

1089X

The Trustees of the Roman Catholic Church for the
Diocese of Lismore

Power of Attorney

Date 09 February 2016

By

The Trustees of the Roman Catholic Church for the Diocese of Lismore, a body corporate constituted under the *Roman Catholic Church Trust Property Act, 1936* (NSW) (Grantor)

Declarations

1. DEFINITIONS

In this document:

Attorney means each of the persons for the time being holding office in the Catholic Diocese of Lismore as, and each person relieving or acting in the office under valid appointment listed as an attorney by class in the Schedule to this deed.

Diocese and **Diocesan** means the Catholic Diocese of Lismore.

Bishop of Lismore means the Most Reverend Geoffrey Hylton Jarrett, Bishop of Lismore, and his successors being the person administering the Diocese whether as Bishop, Coadjutor Bishop, Vicar Capitular or Administrator.

Category A (Diocese) Document means any of the following documents:

- a) A **Standard Diocese Precedent Contract** with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;
- b) A **non-standard contract** with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;
- c) an **employment contract** for a Diocesan agency manager;
- d) **deeds** of release and/or indemnities;
- e) **government and commercial funding agreements** with the prior approval of the respective Council or Board;

- f) **statutory compliance forms**, such as owners consent forms to local councils;
- g) **residential and commercial leases** and subleases including standard residential tenancy agreements and standard residential tenancy notices (the Grantor being either lessor, lessee, sublessor or sublessee);
- h) **assignment** or novation of contracts to which the Grantor is a party including of leases;
- i) **sale, grant, transfer** and assignment of long term leasehold interests in property;
- j) **contracts** for purchase and/or sale of land;
- k) all *Real Property Act 1900* and analogous **dealing forms**;
- l) building contracts;
- m) **plans** of subdivision and/or consolidation (including easements);
- n) documents necessary to implement or give effect to matters which:
 - i. have received the **approval** of the Bishop of Lismore; or
 - ii. the Grantor has, at a meeting of the Grantor at which a quorum was present, **resolved to approve**; and
- o) any other agreement with the consent of the Bishop of Lismore.

Category B (Parish) Document means any of the following:

- a) A **Standard Diocese Precedent Contract** with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;
- b) A **non-standard contract** with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;
- c) an **employment contract** for parish staff;
- d) a **retail lease**;
- e) a **commercial lease**;
- f) **aged care residential licence agreement**;

- g) a **child care lease**;
- h) **government and commercial funding agreements** with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;
- i) **statutory compliance forms**, such as owners consent forms to local councils;
- j) a **supply of goods** (long and short form);
- k) a **supply of services** (long and short form);
- l) a **supply of goods and services** (long and short form);
- m) a **purchase order** for supply/installation work; and
- n) a **licence deed for use** of parish or school property (terminable on notice or for a fixed term), and
- o) any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.

Category C (Education) Document means any of the following:

- a) a **Standard Employment Contract** for a school principal, which has the prior consent of the Bishop of Lismore and the parish priest;
- b) a **supply of goods** (long and short form) for the Catholic Schools Office;
- c) a **supply of services** (long and short form) for the Catholic Schools Office;
- d) a **supply of goods and services** (long and short form) for the Catholic Schools Office;
- e) a **purchase order** for supply/installation work for the Catholic Schools Office;
- f) **government and commercial funding agreements** with the prior approval of the Catholic Schools Council;
- g) **statutory compliance forms**, such as owners consent forms to local councils;

- h) any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.

Category D (St Vincent's Private Hospital) Document means any of the following:

- a) an **employment contract** for agency staff, which has the prior consent of the St Vincent's Private Hospital Board;
- b) a **supply of goods** (long and short form);
- c) a **supply of services** (long and short form);
- d) a **supply of goods and services** (long and short form);
- e) a **purchase order** for supply/installation work;
- f) **government and commercial funding agreements** with the prior approval of the St Vincent's Private Hospital Board;
- g) a **retail lease**;
- h) a **commercial lease**;
- i) **aged care residential licence agreement**;
- j) a **child care lease**;
- k) **statutory compliance forms**, such as owners consent forms to local councils; and
- l) any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.

Category E (Administration) Document means any of the following:

- a) an **employment contract** for parish staff with the approval of the parish priest;
- b) a **supply of goods** (long and short form);
- c) a **supply of services** (long and short form);
- d) a **supply of goods and services** (long and short form);

- e) a **purchase order** for supply/installation work; and
- f) any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.

Document means either a Category A, Category B, Category C, Category D or Category E Document.

