

ANGLICAN CHURCH OF AUSTRALIA

DIOCESE OF CANBERRA & GOULBURN

¹ANGLICARE ORDINANCE 1994²³

CONSOLIDATED VERSION ⁴

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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 email: ordinances@anglicands.org.au
This version of the Ordinance has not been authorised by the Chancellor in accordance with section 75 of the Diocesan Legislation Ordinance 2007 and is only for information.

² Name changed by the Anglicare Amendment Ordinance 2011

³ Name changed by Anglicare Change of Name Ordinance 2013

⁴ This version of the Ordinance has been renumbered to comply with the present numbering convention and has been authorised by the Chancellor in accordance with s78.1 of the Diocesan Legislation Ordinance 2007

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ANGLICARE ORDINANCE 1994⁵

AN ORDINANCE Relating to the community welfare, aged care and social justice work of the Diocese.

The Synod of the Diocese of Canberra and Goulburn enacts:

1. Name of the Ordinance⁶

1.1 This Ordinance is the Anglicare Ordinance 1994.^{7 8}

2. Commencement

2.1 This Ordinance commences on 20 February 2006.^{9 10}

3. Purpose of this Ordinance

3.1 The purpose of this Ordinance is to establish an appropriate organisational structure for developing community welfare, aged care and social justice policy and carrying out the community welfare, aged care and social justice work of the Diocese.

3.2¹¹

4 Dictionary¹²

4.1 In this Ordinance¹³, unless it is clear that another meaning is intended:

"Anglicare NSW South, NSW West and ACT¹⁴" means the body referred to in section 8 of the

Anglicare Restructure Ordinance 2006 (also known as 'Anglicare');¹⁵

"Anglicare Board" means the body referred to in section 9 (also known as 'the Board');

"caring activity" means an activity carried on for the relief of poverty, illness, suffering, distress or other disadvantage and includes the provision of aged care;

"caring facilities" means facilities provided for the relief of poverty, illness, suffering, distress or other disadvantage and includes facilities provided for the purposes of aged care;

"chief executive officer" means the person appointed under section 25¹⁶;

¹⁷

"financial year" means a year that is a financial year for the purposes of the Anglicare Board;

"ministry unit" means a ministry unit within the meaning of the Governance of the Diocese Ordinance 2000;

⁵ Amended by Anglicare Change of Name Ordinance 2013

⁶ Amended by Anglicare Change of Name Ordinance 2013

⁷ Amended by the Anglicare Amendment Ordinance 2011

⁸ Amended by Anglicare Change of Name Ordinance 2013

⁹ Commencement date fixed by Bishop-in-Council

¹⁰ Amended by the Anglicare Amendment Ordinance 2006

¹¹ Deleted by Anglicare Restructure Ordinance 2006

¹² Section replaced by Anglicare Restructure Ordinance 2006

¹³ Amended by Anglicare Change of Name Ordinance 2013

¹⁴ Amended by Anglicare Change of Name Ordinance 2013

¹⁵ Amended by Anglicare Amendment Ordinance 2011

¹⁶ Amended by the Anglicare Amendment Ordinance 2006

¹⁷ Deleted by the Anglicare Amendment Ordinance 2006

"public benevolent institution" means a body which is a public benevolent institution for the purposes of the Commonwealth Income Tax Assessment Act 1936 or any Act replacing that Act;

"Trust Property Act" means:

- (a) in relation to property within New South Wales, the Anglican Church of Australia Trust Property Act 1917 of New South Wales; and
- (b) in relation to property within the Australian Capital Territory, the Anglican Church of Australia Trust Property Act 1928 of the Australian Capital Territory.

"warden" means a person appointed to a self-care aged facility to assist in the management of the facility and to assist residents of the facility to enjoy their residency in the facility;

¹⁸**Note:** *The Dictionary included in the Diocesan Legislation Ordinance 2007 provides definitions of the following terms:*

- Bishop-in-Council'

4.2 A reference to **"community welfare"** is to be read as a reference to activities undertaken for the relief of poverty, illness, suffering, distress, helplessness or other disadvantage in the community generally or in particular groups in the community.

PART 2 – ANGLICARE¹⁹

5 Objectives of Anglicare^{20 21}

5.1 The objectives of Anglicare are to provide services in the name of this Church:²²

- (a) by the provision of services for the relief of poverty, illness, suffering, distress or other disadvantage; and
- (b) the provision of aged care
- (c) in the pursuit of social justice.

