
ST ANDREW'S COOLAH COMMUNITY CULTURAL CENTRE ORDINANCE 2006

AN ORDINANCE to make provision for the establishment of the St Andrew's Coolah Community Cultural Centre and to provide for a committee to manage the Centre.

PREAMBLE

Whereas it has become expedient to establish and operate on the site of St Andrew's Anglican Church Coolah, a Cultural Centre to be known as the St Andrew's Coolah Community Cultural Centre.

And whereas it is expedient that the operations and management of the Centre be administered by a separate and independent Committee.

And whereas Bishop-in-Council has been empowered pursuant to S40 and other provisions of the Anglican Church Trust Property Act, 1917, to act for the Synod during the recess of the Synod, to manage the property of the Diocese and to vary inexpedient trusts and, in the name of the Synod to enact appropriate Ordinances.

NOW BISHOP-IN-COUNCIL ON BEHALF OF THE SYNOD OF THE DIOCESE OF BATHURST ORDAINS AS FOLLOWS:-

MANAGEMENT

- 1 There shall be a Committee to be known as "St Andrew's Coolah Community Cultural Centre Committee" (herein called "the Committee").
- 2 The Committee shall comprise –
 - (a) The Parish Priest for the time being of the Anglican Parish of Coolah/Dunedoo.
 - (b) Not less than two nor more than four communicant members of the Anglican Church of Australia who shall be appointed by resolution of the Parish Council at its first meeting after the triennial elections of the Parish and who shall hold office until the first meeting of the Parish Council after the next following triennial elections of the Parish, provided that at least two of those members are persons of responsibility and further provided that the first appointments shall be made at the first meeting of the Parish Council after the adoption of this ordinance.
 - (c) Up to two community representatives who are persons of responsibility shall be appointed annually by the Bishop on the recommendation of the Parish Priest of the Anglican Parish of Coolah/Dunedoo (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.
- 4 As soon as practicable after becoming aware of a casual vacancy the Parish Priest and/or Parish Council shall take such steps as are necessary to fill the vacancy.

- 5 The Bishop and the Bishop's Registrar shall receive notice of all meetings of the Committee. The Bishop and (with the approval of the Bishop) the Bishop's Registrar shall be entitled to attend any meeting of the Committee.

If the Bishop and/or the Bishop's Registrar are present at any meeting no resolution shall be approved unless with their consent.

- 6 The office of a member of the 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 Committee without leave of the Committee; or
 - (g) if a member appointed by the Parish Council or as a community representative, 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.
- 7 A quorum at any meeting of the Committee shall be a majority of members of the Committee provided that at least one community representative shall be present.
- 8 Meetings may be held by electronic conferencing so long as all members have or dispense with Notice of Meeting and are party to the electronic conferencing and a resolution approved by a majority of the members shall be taken to be a resolution of the Committee.
- 9 The 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 Committee.
- 10 The Committee shall appoint a secretary, treasurer and such other office bearers to the Committee as it thinks fit and subject to clause 25 may appoint such other employees as it considers necessary to carry out its functions and may contract with any person to provide goods or services.
- 11 The Committee may from the income of the Committee defray all its proper expenses including, without derogating from the generality of the foregoing, pay employees, suppliers or contractors for the obtaining of supplies or services.
- 12 The 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 Committee, as it considers appropriate for its purposes.

CHAIR OF COMMITTEE

- 13 The Parish Priest shall
 - (a) be Chair of the Committee or
 - (b) appoint another member of the Committee to be Chair until the Parish Priest rescinds the appointment.
- 14 The Chairman shall have a deliberative vote and, in the case of an equality of votes, a casting vote.

ACCOUNTS, REPORTS AND AUDIT

- 15 The Committee shall keep full and accurate records as to the Committee and its assets and any decision it makes with respect to the same.
- 16 The Committee shall present to the Parish Council and Bishop-in-Council a report and unaudited accounts for each quarter, or more regularly if requested.
- 17 Should at any time the Committee consider that there is a likelihood there will be a deficiency in the operations of the Committee it shall report such to the Parish Council and Bishop-in-Council as soon as practicable.
- 18 Any extraordinary items or occurrences of which the Committee becomes aware shall be reported as soon as practicable to Parish Council and Bishop-in-Council.
- 19 The Committee shall annually by 30 April in each year furnish to the Parish Council and the annual meeting of the Parish and to Bishop-in-Council a report (including financial statements) on the performance of the Committee since the date of the previous report and its compliance with the objectives of the Committee and shall take account of any advice that the Parish Council and Bishop-in-Council shall give.
- 20 The Committee shall publish accounts and reports of the Committee in accordance with the provisions of the Accounts and Reporting Ordinance of the Diocese and Australian Accounting Standards made up to the 31 December in each year together with a report thereon by a duly qualified auditor appointed by the Committee with the approval of Bishop-in-Council.
- 21 The 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 or Bishop-in-Council, 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 Committee prior to the commencement of that year and shall be provided promptly to the Parish Council and to the Bishop's Registrar. Any significant variation in budget adopted by the Committee shall be advised forthwith to the Parish Council and to the Bishop's Registrar. The Committee shall request the Parish Council to provide its approval of each budget and any significant variation in budget.

