of the Village Committee provide for payment of employees, suppliers or contractors for the obtaining of supplies or services.
- 11 The Village Committee shall open and operate such accounts with the Anglican Managed Investment Fund, or, with the permission of the Bishop-in-Council, any other financial institution nominated by the Village Committee, as it considers appropriate for its purposes.

C CHAIR OF VILLAGE COMMITTEE

- 12 The Village Committee shall elect a member of the Village Committee to be Chair.
- 13 In the absence of the Chair the members present from amongst their number shall elect a Chair for that meeting.
- 14 The Chair shall have a deliberative vote and, in the case of an equality of votes, a casting vote.

D ACCOUNTS, REPORTS AND AUDIT

- 15 The Village Committee shall keep full and accurate records as to the activities of the Village Committee and its assets and any decision it makes with respect to the same.
- 16 The Village Committee shall present to the Parish Council and the Anglican Retirement Villages Council a report and unaudited accounts for each quarter, or more regularly if requested.
- 17 Should at any time the Village Committee consider that there is a likelihood there will be a deficiency in the operations of the Village Committee it shall report such to the Parish Council and Anglican Retirement Villages Council as soon as practicable.
- 18 Any extraordinary items or occurrences of which the Village Committee becomes aware shall be reported as soon as practicable to Parish Council and Anglican Retirement Villages Council.
- 19 The Village Committee shall by 31 March in each year furnish to the Parish Council and the annual meeting of the Parish, to the Anglican Retirement Villages Council and to Bishop-in-Council audited financial statements and a report on the activities and performance of the Village Committee since the date of the previous report and its compliance with the objectives of Village Committee and shall take account of any advice that the Parish Council and Anglican Retirement Villages Council shall give.
- 20 The Village Committee shall publish accounts and reports of the Village Committee in accordance with the Accounts and Reporting Ordinance of the Diocese, any relevant regulation promulgated by Anglican Retirement Villages Council and Australian Accounting Standards and any other legislative requirements made up to the 31 December in each year together with a report thereon by the Diocesan Auditor or a duly qualified auditor appointed by the Village Committee with the prior approval of the Anglican Retirement Villages Council.
- 21 The Village Committee shall provide as soon as practicable such explanation of its reports and accounts as are requested by or on behalf of the Parish Council, Anglican Retirement Villages Council or Bishop-in-Council or the Synod, provided that any explanation submitted to Parish Council shall also be submitted to Bishop-in-Council.
- 22 A copy of an annual budget to 31 December in each year shall be prepared and approved by the Village Committee prior to the commencement of that year and shall be provided to the Parish Council and to the Bishop's Registrar. Any significant variation in budget adopted by the Village Committee shall be advised forthwith to the Parish Council and to the Bishop's Registrar. The Village Committee shall request the Parish Council to provide its approval of each budget and significant variation in budget.

E REAL PROPERTY & INVESTMENTS

- 23 Any assets of the Village Committee (including any real estate or investments) in excess of \$20,000 shall not be sold or the real estate leased for more than one year without an ordinance of the Synod of the Diocese of Bathurst.

F RULES AND GUIDELINES

- 24 The Village Committee shall have power to make such rules and guidelines not inconsistent with these Regulations or any regulations promulgated pursuant to the Anglican Retirement Villages Ordinance as are necessary for the conduct of its business provided that no such rule or guideline shall come into effect until written notification of the same is given to the Secretary of the Parish Council and to the Bishop's Registrar. The Secretary of the Parish Council and the Bishop's Registrar shall advise of such rule, policy or guideline to the next succeeding meeting of the Parish Council and Anglican Retirement Villages Council respectively. At any time thereafter the Parish Council and Anglican Retirement Villages Council may by resolution instruct the Village Committee to delete, amend or supplement such rule or guideline, provided that if it is not practicable for any such instruction to be given, by Anglican Retirement Villages Council then any such instruction may be given by the Bishop.

G DUTIES OF THE VILLAGE COMMITTEE

- 25 The duties of the Village Committee shall be:
- (a) To formulate rules and guidelines not inconsistent with these Regulations or any relevant regulations promulgated by Anglican Retirement Villages Council for the proper conduct of the Village within any applicable rules or guidelines.
 - (b) To raise funds as necessary to meet the costs of operating and maintaining the Village properties and to conduct ministry at and in association with the properties.
 - (c) To manage and maintain the properties of and the affairs of the Village within budgets set up by the Village Committee as approved by the Parish Council and provided to the Bishop's Registrar.

H MANAGER

- 26 The Village Committee may with the consent of the Anglican Retirement Villages Council and upon such terms and conditions as agreed by the Anglican Retirement Villages Council and the Parish Priest appoint a Manager to the Village who shall be in charge of the day to day management of the Village in accordance with the directions set by the Village Committee.
- 27 The Manager may be invited to attend meetings of the Village Committee but at the request of any member of the Village Committee may be required by the Chair to be absent from or withdraw from any meeting or part of a meeting of the Village Committee.

I LOANS OR CONTRACTS

- 28 The Village Committee shall not enter into any loans or contracts involving a sum in excess of \$10,000 (or such other sum as Bishop-in-Council may from time to time approve) without the prior approval of the Anglican Retirement Villages Council and Anglican Property Trust Diocese of Bathurst on the recommendation of the Parish Council, or in an emergency situation to a limit of \$25,000 with the approval of the Bishop on the recommendation of the Parish Priest.

J MISCELLANEOUS

- 29 Bishop-in-Council, Anglican Retirement Villages Council, Anglican Property Trust or, in an emergency situation, the Bishop, may, in such circumstances as it or he deems necessary including information from the Bishop or the Parish Council, take such action as it or he considers appropriate to protect the operations and monies and other assets of the Village Committee.
- 30 Bishop-in-Council or Anglican Retirement Villages Council shall be entitled to give directions to the Village Committee and the Village Committee shall be required to comply with any such directions.

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