5.2 The services provided by Anglicare must be made available to the public without regard to religious or other affiliation.

6 Functions of Anglicare^{23 24}

6.1 For the purpose of giving effect to its objectives Anglicare may carry out the following activities:²⁵

- (a) establish policies for diocesan involvement in community welfare²⁶;
- (b) provide welfare and caring services (including services for children and young persons);

¹⁸ Inserted by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

¹⁹ Amended by the Anglicare Amendment Ordinance 2011

²⁰ Section replaced by Anglicare Restructure Ordinance 2006

²¹ Amended by the Anglicare Amendment Ordinance 2011

²² Amended by the Anglicare Amendment Ordinance 2011

²³ Section replaced by Anglicare Restructure Ordinance 2006

²⁴ Amended by the Anglicare Amendment Ordinance 2011

²⁵ Amended by the Anglicare Amendment Ordinance 2011

²⁶ Amended by the Anglicare Amendment Ordinance 2014

- (c) provide aged care, particularly in the provision and management of self-care accommodation for aged persons within the Diocese²⁷;
- (d) provide²⁸ welfare chaplaincies;
- (e) exercise a general oversight of caring activities undertaken by ministry units;
- (f) identify areas of need in the Diocese and initiate and nurture endeavours in community welfare²⁹ to meet the need
- (g) encourage ministry units in the Diocese to determine and meet the caring and social welfare needs of people in their areas, including through the establishment of ministry unit-based caring activities;
- (h) if appropriate and available provide support, encouragement and other resources for diocesan agencies, chaplaincies and ministry unit-based caring activities³⁰
- (i) promote, support, co-ordinate and work for community welfare and aged care in the name of the Diocese of Canberra and Goulburn;
- (j) heighten the awareness of Anglicans, governments and their agencies, and the community in general in relation to issues of community welfare, social justice and aged care;
- (k) address through research, advocacy, development of caring initiatives and by other means, issues of social justice at all levels of society and support research in relation to such issues; and
- (l) such other functions as may, from time to time, be conferred on Anglicare by the Bishop-in-Council for the purpose of furthering the objectives specified in section 5.³¹

7 Powers of Anglicare³²³³

7.1 Anglicare has power:³⁴

- (a) to work with ministry units and diocesan agencies in order to fulfil its functions;
 - (b) to co-operate with, or engage jointly with government and other non-profit agencies in the provision of caring activities or caring facilities;
 - (c) to undertake the provision of caring activities or caring facilities on behalf or at the request of government agencies;
 - (d) to seek funding from Commonwealth, State and local government;
 - (e) to impose charges for services provided;
 - (f) to engage in trading operations;
 - (g) to raise money by public appeal;
 - (h) to accept donations and grants; and
 - (i) subject to subsection 7.2, to incur debt,
- subject to the provisions of this Ordinance, the Constitution of the Anglican Church of Australia and any national, provincial or diocesan law or ordinance in force in this Diocese.

²⁷ Amended by the Anglicare Amendment Ordinance 2014

²⁸ Amended by the Anglicare Amendment Ordinance 2014

²⁹ Amended by the Anglicare Amendment Ordinance 2014

³⁰ Amended by the Anglicare Amendment Ordinance 2014

³¹ Amended by the Anglicare Amendment Ordinance 2011

³² Section replaced by Anglicare Restructure Ordinance 2006

³³ Amended by the Anglicare Amendment Ordinance 2011

³⁴ Amended by the Anglicare Amendment Ordinance 2011

7.2 The Anglicare Board must not, without the prior approval of the Bishop-in-Council, do anything that would result in the total amount of the liabilities of Anglicare at any time exceeding the amount for the time being determined by the Bishop-in-Council for the purposes of this subsection 7.2.³⁵

7.3 Anglicare shall be responsible for the conduct and management of the Bishop's Anglicare Appeal including making disbursements from the fund established under that name and shall ensure that all such disbursements from the fund are applied only for purposes that accord with the approval for the time being of the fund by the Commissioner of Taxation.³⁶

8 Visitor³⁷

8.1 There shall be a Visitor to Anglicare and to the Anglicare Board.³⁸

7.2 The Bishop shall be the Visitor.

7.3 The Visitor shall have the powers and functions usually attaching to the office of Visitor of a charitable corporation.

