

ANGLICAN CHURCH OF AUSTRALIA

DIOCESE OF CANBERRA AND GOULBURN

ANGLICAN DIOCESAN SERVICES ORDINANCE 2010 ^{1 2}

CONSOLIDATED VERSION

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¹ Please note that the Original Ordinances included in this Consolidation are recorded in the Ordinance books of the Diocese of Canberra and Goulburn. If you have any concern about this consolidation please contact; ordinances@anglicands.org.au
This version of the Ordinance has not been approved by the Chancellor in accordance with section 75 of the Diocesan Legislation Ordinance 2007 and is only for information

² Name changed by the Diocesan Services (Amendment) Ordinance 2013

AN ORDINANCE

To establish an agency for the employment of staff in the Diocese and the management of the administrative services and support of the Diocese and to make provision for the responsibility and accountability for the central operations of the Diocese.

Recitals

- (a) It is expedient that the central operations of the Diocese, including the provision of administrative and property-related services to Diocesan agencies and ministry units, to be conducted:
 - (i) through the legal medium of a body corporate, known as Diocesan Services;
 - (ii) by staff managed by a General Manager;
- (b) Bishop-in-Council wishes that the General Manager be accountable to it for the administrative services and support to the central operations of the Diocese through Ministry Executive, being an executive group within Bishop-in-Council.

Therefore, the Bishop-in-Council, in its capacity as the Standing Committee of the Synod of the Diocese, and in exercise of its powers under the Anglican Church of Australia (Bodies Corporate) Act (Exercise of Powers) Ordinance 1994 and the Synod (Delegation of Functions) Ordinance 1998, enacts:

1 Short Title

- 1.1 This Ordinance is the Anglican³Diocesan Services Ordinance 2010.

2 Commencement

- 2.1 This Ordinance commences on the date it receives the Bishop's assent.

3 Dictionary

- 3.1 In this Ordinance, unless it is clear that another meaning is intended:
administrative services means:

- (a) human resources, payroll and other employment-related services;
- (b) secretarial services;
- (c) accounting and financial services; and
- (d) other similar services as may be specified from time to time by resolution of Bishop-in-Council.

the Board means the Board constituted in accordance with section 7;

Anglican Diocesan Services means the body corporate constituted in

³ Inserted by the Diocesan Services (Amendment) Ordinance 2013

accordance with the Diocesan Services Incorporation Ordinance 2010;⁴
Ministry Executive means the body constituted in accordance with Part 9 of the *Governance of the Diocese Ordinance 2000*;

property services means:

- (a) the arrangement of policies of insurance in respect of risks arising in relation to the property, clergy and members and employees of the Diocese or its agencies;
- (b) the inspection of real property in the Diocese and the management of its maintenance;
- (c) and other similar services as may be specified from time to time by resolution of Bishop-in-Council.

the Registrar means the person appointed as Registrar of the Diocese;

the Treasurer means the person appointed Diocesan Treasurer under the *Finance and Annual Reports Ordinance 2003*.

Note: The Dictionary included in the Diocesan Legislation Ordinance 2007 provides definitions of the following terms:

- *Bishop*
- *Bishop-in-Council*
- *Diocesan*⁵
- *Diocesan agency*
- *Chancellor*
- *Property Trust*

4 Purpose of Anglican⁶Diocesan Services

- 4.1 The purpose of Anglican⁷Diocesan Services is to facilitate the mission of the Church and the delivery of the mission by agencies and ministry units in the Diocese by providing administrative services (particularly employment services) and property services effectively and efficiently.