Parochial Authority means a parish priest or parish administrator with a valid episcopal appointment.

Standard Diocese's Precedent Contract means a contract that has been produced by the Diocese as a standard precedent including:

- a) a retail lease;
- b) a commercial lease;
- c) a child care lease;
- d) a supply of goods (long and short form);
- e) a supply of services (long and short form);
- f) a supply of goods and services (long and short form);
- g) a purchase order for supply/installation work; and
- h) a licence deed for use of parish or school property (terminable on notice or for a fixed term), or

any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.

2. APPOINTMENT

The Grantor appoints the Attorneys severally the attorney of the Grantor with power to execute the Documents on behalf of the Grantor.

3. EXERCISE OF POWER

Class A Attorneys may sign any Document subject to the following qualifications:

- a) The Diocesan Business Manager may sign any Category A Document with the exception of c), d) and e).

Class B Attorneys may sign any Category B Document.

Class C Attorneys may sign any Category C Document.

Class D Attorneys may sign any Category D Document.

Class E Attorneys may sign any Category E Document subject to the following qualifications:

- a) The Diocesan Business Manager may sign any Category E Document to which the Grantor is a party which the Bishop of Lismore or his delegate, being a Class A Attorney, has confirmed in writing may be executed.

Class F Attorneys may sign any Category E Document subject to the following qualifications:

- a) with the exception of a).

4. REPRESENTATION

The exercise by the Attorneys of any power under this document does not constitute a representation by the Attorneys as to the validity, enforceability, registrability or adequacy of this document or the Documents or the priority of any security interest created by any Document.

5. RATIFICATION

The Grantor ratifies and confirms everything an Attorney does on behalf of the Grantor under this document.

6. INDEMNITY

The Grantor indemnifies the Attorneys against all claims, demands, losses, damages, costs and expenses caused or contributed to by any exercise of the Attorneys' powers under this document.

7. REVOCATION

The Attorneys' powers remain in force until written notice of its revocation is actually received by the Attorneys, but without prejudice to the validity of any act of the Attorneys done before that date, and any person dealing with the Attorneys or the Grantor in good faith may assume without enquiry that this power of attorney has not been revoked.

8. FORMER POWERS OF ATTORNEY

Pursuant to clause 7 of the power of attorney the Grantor hereby revokes any former implied or expressed Power of Attorney and for the purposes of clause 7 of the Former Power of Attorney this clause is taken to be notification of that revocation.

Executed as a deed in New South Wales.

The Common Seal of The Trustees of the Roman Catholic Church for the Diocese of Lismore was hereunto affixed in pursuance of a resolution passed at a meeting of the said Body Corporate in the presence of the Bishop of Lismore and two other members thereof all of whose signatures are set opposite hereto:)

Signature *Geoffrey Jamett*

Signature *[Handwritten Signature]*

Signature *L J Demmoely*



REGISTERED
14/3/2016
BK 4703 NO 719



Schedule

ATTORNEYS

Class A Attorneys

- a) Vicar General
- b) Diocesan Business Manager

Class B Attorney

Any Parochial Authority

Class C Attorney

The Director of Catholic Schools of the Catholic Schools Office

Class D Attorney

The Chief Executive Officer of St Vincent's Private Hospital, Lismore

Class E Attorney

- a) Any parish business manager in the Diocese
- b) Any school principal in the Diocese
- c) Any manager of a parish early childhood education, aged or community care service in the Diocese
- d) Any parish agency manager in the Diocese

Class F Attorney

- a) Any parish clerical officer in the Diocese
- b) Any parish agency clerical officer in the Diocese
- c) Any Diocesan clerical officer in the Diocese

DIOCESE OF LISMORE
DELEGATION SCHEDULE



The Trustees of the Roman Catholic Church for the Diocese of Lismore, a body corporate constituted under the *Roman Catholic Church Trust Property Act, 1936 (NSW)* (Grantor)

Attorney means each of the persons for the time being holding office in the Catholic Diocese of Lismore, and each person relieving or acting in the office under valid appointment listed as an Attorney in the Schedule.