PART 3 – ANGLICARE BOARD

9. The Board of Anglicare³⁹⁴⁰

9.1 The Anglicare Board is responsible for the planning, management, and performance monitoring of the delivery of the functions of Anglicare.⁴¹

9.2 The Anglicare Board is responsible for:

- (a) exercising a general overview and facilitation of caring activity and caring facilities within the Diocese;
- (b) developing policy, and providing advice to the Bishop and Bishop-in-Council, on issues of social justice;
- (c) with the approval of the Bishop, speaking on behalf of the Diocese on issues of community welfare, aged care and social justice; and
- (d) providing advice to the Bishop and Bishop-in-Council on emerging needs for new health and welfare chaplaincies;
- (e) determining policies in accordance with which the functions of Anglicare are to be performed. including but not limited to social justice, research and advocacy, resource development (including marketing and fundraising), project co-ordination and facilitation and regional and external relations;⁴²
- (f) ensuring, with the Chief Executive Officer, that Anglicare has a vision, values and direction and which aligns with the mission, vision and values of the Diocese; and⁴³⁴⁴

³⁵ Amended by the Anglicare Amendment Ordinance 2011

³⁶ Amended by the Anglicare Amendment Ordinance 2011

³⁷ Section replaced by Anglicare Restructure Ordinance 2006

³⁸ Amended by the Anglicare Amendment Ordinance 2011

³⁹ Section replaced by Anglicare Restructure Ordinance 2006

⁴⁰ Amended by the Anglicare Amendment Ordinance 2011

⁴¹ Amended by the Anglicare Amendment Ordinance 2011

⁴² Amended by the Anglicare Amendment Ordinance 2011

⁴³ Amended by the Anglicare Amendment Ordinance 2006

(g) such other matters as may be referred to it by Bishop-in-Council.”⁴⁵

10 Powers of the Anglicare Board⁴⁶

10.1 The Anglicare Board may exercise all the powers of Anglicare.⁴⁷

11 Duty to inform⁴⁸

11.1 The Anglicare Board has a duty:

- (a) to provide any information, including access to any documents, requested by Bishop-in-Council; and
- (b) to keep Bishop-in-Council informed of the affairs of Anglicare.⁴⁹

12 Accounts and audit⁵⁰

12.1 Anglicare must maintain one or more accounts with an approved deposit taking institution approved under a law of the Commonwealth of

13 Limitations on expenditure⁵¹

13.1 The moneys of Anglicare must not be used otherwise than for its objectives of and in accordance with its functions and powers.⁵²

13.2 The Board must not make any payment of money or money's worth to any member of the Anglicare Board or to any member of a committee established by the Board otherwise than for reasonable remuneration as an employee or for reimbursement of reasonable and proper expenses incurred in connection with the business of the Board.

14 Committees of the Anglicare Board⁵³

14.1 Subject to section 15.4, the Anglicare Board may establish committees for the purpose of doing, on behalf of the Board, anything the Board has power to do.

14.2 The conditions of appointment of a member of a committee established under this section are such as are determined by the Board.

14.3 In spite of any determination under subsection 14.2 the appointment of a member of a committee may be terminated at any time by the Board.

14.4 The Board must obtain the Bishop's approval to the appointment of the presiding member of a committee.

14.5 The Board may make rules for the procedures to be followed by a committee.

⁴⁴ Amended by the Anglicare Amendment Ordinance 2011

⁴⁵ Amended by the Anglicare Amendment Ordinance 2006

⁴⁶ Section replaced by Anglicare Restructure Ordinance 2006

⁴⁷ Amended by the Anglicare Amendment Ordinance 2011

⁴⁸ Section replaced by Anglicare Restructure Ordinance 2006

⁴⁹ Amended by the Anglicare Amendment Ordinance 2011

⁵⁰ Amended by the Anglicare Amendment Ordinance 2006

⁵¹ Section replaced by Anglicare Restructure Ordinance 2006

⁵² Amended by the Anglicare Amendment Ordinance 2011

⁵³ Section replaced by Anglicare Restructure Ordinance 2006

15 Delegation⁵⁴

- 15.1 The Anglicare Board may delegate to a person or to a committee established by the Board any or all of its powers, other than this power of delegation.
- 15.2 A delegation given by the Board may be subject to conditions.
- 15.3 The delegation of a power does not prevent the exercise of that power by the Board.
- 15.4 A person or committee exercising a delegated power is responsible to the Board for the exercise of that power and the Board may give directions on how the power is to be exercised.
- 15.5 A delegation made under this section may be changed or revoked at any time.