5 Functions of Anglican⁸Diocesan Services

- 5.1 The function of Anglican⁹Diocesan Services shall include the provision of administrative services and property services to the central operations of the Diocese, including the Bishop, the Assistant Bishops, Synod, Bishop-in-Council, Ministry Executive, the Property Trust, the Chancellor, the Registrar and the Treasurer to any committees, task-forces or Working parties or similar bodies established by any of them.¹⁰

⁴ Inserted by the Diocesan Services (Amendment) Ordinance 2013

⁵ Inserted by the Diocesan Services (Amendment) Ordinance 2013

⁶ Inserted by the Diocesan Services (Amendment) Ordinance 2013

⁷ Inserted by the Diocesan Services (Amendment) Ordinance 2013

⁸ Inserted by the Diocesan Services (Amendment) Ordinance 2013

⁹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

¹⁰ Amended by the Diocesan Services (Amendment) Ordinance 2011

5.2 The function of Anglican¹¹Diocesan Services shall include the provision of administrative or property services to¹²

- (a) any unincorporated diocesan agency which requests them or to which Bishop-in-Council directs that such services be provided; and¹³
- (b) any incorporated diocesan agency or any ministry unit where the agency or units requests such services be so provided.¹⁴

6 Powers of Anglican¹⁵Diocesan Services

6.1 Anglican¹⁶Diocesan Services shall have the following powers:

- (a) to employ persons, on such terms as the Board determines;
- (b) to grant pensions and allowances and provide superannuation and other benefits for employees on such terms as the Board determines;
- (c) to acquire and lease such plant, equipment and machinery (but not real property) as may be needed for the discharge of its functions from time to time;
- (d) to open and operate one or more accounts with the Diocesan bankers or such other bank as may be approved by resolution of Bishop-in-Council from time to time, and to draw, make, accept, endorse, execute and issue bills of exchange, cheques and other negotiable instruments;
- (e) with the consent of Bishop-in-Council, to borrow moneys on such terms as it may think fit and within the terms of Bishop-in-Council's consent;
- (f) to enter into and take out policies of insurance;
- (g) to inspect and assist with the preservation, care for and maintenance of the property of the Diocese;
- (h) to enter into arrangements for the provision of employees or contractors to ministry units and diocesan agencies upon request on such terms and conditions as the Board determines and in agreement with the unit or agency.¹⁷
- (i) to enter into arrangements for the provision of administrative services and property services to any diocesan agency or ministry unit specified in section

¹¹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

¹² Amended by the Diocesan Services (Amendment) Ordinance 2011

¹³ Amended by the Diocesan Services (Amendment) Ordinance 2011

¹⁴ Amended by the Diocesan Services (Amendment) Ordinance 2011

¹⁵ Inserted by the Diocesan Services (Amendment) Ordinance 2013

¹⁶ Inserted by the Diocesan Services (Amendment) Ordinance 2013

¹⁷ Amended by the Diocesan Services (Amendment) Ordinance 2011

5.2 on such terms and conditions as the Board determines and in agreement with the unit or agency.¹⁸

6.2 Anglican¹⁹Diocesan Services may, with the consent of Bishop-in-Council, charge a diocesan agency or ministry unit for services rendered on behalf of the agency or unit at rates which will recoup, but not exceed, the expenses incurred by Anglican²⁰Diocesan Services.

7 Board of Anglican²¹Diocesan Services

7.1 There shall be a Board of Anglican²²Diocesan Services.

7.2 The Board shall manage and be responsible for the operations of Anglican²³Diocesan Services.

7.3 The members of the Board are the persons, other than the Registrar, who for the time being are the members of Ministry Executive.

7.4 The quorum for the transaction of business of the Board shall be the number of members that is the next whole number greater than half of the total number of its numbers at the relevant time. ²⁴

8 General Manager

8.1 The General Manager of Anglican²⁵Diocesan Services shall be the Registrar.

8.2 The employment terms and conditions of the General Manager shall be as agreed between the General Manager and the Board, subject to the approval of Bishop-in-Council.

9 Role of General Manager

9.1 The role of the General Manager shall be:

- (a) to oversee the day to day operations of Anglican²⁶Diocesan Services;
- (b) to manage all employees of Anglican²⁷Diocesan Services;

¹⁸ Inserted by the Diocesan Services (Amendment) Ordinance 2011

¹⁹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²⁰ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²¹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²² Inserted by the Diocesan Services (Amendment) Ordinance 2013

²³ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²⁴ Inserted by the Anglican Diocesan Services (Amendment) Ordinance 2016

²⁵ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²⁶ Inserted by the Diocesan Services (Amendment) Ordinance 2013

- (c) to manage the financial affairs of Anglican²⁸Diocesan Services;
- (d) to report to each meeting of the Board upon the operations of Anglican²⁹Diocesan Services and provide such information as may be required by the Board from time to time;
- (e) to act as the Secretary of the Board; and
- (f) to perform such other duties as are requested by the Board from time to time.