ATTORNEY	CATEGORY A DIOCESE	CATEGORY B PARISH	CATEGORY C EDUCATION	CATEGORY D ST VINCENT'S HOSPITAL	CATEGORY E ADMINISTRATION
	<p>a. A Standard Diocese Precedent Contract with an aggregate value at the time of execution of less than \$2 million, which has prior consent of the Bishop;</p> <p>b. A non-standard contract with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;</p> <p>c. an employment contract for agency manager;</p> <p>d. deeds of release and/or indemnities;</p> <p>e. government and commercial funding agreements with the prior approval of the respective Council or Board;</p> <p>f. statutory compliance forms, such as owners consent forms to local councils;</p> <p>g. residential and commercial leases and subleases including standard residential tenancy agreements and standard residential tenancy notices;</p> <p>h. assignment or novation of contracts to which the Grantor is a party including of leases;</p> <p>i. sale, grant, transfer and assignment of long term leasehold interests in property;</p> <p>j. contracts for purchase and/or sale of land;</p> <p>k. all <i>Real Property Act 1900</i> and analogous dealing forms;</p> <p>l. building contracts;</p> <p>m. plans of subdivision and/or consolidation (including easements);</p> <p>n. documents necessary to implement or give effect to matters which:</p> <ol style="list-style-type: none"> have received the approval of the Bishop of Lismore; or the Grantor has, at a meeting of the Grantor at which a quorum was present, resolved to approve; and <p>o. any other approved agreement.</p>	<p>a. A Standard Diocese Precedent Contract with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;</p> <p>b. A non-standard contract with an aggregate value at the time of execution of less than \$2 million, which has the prior consent of the Bishop of Lismore;</p> <p>c. an employment contract for parish staff;</p> <p>d. a retail lease;</p> <p>e. a commercial lease;</p> <p>f. aged care residential licence agreement;</p> <p>g. a child care lease;</p> <p>h. government and commercial funding agreements for sums greater than \$2 million with the prior approval of the Bishop;</p> <p>i. statutory compliance forms, such as owners consent forms to local councils;</p> <p>j. a supply of goods (long and short form);</p> <p>k. a supply of services (long and short form);</p> <p>l. a supply of goods and services (long and short form);</p> <p>m. a purchase order for supply/installation work; and</p> <p>n. a licence deed for use of parish or school property (terminable on notice or for a fixed term), or</p> <p>o. any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.</p>	<p>a. a Standard Employment Contract for school principals, which has the prior consent of the Bishop of Lismore and the parish priest;</p> <p>b. a supply of goods (long and short form) for the Catholic Schools Office;</p> <p>c. a supply of services (long and short form) for the Catholic Schools Office;</p> <p>d. a supply of goods and services (long and short form) for the Catholic Schools Office;</p> <p>e. a purchase order for supply/installation work for the Catholic Schools Office.</p> <p>f. government and commercial funding agreements with the prior approval of the Catholic Schools Council;</p> <p>g. statutory compliance forms, such as owners consent forms to local councils;</p> <p>h. any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.</p>	<p>a. an employment contract for agency staff, which has the prior consent of the St Vincent's Private Hospital Board;</p> <p>b. a supply of goods (long and short form);</p> <p>c. a supply of services (long and short form);</p> <p>d. a supply of goods and services (long and short form);</p> <p>e. a purchase order for supply/installation work.</p> <p>f. government and commercial funding agreements with the prior approval of the St Vincent's Private Hospital Board;</p> <p>g. a retail lease;</p> <p>h. a commercial lease;</p> <p>i. aged care residential licence agreement;</p> <p>j. a child care lease;</p> <p>k. statutory compliance forms, such as owners consent forms to local councils;</p> <p>l. any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.</p>	<p>a. an employment contract for parish staff with the approval of the parish priest;</p> <p>b. a supply of goods (long and short form);</p> <p>c. a supply of services (long and short form);</p> <p>d. a supply of goods and services (long and short form);</p> <p>e. a purchase order for supply/installation work; and</p> <p>f. any other contract that the Bishop of Lismore confirms is a standard form contract for the purpose of this document.</p>
Body Corporate (Not an attorney)	✓	✓	✓	✓	✓
Bishop (Not an attorney. Signs under delegation)	✓	✓	✓	✓	✓
Vicar-General (Not an attorney. Signs under delegation when the Bishop is absent)	✓	✓	✓	✓	✓
Parish Priest	✗	✓	✗	✗	✓
Diocesan Business Manager	✓ (Excluding C, D, E)	✗	✗	✗	✓ (With approval)
Director of Catholic Schools	✗	✗	✓	✗	✗
SVPH Chief Executive Officer	✗	✗	✗	✓	✗
Parish business manager School principal Manager of Aged, Child & Community care, Welfare	✗	✗	✗	✗	✓
Parish, Diocesan & agency clerical officer	✗	✗	✓ (Documents B to E)	✓ (Documents B to E)	✓ (Documents B to E)