PART 4 – MEMBERS AND MEETINGS OF THE ANGLICARE BOARD

16 Membership of Anglicare Board⁵⁵

- 16.1 Anglicare Board consists of:
- (a) the Presiding Member;
 - (b) the Deputy Presiding Member;
 - (c) not more than 7 members appointed by the Bishop-in-Council; and
 - (d) ⁵⁶
- 16.2 The Presiding Member and the Deputy Presiding Member are appointed by the Bishop-in-Council with the agreement of the Bishop for such term as is specified in the resolution of appointment.
- 16.3 A member referred to in paragraph 16.1(c) holds office for such term as is specified in the resolution of appointment.⁵⁷
- 16.4 ⁵⁸

17 Powers of Presiding Member⁵⁹

- 17.1 The Presiding Member of the Anglicare Board shall:
- (a) preside at all meetings of the Board at which they are present,
 - (b) be the spokesperson for the Board,
 - (c) be responsible for ensuring that the Bishop is kept appropriately informed of the affairs of the Board; and
 - (d) carry out such other duties and have such other powers as shall be decided from time to time by the Board or by the Bishop-in-Council after consultation with the Board.

⁵⁴ Section replaced by Anglicare Restructure Ordinance 2006

⁵⁵ Section replaced by Anglicare Restructure Ordinance 2006

⁵⁶ Deleted by the Anglicare Amendment Ordinance 2010

⁵⁷ Amended by the Anglicare Amendment Ordinance 2010

⁵⁸ Deleted by the Anglicare Amendment Ordinance 2014

⁵⁹ Section replaced by Anglicare Restructure Ordinance 2006

18 Powers of Deputy Presiding Member⁶⁰

18.1 The Deputy Presiding Member of the Anglicare Board has, during any absence or inability of the Presiding Member to perform their functions, or during any vacancy in the office of the Presiding Member, all of the powers and functions of the Presiding Member.

19 Meetings of the Anglicare Board⁶¹

19.1 The Anglicare Board must hold such meetings as are necessary for the effective performance of its functions, but not less than 3 meetings in any 12 months.

19.2 The Presiding Member:

- (a) may at any time convene a meeting of the Board; and
- (b) must convene a meeting of the Board if so requested in writing by such number of other members of the Board as would constitute a quorum.

19.3 The Visitor may convene a meeting of the Board at any time

19.4 Unless the Visitor or the Presiding Member declares a meeting to be urgently required, at least 7 days notice must be given to members of the time and place of a meeting of the Board.

19.5 If the Visitor or the Presiding Member declares a meeting to be urgently required, the meeting may be called at less than 7 days notice, but as much notice as practicable must be given to each member.

19.6 The Presiding Member is to preside at all meetings of the Board at which they are present.

19.7 Presiding Member, if present, is to preside.

19.8 If both the Presiding Member and the Deputy Presiding Member are absent from a meeting of the Board, a member chosen by the members present is to preside.

19.9 A question arising at a meeting of the Board is to be determined by a majority of those members present and voting.

19.10 Each member has 1 vote but, if there is an equality of votes on any question, the member presiding at the meeting has a second or casting vote.

19.11 The chief executive officer shall, unless on any occasion the Board decides otherwise, attend every meeting of the Board.⁶²

19.12 A quorum for a meeting of the Anglicare Board is the whole number of members that is next after one half of the members of the Board holding office at the time.⁶³

⁶⁰ Section replaced by Anglicare Restructure Ordinance 2006

⁶¹ Section replaced by Anglicare Restructure Ordinance 2006

⁶² Inserted by the Anglicare Amendment Ordinance 2010

⁶³ Inserted by the Anglicare Amendment Ordinance 2014

20 Conduct of meetings of Anglicare Board⁶⁴

- 20.1 Subject to this Ordinance, the Anglicare Board may regulate proceedings at its meetings as it considers appropriate.
- 20.2 The Board must keep minutes of those proceedings.
- 20.3 Without limiting subsection 20.1, the Board may permit members to participate in a particular meeting, or in all meetings, by:
- (a) telephone; or
 - (b) closed-circuit television; or
 - (c) any other means of communication.
- 20.4 A member who is permitted to participate in a meeting under subsection 20.3 is taken to be present at that meeting.

