



New South Wales

# Saint Paul's College Bill 2018

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The objects of this Bill are as follows:

- (a) to constitute a corporation with the corporate name of “The Warden and Fellows of Saint Paul’s College” (referred to as *Saint Paul’s College*),
- (b) to provide that Saint Paul’s College is a continuation of the corporation constituted by the Act entitled “An Act to incorporate Saint Paul’s College as a College within the University of Sydney”, assented to on 1 December 1854 (the *former Act*),
- (c) to establish a Council to govern and manage Saint Paul’s College and to provide for the membership and procedures of the Council,
- (d) to provide for the appointment of a Warden of Saint Paul’s College to conduct the day-to-day management of the affairs of Saint Paul’s College,
- (e) to repeal the former Act.

## Outline of provisions

### Part 1 Preliminary

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** defines certain words and expressions used in the proposed Act.

## **Part 2 Constitution and management of Saint Paul's College**

**Clause 4** constitutes "The Warden and Fellows of Saint Paul's College" (also known as Saint Paul's College) as a corporation. It is a continuation of the corporation constituted by the former Act.

**Clause 5** provides for the functions of Saint Paul's College, which include the provision of accommodation, education and religious instruction to students.

**Clause 6** provides for a Council of Saint Paul's College (the *Council*) that consists of the following members:

- (a) the Warden,
- (b) 4 clerical persons elected under proposed section 8,
- (c) 6 lay persons elected under proposed section 8,
- (d) 2 lay persons appointed by the Council.

**Clause 7** provides that all decisions relating to the functions of Saint Paul's College are to be made by or under the authority of the Council. The functions of the Council include:

- (a) to develop and implement policies and strategic plans for the administration and improvement of Saint Paul's College, and
- (b) to develop and implement Saint Paul's College's educational and pastoral philosophy, and
- (c) to manage Saint Paul's College's financial resources, and
- (d) to oversee the performance of Saint Paul's College as a whole, and
- (e) to determine the conditions of appointment of the Warden, and
- (f) to monitor the performance of the Warden.

**Clause 8** provides for the election of 4 clerical persons and 6 lay persons to the Council. Only graduates of the University who have resided on the premises of Saint Paul's College for at least 4 University terms or 3 University semesters are eligible to vote in the election.

**Clause 9** sets out the duties of the Council members, which include acting in the best interest of Saint Paul's College as a whole.

## **Part 3 Saint Paul's College office holders**

**Clause 10** requires the Council to appoint a Warden of Saint Paul's College. The Warden must be a clerical person or a lay person who is a communicant member of the Anglican Church. The Warden is the chief executive officer of Saint Paul's College. The Warden's functions include conducting the day-to-day management of the affairs of Saint Paul's College.

**Clause 11** provides that the Council may suspend or remove the Warden from office for sufficient cause.

**Clause 12** provides that the Visitor of Saint Paul's College is the Archbishop of the Diocese of Sydney of the Anglican Church.

**Clause 13** provides that the Warden is to appoint a clerical person licensed by the Archbishop as the Chaplain of Saint Paul's College.

## **Part 4 Miscellaneous**

**Clause 14** provides that current students of the University of Sydney are eligible to reside on the premises of Saint Paul's College. The by-laws may prescribe other eligible classes of persons.

**Clause 15** requires Saint Paul's College to obtain the Minister's written approval before dealing with Crown land transferred to it or otherwise under its control.

**Clause 16** protects the members of the Council and persons acting under the direction of Saint Paul's College from personal liability.

**Clause 17** enables Saint Paul's College to make by-laws, including in relation to the management of the affairs of Saint Paul's College, the control and supervision of students and the procedures for Council meetings.

**Clause 18** repeals existing Acts relating to Saint Paul's College and any existing by-laws.

## **Schedule 1      Members and procedure of Council**

**Schedule 1** contains provisions relating to the members and procedure of the Council.

## **Schedule 2      Savings, transitional and other provisions**

**Schedule 2** contains savings, transitional and other provisions consequent on the enactment of the proposed Act, including transitional arrangements for the phasing-in of the new Council. In particular:

- (a) the existing Council under the former Act is taken to be the new Council until 31 March 2019, and
- (b) the current Vice-Warden of Saint Paul's College is taken to have been appointed as Warden under the proposed Act for the balance of the Vice-Warden's existing term of office.