

17

THE NORTH COAST CHILDREN'S HOME

CONSTITUTION

NAME

1. THE NAME shall be "The North Coast Children's Home."
2. THE OBJECTS are:
 - (a) TO provide and carry on a home within the Diocese of Grafton in connection with the Church of England, for children of any denomination or religion, who are either temporarily or permanently without homes, or not under parental control, whom they may be trained spiritually, morally, mentally and physically;
 - (b) TO solicit, collect and provide funds for the above purpose;
 - (c) TO acquire, in the name of the Trustee or Trustees by purchase, lease or otherwise, lands, buildings or other property, real or personal, and to sell, mortgage, lease, underlease, surrender, exchange, partition or otherwise dispose of such real or personal property or any part thereof and to erect, add to, alter, demolish or pull down any buildings upon such lands, as the Executive may direct;
 - (d) TO invest money not immediately required for expenses in such investments and upon such securities (including fixed deposits in any bank or banks) and for such terms and times, and to vary such investments as the Executive may decide;
 - (e) TO promote in any way which the Executive may think desirable the moral and material welfare of children in the Home;

(1)

- (f) GENERALLY to do all things which the executive may consider desirable or appropriate for the above purposes or any of them.

VISITOR

3. THE BISHOP for the time being of the Diocese of Grafton or his nominee shall be invited to accept the office of Visitor.

CHAPLAIN

4. THE RECTOR for the time being of the Parish of Lismore or (subject to the approval of the Executive) his nominee shall be appointed as Honorary Chaplain to the Home.

PRESIDENT

5. THE RECTOR for the time being of St. Andrew's, Lismore, shall be the President.

MANAGEMENT

6. (a) THE HOME shall be under the control and management of an executive, which shall consist of:--
 - i. The President, ex-officio;
 - ii. Any number of members, not exceeding nine, who shall be elected by the subscribers in General Meeting. At least two thirds of the members so elected shall be members of the Church of England.
- (b) TO this Executive the Bishop may appoint four additional members.
7. THE SECRETARY and Treasurer shall be members of the Executive and shall be elected by the members thereof.
8. THE Executive shall meet at least once in every month.
9. ANY vacancy in the office of Secretary, or Treasurer or in the membership of the executive may be filled by a vote of the members thereof; and the person appointed to fill such vacancy

(2)

shall hold office only while the person in whose place he was elected would have held office.

10. AT a meeting of the Executive, five members shall form a quorum. In cases of an equality of votes, the chairman shall have a vote and also a casting vote.
11. IF any member of the Executive shall die or resign or become incapable of acting or shall fail to attend three consecutive meetings of such Executive, without having obtained leave of absence, such member may be deemed by the Executive to have vacated his seat and his seat may be declared vacant by the Executive and the vacancy may be filled as hereinbefore provided.
12. FOR THE purpose of effectuating its control and management of the Home the Executive shall have power to make, rescind or alter by-laws, rules or regulations for the conduct of its meetings and the affairs of the home.
13. THE PRESIDENT shall be Chairman of the meetings of the Executive. In his absence the Chairman of the meeting shall be elected by the members present.
14. THE EXECUTIVE may appoint special Committees which may consist wholly or partly of members of the Executive, and any special committee so appointed shall execute such powers as the Executive shall delegate to it and with such a quorum as the Executive shall name.
15. THE EXECUTIVE shall be empowered to employ such paid officers as it may deem necessary for the working of the Home, such officers to be under the control of the Executive.
16. ALL BANK accounts of the Home shall be operated upon by such persons as the Executive shall from time to time appoint.
17. THE EXECUTIVE, without assigning any reason therefor, may refuse to accept any donation gift or subscription to the Home.

Handwritten note: The Executive may appoint special committees

(3)

TRUSTEES

18. THE TRUSTEES of the real property of the Home shall be The Corporate Trustees of the Diocese of Grafton.
19. SUBJECT TO the provisions of "The Church of England Trust Property Act, 1917" and any amendment thereof, such Trustees shall hold the real estate of the home vested in them upon trust to permit the same to be used by or on behalf of or for the purposes or benefit of the Home.
20. WITHOUT RESTRICTING the generality of the powers conferred upon them by "The Church of England Trust Property Act, 1917" and any amendment thereof, the Corporate Trustees of the Diocese of Grafton shall have the following powers in respect of any property of the home vested in them, that is to say power to:--
 - (a) from time to time mortgage the same or any part or parts thereof, for such amount for such term, and subject to such powers, rights, remedies, covenants and conditions as in the opinion of the Trustees shall be necessary or expedient; and
 - (b) apply any moneys received by them pursuant to any such mortgage or mortgages in such manner and for such purposes as the Executive may from time to time direct; and
 - (c) lease, demise or let any real property or any part or parts thereof for any term of years, at such rent, and upon such terms and conditions as the Executive with the concurrence of the Trustees may from time to time determine; and
 - (d) from time to time sell or exchange such real property or any part or parts thereof, at such price and upon such terms and conditions or for such other property (real or personal) as the Executive with the concurrence of the Trustees, shall determine; and