21 Resolutions without formal meetings⁶⁵

- 21.1 If the Anglicare Board so determines, a resolution is taken to have been carried at a meeting of the body if, without meeting, at least a majority of members indicate agreement with the resolution by a method determined by the body.

22 Disclosure of interests⁶⁶

- 22.1 A member of the Anglicare Board who has a direct or indirect pecuniary or personal interest in a matter being considered, or to be considered, by the body must, as soon as possible after the relevant facts come to the member's knowledge, disclose the nature of that interest at a meeting of the Board.
- 22.2 The disclosure must be recorded in the minutes of the meeting and the Board shall then decide whether the member shall:
- (a) be present during any deliberation of the Board in relation to the matter; or
 - (b) take any part in the decision of the Board in relation to the matter.

23 Vacancies on the Board not to affect functions⁶⁷

- 23.1 The capacity of the Anglicare Board to perform its functions is not affected by the existence of a vacancy in its membership.

24 Termination of membership of the Anglicare Board⁶⁸

- 24.1 Despite section 16.3, a member of Anglicare Board ceases to hold office if:
- (a) the member resigns by giving a written resignation to the Bishop or the Presiding Member; or
 - (b) the member is absent from 3 consecutive meetings of the Board without having obtained leave of absence from the Board; or
 - (c) the member becomes bankrupt or enters into an arrangement under the Bankruptcy Act for the benefit of his or her creditors; or
 - (d) the appointment is terminated by Bishop-in-Council under subsection 24.2.

⁶⁴ Section replaced by Anglicare Restructure Ordinance 2006

⁶⁵ Section replaced by Anglicare Restructure Ordinance 2006

⁶⁶ Section replaced by Anglicare Restructure Ordinance 2006

⁶⁷ Section replaced by Anglicare Restructure Ordinance 2006

⁶⁸ Section replaced by Anglicare Restructure Ordinance 2006

24.2 Despite section 16, the Bishop-in-Council may remove any member of the Anglicare Board from office if, in the opinion of the Bishop-in-Council, it is desirable to do so in the interests of the Board or of the Diocese.

PART 5 – CERTAIN OFFICERS OF ANGLICARE⁶⁹

25 Appointment of Chief Executive Officer⁷⁰

25.1 The Anglicare Board may, with the approval of Bishop-in-Council, appoint a Chief Executive Officer of Anglicare, whether under that title or another title.⁷¹

25.2 In appointing a Chief Executive Officer, the Board is required to ensure that the appointee is capable of ensuring that Anglicare's mission, vision and values are aligned with those of the Diocese.

25.3 The Board shall require the Chief Executive Officer be able to demonstrate a commitment to the Christian faith and to incorporate this commitment into the exercise of his or her duties.

26 Role and Functions of the Chief Executive Officer⁷²⁷³

26.1 The Chief Executive Officer shall be responsible to the Board for the management of Anglicare in accordance with a duty statement which shall be approved by the Board from time to time.⁷⁴

26.2 The Board shall table the duty statement at the next meeting of Bishop-in-Council after it is approved.

26.3 In approving the duty statement, the Board shall have regard for the need to ensure efficient and effective management of the resources and staff of Anglicare and compliance with relevant legislative and other regulatory standards.”

27 Chaplains⁷⁵

27.1 Anglicare shall appoint Chaplains for facilities or activities;⁷⁶

27.2 Anglicare shall make provision for any cost of such Chaplains;⁷⁷

27.3 The Chaplains shall be appointed by the Chief Executive Officer after consultation with the Bishop;

27.4 No person shall be appointed as a Chaplain unless licensed for that position by the Bishop.

⁶⁹ Amended by the Anglicare Amendment Ordinance 2011

⁷⁰ Section replaced by Anglicare Restructure Ordinance 2006

⁷¹ Amended by the Anglicare Amendment Ordinance 2011

⁷² Section replaced by Anglicare Restructure Ordinance 2006

⁷³ Section replaced by Anglicare Amendment Ordinance 2009

⁷⁴ Amended by the Anglicare Amendment Ordinance 2011

⁷⁵ Section replaced by Anglicare Restructure Ordinance 2006

⁷⁶ Amended by the Anglicare Amendment Ordinance 2011

⁷⁷ Amended by the Anglicare Amendment Ordinance 2011

28 Wardens in Aged Care⁷⁸

28.1 Where Anglicare wishes to appoint a person as a Warden for a Self-Care Facility in Aged Care, it must first consult with the Bishop on such an appointment.⁷⁹