REAL PROPERTY & INVESTMENTS

- 23 Should assets of the Committee contain any real estate or investments in excess of \$20,000 that real estate or those investments shall not be sold or the real estate leased for more than one year without an ordinance.

RULES POLICIES & GUIDELINES

- 24 The Committee shall have power to make such rules, policies and guidelines not inconsistent with this Ordinance as are necessary for the conduct of its business provided that no such rule, policy 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 Bishop-in-Council respectively. At any time thereafter Bishop-in-Council may by resolution instruct the Committee to delete, amend or supplement such rule, policy or guideline, provided that if it is not practicable for any such instruction to be given, by Bishop-in-Council then any such instruction may be given by the Bishop.

DUTIES OF THE COMMITTEE

- 25 The duties of the Committee shall be to raise funds as necessary, to construct and maintain the Centre and to carry out operations at and in association with the Centre within budgets set by the Committee.

MANAGER

- 26 The Committee may with the consent of the Bishop and the Parish Priest of Coolah/Dunedoo and upon such terms and conditions as agreed by the Bishop and the Parish Priest of Coolah/Dunedoo appoint a Manager to the Community Centre who shall be in charge of the day to day management of the Community Centre in accordance with the policy directions set by the Committee.
- 27 The Manager may be invited to attend meetings of the Committee but at the request of any member of the Committee may be required by the Chairman to be absent from or withdraw from any meeting or part of a meeting of the Committee. The manager shall not be entitled to vote at a meeting of the Committee.

LOANS OR CONTRACTS

- 28 The Committee shall not enter into any loans or contracts involving a sum in excess of \$20,000 (or such other sum as Bishop-in-Council may from time to time approve) without the prior approval of Bishop-in-Council on the recommendation of the Parish Council, or in an emergency situation with the approval of the Bishop on the recommendation of the Parish Priest.

DEFINITIONS

- 29 "**Bishop**" means the Bishop for the time being of the Anglican Diocese of Bathurst or during his absences or during a vacancy in the see, the Administrator of the Diocese.

"**Bishop-in-Council**" means the Bishop-in-Council of the Anglican Diocese of Bathurst.

"**Parish Council**" means the Parish Council of the Anglican Parish of Coolah/Dunedoo.

"**Parish Priest**" means the Parish Priest for the time being of the Anglican Parish of Coolah/Dunedoo.

“Persons of Responsibility” means Justices of the Peace, Members of the Clergy, Church Authorities, Trustees or Board Members of a non-profit School or College, Judges/Magistrates, Solicitors, Accountants (must be CPA, ASA, NIA or ICA registered), Directors/Senior Executives of large companies (listed on the Australian Stock Exchange), Medical practitioners and other professional persons (who belong to a professional body, which has a professional code of ethics and rules of conduct, e.g. Medical Registration Board), Teachers in senior positions (Headmasters/Headmistresses Senior Academics (professors, deans, principal lecturers, as well as appointments made by chancellors)), Persons holding Public or Elected Office (Mayors, Town Clerks, Councillors, Members of Parliament), People who hold (or have held) other public positions (i.e. appointments made by Government Ministers), People with honours (AO, AM, OBE etc).

PROTECTIVE ACTION

30 Bishop-in-Council or, in an emergency situation, the Bishop may, in such circumstances as it or he deems necessary, take such action as it or he considers appropriate to protect the operations and monies and other assets of the Committee.

PATRONS

31 The Patrons of the Centre shall be –

- (i) The Bishop.
- (ii) Up to four (4) other patrons who shall be appointed and whose office shall become vacant in a fashion similar to that applicable to a community representatives to the Committee save that any appointment shall be for a period of five years from date of appointment.

SHORT TITLE

32 This Ordinance may be cited as the St Andrew's Coolah Community Cultural Centre Ordinance 2006.