(4)

17a
 14
 114

- (e) subdivide any real property, and lay out, grant, make and/or dedicate roads, rights of way and easements thereover, in such manner as the Executive, with the concurrence of the Trustees may direct.
21. THE Executive may appoint Trustees of any personal property of the Home.
22. NO TRUSTEE of any real property or of any personal property shall incur any personal liability in respect of any property real or personal held by him (either alone or with others) upon trust, or in respect of a sale thereof or in respect of any mortgage thereof; and he shall be accountable only for his own acts receipts neglects or defaults and not for those of any other Trustee nor for those of any broker, banker, solicitor or any other person with whom any security deeds or money may be deposited nor for any loss unless the same shall happen through his own wilful act or default; and the Trustees shall be entitled to be reimbursed out of the funds or property of the Home for all losses or expenses incurred in or about the execution of the Trusts or in respect of any property vested in them.

MEETINGS OF SUBSCRIBERS

23. THE ANNUAL General Meeting of Subscribers shall be held as soon as practicable after the end of June in each year, at such place and date as the Executive shall decide. The annual report and balance sheet up to the last day of June in each year, duly audited, shall be presented at the Annual General Meeting.
24. A SPECIAL General Meeting of subscribers shall be summoned by the Secretary after receipt of a requisition in writing stating the business to be brought forward at the proposed meeting and signed by three members of the Executive or not less than twelve subscribers. Such special General Meeting shall be summoned

(5)

later than the fifteenth day of June previous to the meeting of subscribers at which it shall be considered. Particulars of the proposed amendment, alteration or addition shall be inserted in the notices to subscribers or the advertisement calling the meeting.

AMENDMENT OF EXECUTIVES BYE-LAWS, RULES OR REGULATIONS

30. NO RESCISSION, alteration of, or addition to any bye-laws, rules or regulations passed or made by the Executive shall be made or effected at any General Meeting unless written notice of the proposed alteration, addition or rescission shall have been given to the Secretary at least twenty-one days previously to the meeting of subscribers at which it shall be considered.

QUALIFICATION OF SUBSCRIBERS

31. A SUBSCRIBER for any year shall be any person over the age of twenty-one years, who shall have, during the year ending on the preceding thirtieth day of June, paid the sum of TEN SHILLINGS or upwards in cash to the funds of the Home. Proof of payment of subscription shall be by production of the Treasurer's list of subscribers or by production of a receipt for the subscription signed by the Treasurer or other person authorised to receive the same.
32. A LIFE Subscriber shall be :-
- (a) Any person who shall have given the sum of TEN POUNDS or upwards in cash to the Home at one time.
- (b) Any Honorary Collector who shall have collected and paid to the Treasurer of the Home a sum of ONE HUNDRED POUNDS or upwards.
- (c) Such other person as the subscribers in General Meeting may appoint.

(7)

- for a date not less than 21 days nor more than 28 days after the receipt by the Secretary of the
25. AT LEAST fourteen days' notice shall be given of General Meetings by advertisement in some newspaper published in Lisimore or by written notice to the subscribers. A notice shall be deemed to have been received by a subscriber if the same shall be posted in a postage-pre-paid envelope addressed to the subscriber at his address last known to the Secretary or be delivered to him personally, or be left for him at his place of abode or business last known to the Secretary.
26. THE ANNUAL General Meeting shall consider the report and balance sheet, elect members of the Executive, appoint an Auditor, and transact any further business that may be brought forward, provided that not less than seven days' written notice of such further business shall have been given to the Secretary.
27. A QUORUM for a Special General Meeting or the Annual General Meeting shall be ten subscribers, and if there is not a quorum present within thirty minutes of the time for which the meeting shall be called it shall be dissolved and the report and balance sheet shall be deemed to have been adopted and the retiring Executive and Auditor shall be deemed to have been re-elected and re-appointed respectively.

AMENDMENT OF CONSTITUTION

28. THIS CONSTITUTION shall not be altered, amended or added to so as to sever the connection of the Home with the Church of England.
29. SUBJECT TO the provisions of the last preceding clause, the subscribers in general meeting shall have power to amend, alter or add to this Constitution. Notice of motion for the proposed amendment, alteration or addition shall be delivered in writing to the Secretary not

(6)

Proof of the qualification of a Life Subscriber shall be by production of the Treasurer's List of Subscribers or by production of the appropriate receipt signed by the treasurer or other person duly authorised to sign the same, or a Certificate signed by the President and Secretary or Treasurer.

FINANCIAL YEAR

33. THE FINANCIAL YEAR shall be deemed to commence on the first day of July and end on the succeeding thirtieth day of June.

The above Constitution was adopted at a Special General Meeting of Subscribers of The North Coast Children's Home, held at the Home, Keen Street, Lisimore, on Friday, the twentieth day of April, One thousand nine hundred and fifty-one.

Harold Middle
 (HAROLD MIDDLE) Hon. Sec.

R. Lovitt
 (R. LOVITT) Chairman

Lisimore, 21st. April, 1951.

(8)