PART 6 – ARRANGEMENTS CONCERNING PROPERTY

29 Arrangements with Property Trust for use of property⁸⁰

29.1 The Property Trust may enter into arrangements with Anglicare for the use by Anglicare of property held by or acquired by the Property Trust for purposes within the functions of Anglicare.⁸¹

30 Winding up of Anglicare⁸²⁸³

30.1 This section provides for the disposition of surplus property and money of Anglicare remaining after meeting all liabilities of Anglicare or if Anglicare is wound up or dissolved, and of property held on trust for the purposes of Anglicare.⁸⁴

30.2 This section does not apply to property or money used or held in trust for the purposes of self-care accommodation for elderly persons and other related purposes as notified to Bishop-in-Council from time to time.

30.3 The surplus property and money to which this section applies must be held on trust by the Property Trust for such purposes of the Diocese as would be the purposes of a public benevolent institution under section 78(1)(a)(ii) of the Income Tax Assessment Act 1938 or any provision replacing that section.

30.4 Property to which this section applies that is held on trust by the Property Trust for the purposes of Anglicare must, on the winding up or dissolution of Anglicare, be held on trust for such purposes of the Diocese as would be the purposes of a public benevolent institution under section 78(1)(a)(ii) of the Income Tax Assessment Act 1936⁸⁵ or any provision replacing that section.⁸⁶

30.5 ⁸⁷The Bishop-in-Council must take such action under section 32 of the Trust Property Act as is required to give effect to subsections 30.3 and 30.4

30(A) Community Housing Assets⁸⁸

30A.1 Despite section 30, if, on the winding up or dissolution of Anglicare, there remains any property that is a Community Housing Asset in a Participating Jurisdiction that

⁷⁸ Section replaced by Anglicare Restructure Ordinance 2006

⁷⁹ Amended by the Anglicare Amendment Ordinance 2011

⁸⁰ Section replaced by Anglicare Restructure Ordinance 2006

⁸¹ Amended by the Anglicare Amendment Ordinance 2011

⁸² Section replaced by Anglicare Restructure Ordinance 2006

⁸³ Amended by the Anglicare Amendment Ordinance 2011

⁸⁴ Amended by the Anglicare Amendment Ordinance 2011

⁸⁵ Amended by the Anglicare Amendment Ordinance 2015

⁸⁶ Amended by the Anglicare Amendment Ordinance 2011

⁸⁷ Amended by the Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009

⁸⁸ Inserted by the Anglicare Amendment Ordinance 2015

property is to be transferred to another Registered Community Housing Provider or to a Housing Agency in the jurisdiction in which the Community Housing Asset is located.

30A.2 The provider or agency to which any property is to be transferred under subsection 30A.1 the transferee will be determined by the Board, subject to the approval of Bishop-in-Council.

30A.3 In this clause:

Community Housing Asset means

- (a) land vested in Anglicare by or under the community housing legislation of a participating jurisdiction, or
- (b) land acquired by Anglicare wholly or partly with funding provided by a Housing Agency of a participating jurisdiction, or
- (c) land vested in Anglicare on which a Housing Agency of a participating jurisdiction has constructed housing or made other improvements, or
- (d) funds provided to Anglicare by a Housing Agency of a participating jurisdiction for the purposes of community housing, or
- (e) any other asset of Anglicare that is a class of assets declared by the community housing legislation of a participating jurisdiction as a community housing assets for the purposes of the NSW Act.

Community Housing legislation means any legislation which adopts, applies or otherwise enacts the Community Housing Providers National Law.

Community Housing Providers National Law means the Community Housing Providers National Law, as in force from time to time as set out in the appendix to the NSW Act.

Housing Agency of a Participating Jurisdiction means a body or officer declared to be a Housing Agency of that jurisdiction by the community housing legislation for that jurisdiction for the purposes of the provisions of the Community Housing Providers National Law in which the expression occurs.