10 Relationship of Anglican³⁰Diocesan Services to Bishop-in-Council

- 10.1 Nothing in this Ordinance shall be taken to limit the power and authority of Bishop-in-Council to determine the strategy and goals for the mission and ministry of this Church in the Diocese and the responsibility of Bishop-in-Council for the execution of those strategies and the attainment of those goals or for the effective, efficient and economical management of the property and financial resources of the Diocese.
- 10.2 Anglican³¹Diocesan Services shall comply with all decisions of or directions given by Bishop-in-Council from time to time.
- 10.3 The General Manager shall provide a summary report of the operations of Anglican³²Diocesan Services at each meeting of Bishop-in-Council and shall provide full financial details of the operation of Anglican³³Diocesan Services to Bishop-in-Council quarterly.
- 10.4 Any member of Bishop-in-Council may, through the Board, ask a question or questions on any matter relating to the affairs of Anglican³⁴Diocesan Services. The Board must ensure that an answer to the question is supplied by the General Manager before the next ordinary meeting of Bishop-in-Council.

³⁵11 Use of assets and funds

- 11.1 All moneys and property received or derived in connection with Anglican Diocesan Services shall be applied solely towards the promotion, development and conduct of Anglican Diocesan Services in accordance with this Ordinance and no part of them shall be paid or transferred directly or indirectly by any means whatsoever as profit

²⁷ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²⁸ Inserted by the Diocesan Services (Amendment) Ordinance 2013

²⁹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³⁰ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³¹ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³² Inserted by the Diocesan Services (Amendment) Ordinance 2013

³³ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³⁴ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³⁵ Amended by the Diocesan Services (Amendment) Ordinance 2013

to members of the Board or staff of Anglican Diocesan Services.

- 11.2 Nothing in section 11.1 prevents the payment in good faith to any person, including a member or employee of the Anglican Diocesan Services or of the Board:
- (a) of reasonable and proper remuneration in return for services actually rendered to Anglican Diocesan Services; or
 - (b) for goods supplied in the ordinary and usual conduct of Anglican Diocesan Services; or
 - (c) of interest at rates not exceeding those for the time being prevailing in the community on money borrowed for the purposes of Anglican Diocesan Services; or
 - (d) of reasonable and proper rent for premises let to Anglican Diocesan Services for their purposes; or
 - (e) of out-of-pocket expenses reasonably incurred while engaged in business for Anglican Diocesan Services.

³⁶12. Grants to the Diocese

- 12.1 Notwithstanding section 11.1, Anglican Diocesan Services may, from time to time, make grants to the Diocese for the charitable work of the Diocese.

³⁷13. Winding up

- 13.1 If upon the winding-up or dissolution of Anglican Diocesan Services, there remains after satisfaction of all its debts and liabilities, any property, the property shall not be paid or distributed among the members of the Board or of the staff, but shall be given or transferred to some other organisation or organisations having objects similar to the objects of Anglican Diocesan Services, and whose rules shall prohibit the distribution of its or their income among its or their members or to the Diocese for the charitable work of the Diocese.

Notes

Original Ordinance passed by Bishop-in-Council and assented to by Bishop Stuart 13 August 2010

Finance and Annual Reports Ordinance amended

Amended by the Diocesan Services Ordinance 2011 passed by Bishop-in-Council and assented to by Bishop Stuart on 5 August 2011

Amended by the Diocesan Services (Amendment) Ordinance 2013 passed by Bishop-in-Council and assented to by Bishop Stuart on 15 November 2013.

Amended by the Anglican Diocesan Services Amendment Ordinance 2016.

³⁶ Inserted by the Diocesan Services (Amendment) Ordinance 2013

³⁷ Inserted by the Diocesan Services (Amendment) Ordinance 2013