

**ORDINANCE to transfer responsibilities from existing boards, councils and committees to the Board of the Newcastle Anglican Church Corporation.**

**Explanatory Memorandum**

As a consequence of the governance review the functions currently undertaken by the ASDF Board, the Property Approvals Board and the Board of the Trustees of Church Property will be undertaken by the new Newcastle Anglican Church Corporation Board.

This Ordinance amends the relevant ordinances to give effect to that decision. It allows for the transition to be staged.

The Ordinance recognises that the role of the Diocesan Chief Executive is now captured in the Newcastle Anglican Church Corporation Ordinance.

The work of the audit committee will form part of the audit and risk committee of the Newcastle Anglican Church Corporation.

**The Bill**

**The Newcastle Anglican Governance Reform Ordinance 2017**

Be it therefore ordained by the Diocesan Council in accordance with the Synod (Delegation of Powers) Ordinance 2009 as follows:

1. This Ordinance may be cited as the Newcastle Anglican Governance Reform Ordinance 2017.
2. The following ordinances are repealed
  - (a) *The Diocesan Management Ordinance 2003*; and
  - (b) *The Diocesan Audit Committee Ordinance 2005*.
3. The *Church Trust Property Ordinance 2012* is amended by
  - a) the repeal of sections 10 – 15 and the insertion in their place of new sections to read
    10. The Trustees shall be the Board Members of the Newcastle Anglican Church Corporation (NACC) for the time being.
    11. A Trustee ceases to be a Trustee if they cease to be a Board Member of the NACC.
    12. A Board Member of the NACC must acknowledge and accept in writing their role as a Trustee before exercising any responsibility under this Ordinance.
  - b) the repeal of section 46 and the insertion in its place of a new section to read

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The Trustees shall

- a. cause to be kept proper books of accounts and present them for audit by the Diocesan Auditors, and
- b. shall present a financial report prepared as a general purpose financial report to each ordinary session of Synod.

4. The *Administration of Parishes Ordinance 2010* is amended by

- a) The insertion of a new definition to read “NACC Board means the Board of the Newcastle Anglican Church Corporation or a committee or person with delegated authority from that Board in relation to parish property matters”.
- b) The repeal of sections 17 – 25 and the insertion in their place of new sections to read

17) All Parish applications to the NACC Board must be in accordance with the policies and procedures adopted by the NACC Board.

18) The approval of the Bishop and the NACC Board is required

- a) before the purchase or acquisition of any land or buildings for church purposes;
- b) accepting any gift or legacy of land or buildings for church purposes;
- c) to construct, erect, alter, demolish or remove any Parish buildings or part thereof;
- d) for repairs and maintenance to a building costing in excess of the limits determined by the NACC Board;
- e) for the sale, purchase, exchange, leasing, or subdivision of real estate in the Diocese; or
- f) before establishing or changing a memorial garden, columbarium or cemetery.

19) The written approval of the Bishop is required before

- a) A Parish may submit an application to the NACC Board for the erection, addition, removal, demolition of any building on Church Property
- b) the furnishings and fittings of a Church Building are added to, removed or altered.

5. The *Anglican Savings and Development Fund Diocese of Newcastle Ordinance 1979* is amended by

- a) the repeal of sections 4 and 5 and the insertion of a new section 4 to read “The Board shall be the Board of the Newcastle Anglican Church Corporation”; and
- b) the repeal of sections 10(c) and 10(d).

6. For the purposes of ensuring clarity between Ordinances, where any Ordinance refers to

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- (a) the *Diocesan Manager* or the *Diocesan Business Manager*, such reference shall be taken as a reference to the Diocesan Chief Executive;
  - (b) the *Property Approvals Board*, such reference shall be taken as a reference to the Board of the Newcastle Anglican Church Corporation.
7. This Ordinance shall come into effect on a date determined by Bishop. The Bishop may determine that different sections of this Ordinance may come into effect on different dates.
8. Until such time as the NACC Board determines otherwise,
- a) the Audit Committee established in accordance with the *Diocesan Audit Committee Ordinance 2005* shall be the Audit and Risk Committee of the NACC Board;
  - b) the Property Approvals Board established in accordance with the *Administration of Parishes Ordinance 2010* shall be the Property Committee of the NACC Board;

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

**PASSED BY DIOCESAN COUNCIL on the 11<sup>th</sup> day of May 2017.**

Ms Linda Wilson  
**Secretary, Diocesan Council**

**THE ASSENT** of the Right Reverend Dr Peter Stuart the Commissary to the Bishop of the Diocese was given to the above Ordinance on the **11<sup>th</sup>** day of **May 2017** in the **Ninth** year of our Consecration.

**PRESIDENT**