NSW Act means the *Community Housing Providers (Adoption of National Law) Act 2012* (NSW).

Participating Jurisdiction means an Australia jurisdiction in which:

- (a) the Community Housing Providers National Law applies as a law of the jurisdiction, or
- (b) a law that substantially corresponds with the provisions of the Community Housing Providers National Law has been enacted.

Registered Community Housing Provider means an entity registered under the Community Housing Providers National Law as a community housing provider.

31 Restriction of disposal of property⁸⁹

31.1 The Anglicare Board must not acquire, or dispose of:

- (a) an estate or interest in real property; or
- (b) a leasehold estate or interest;

without the approval of Bishop-in-Council, which may be given in a specific case or generally subject to such conditions as Bishop-in-Council may think fit.

32 Borrowing by Anglicare^{90 91}

32.1 The Board has power to borrow money or raise funds for the purposes of Anglicare and may, from time to time do so with the prior approval of Bishop-in-Council.⁹²

32.2 With the approval of Bishop-in-Council the Board may enter into derivative, swap or hedge transactions or any financial arrangement of a similar nature.

Notes

- Original Ordinance, Careforce Ordinance 1994 assented to 6 August 1994
- Amended by:
- Careforce Amendment Ordinance 1996 (Repealed)
- Careforce Amendment Ordinance 1999 (Repealed)
- Anglicare Amendment Ordinance 1999 (Repealed)
- Anglicare Amendment Ordinance 2001 (Repealed)
- Anglicare Amendment Ordinance 2003 (Repealed)
- Anglicare (Governance Provisions) Amendment Ordinance 2003 (Repealed)
- Anglicare Amendment Ordinance 2005 (Repealed)
- Anglicare Restructure Ordinance 2006
- Anglicare Amendment Ordinance 2009
- Diocesan Legislation Ordinance Consequential Amendments Ordinance 2009
- Assented to by Bishop Stuart 18/9/2009
- Anglicare Amendment Ordinance 2010 Assented to by Bishop Stuart 9 April 2010
- Anglicare Amendment Ordinance 2011 Assented to by Bishop Stuart 2 December 2011
- Anglicare Change of Name Ordinance 2013 passed by Bishop-in-Council on 15 November 2013 and assented to by Bishop Stuart on 15 November 2013
- Anglicare Amendment Ordinance 2014 passed by Bishop-in-Council without amendment on 13 June 2014 and assented to by Bishop Stuart on 13 June 2014.
- Anglicare Amendment Ordinance 2015 passed by Bishop-in-Council without amendment on 17 April 2015 and assented to by Bishop Stuart on 17 April 2015

⁸⁹ Section replaced by Anglicare Restructure Ordinance 2006

⁹⁰ Section inserted by Anglicare Restructure Ordinance 2006

⁹¹ Amended by the Anglicare Amendment Ordinance 2011

⁹² Amended by the Anglicare Amendment Ordinance 2011

See also:

- Church Society Ordinance 1939 (Repealed)
- Goulburn Church Society Further Amendment Ordinance 1945 (Repealed)
- Diocesan Children's Home Ordinance 1954 (Repealed)
- Toddlers Home Capital Fund Ordinance 1962 (Repealed)
- The Diocesan Aged Persons Homes Constitution Ordinance 1966 (Repealed)
- The "Bungarimbil" Lands Sales Ordinance 1975
- 'Bimbimbie' Retirement Village Ordinance 1976 (Repealed)
- Careforce Council (Change of Name) Ordinance 1977 (Repealed)
- St Saviours Neighbourhood Centre Amendment Ordinance 1980 (Repealed)
- St Saviours Neighbourhood Centre Amendment Ordinance 1985 (Repealed)
- St Saviours Neighbourhood Centre Amendment Ordinance 1990 (Repealed)
- Careforce Agencies Incorporation Ordinance 1994
- Anglican Retirement Community Services Board Mortgaging Ordinance 1996
- Anglican Retirement Community Services Board Mortgaging Ordinance Amendment Ordinance 1996
- St. Saviour's Neighbourhood Centre-Rules 1997 (Repealed) Anglicare Youth and Family Services Incorporation Ordinance 2001
- Anglicare Canberra and Goulburn Incorporation Ordinance 2006
- Anglicare Lease Ordinance 2007