

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 52, 1969.

An Act to make further provision with respect to the objects, powers, authorities, duties and functions of The Sir Moses Montefiore Jewish Home and its Board of Management; to amend The Sir Moses Montefiore Jewish Home Act, 1927; and for purposes connected therewith. [Assented to, 3rd October, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Sir Moses **Short title.** Montefiore Jewish Home (Amendment) Act, 1969".

Sir Moses Montefiore Jewish Home (Amendment).

(2) The Sir Moses Montefiore Jewish Home Act, 1927, is in this Act referred to as the Principal Act.

Amendment
of Principal
Act.

2. The Principal Act is amended—

Sec. 4.

(Power to
hold real
and
personal
estate.)

- (a) (i) by omitting from subsection (c) of section four the words "including the whole or any part of the land described in the said Schedule hereunder written";
- (ii) by omitting from the same subsection the words "the land comprised in the said Schedule" and by inserting in lieu thereof the words "any such real property";
- (iii) by omitting from the same subsection the words "the said land" and by inserting in lieu thereof the words "any such real property";
- (iv) by omitting from the same subsection the words "the trusts declared by section five of this Act shall attach to";
- (v) by inserting in the same subsection after the word "exchange" the words "shall be applied for or towards the attainment of the objects of the Body Corporate";
- (vi) by omitting from the same subsection the words "subsection (f) of section eight of this Act" and by inserting in lieu thereof the words "Rules made pursuant to subsection (c) of section seventeen of this Act";
- (vii) by omitting from the same subsection the words "subsections (a) (b) and (c) of";

New sec. 4A.

- (b) by inserting next after section four the following new section :—

Registration
of certain
securities,
etc.

4A. Where the Body Corporate has acquired by bequest, gift, purchase or otherwise any inscribed stock, money, fixed deposit, debenture or share in

Sir Moses Montefiore Jewish Home (Amendment).

a corporation and registrable in its books, and registration thereof in the name of the Body Corporate has been refused, the Board of Management may cause the stock, money, deposit, debenture or share, as the case may be, to be registered in the joint names of the persons for the time being holding office as President, Honorary Secretary and Honorary Treasurer of the Board of Management.

- (c) by omitting section five and by inserting in lieu Subst. sec. 5. thereof the following section :—

5. The objects of the Body Corporate shall be—

Objects of
the Body
Corporate.

- (a) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (b) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (c) to provide, otherwise than in the home referred to in subsection (a) of this section, for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

(d)

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- (d) to provide, otherwise than in the home referred to in subsection (b) of this section, for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (e) to grant relief to any persons of the Jewish faith by monetary payments to any such persons either by way of gift or upon loan or by guaranteeing the repayment of any moneys borrowed from any person, society or institution by any such person or persons or by gifts or loan of goods or by gifts of clothing or in such other way as the Board of Management shall think fit;
- (f) to provide and maintain a hospital, convalescent home and nursing home, or any of them, for such persons of both sexes of the Jewish faith as, in the opinion of the Board of Management, should be admitted to any such hospital, convalescent home or nursing home whether or not those persons are residents of one of the other homes provided and maintained by the Body Corporate;
- (g) to undertake and execute any trusts the undertaking whereof may be calculated to advance any one or more of the objects of the Body Corporate;
- (h) to promote good feeling and friendly intercourse and relationship amongst the residents of the homes or other institutions provided and maintained by the Body Corporate;
- (i)

Sir Moses Montefiore Jewish Home (Amendment).

- (i) to appoint from time to time either with full or restricted powers of delegation and either with or without remuneration, agents, attorneys, local directors or other persons or corporations under power of attorney or otherwise within the Commonwealth or elsewhere for the purpose of carrying out all or any of the objects of the Body Corporate and to revoke or cancel all or any of such appointments or delegations;
 - (j) to take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Body Corporate in the form of donations, annual subscriptions or otherwise;
 - (k) to obtain any Act of Parliament, order of any Court or other source of power which may be deemed requisite for the purposes of the Body Corporate;
 - (l) to support with its funds or otherwise any charitable or other object which in the opinion of the Board of Management is deserving of the support of the Body Corporate;
 - (m) to do all such other lawful things as are incidental or conducive to the attainment of the above objects.
- (d) (i) by omitting from section seven the word **Sec. 7.** "Treasurer" wherever occurring and by inserting in lieu thereof the words "honorary treasurer or honorary secretary"; **(Receipts.)**
- (ii) by omitting from the same section the words "countersigned by the Secretary for the time being or by" and by inserting in lieu thereof the words "or of";
- (iii)

Sir Moses Montefiore Jewish Home (Amendment).

(iii) by omitting from the same section the word
“Secretary” where secondly occurring;

(e) by omitting section eight;

(f) by omitting section nine and by inserting in lieu
thereof the following sections :—

9. The Board of Management shall comprise—

(a) a president, a vice-president, an honorary treasurer, an honorary secretary and not more than eleven other persons of the Jewish faith (all of whom are in this Act referred to as “elected members”); and

(b) other members appointed from time to time by the elected members if they think fit so to do, not exceeding in number the number of persons that would, with the elected members, constitute a Board of Management of eighteen persons.

9A. The business of the Body Corporate shall be managed by the Board of Management which may, for that purpose but subject to any Rules not inconsistent with this Act prescribed by the members of the Body Corporate in general meeting, exercise all such powers of the Body Corporate as are not by this Act required to be exercised by those members in general meeting but no such Rule shall operate to invalidate any prior act of the Board of Management that would have been valid had the Rule not been prescribed.

(g) by omitting from section ten the words “shall be held in the month of February in each year” and by inserting in lieu thereof the words “(to be called the ‘annual general meeting’) shall, in addition to any other meeting, be held at least once in every calendar year not more than fifteen months after the next preceding annual general meeting”;

(h)

Sec. 8.
(Applica-
tion of
alienation
and mort-
gage
moneys.)
Subst.
sec. 9 and
new sec. 9A.
Board of
Manage-
ment.

Powers of
Board of
Manage-
ment.

Sec. 10.
(Annual
meeting.)

Sir Moses Montefiore Jewish Home (Amendment).

- (h) (i) by omitting from section eleven the words "a new" and by inserting in lieu thereof the words "the elected members of the new"; Sec. 11.
(Board of Management.)
- (ii) by omitting from the same section the words "appointment being made" and by inserting in lieu thereof the words "election being held";
- (iii) by omitting from the same section the words "their successors are appointed" and by inserting in lieu thereof the words "the successors to the elected members are elected";
- (iv) by omitting from the same section the word "re-election" and by inserting in lieu thereof the words "election, appointment, re-election or re-appointment, as the case may require";
- (i) (i) by omitting from section thirteen the words "the President of the Board of Management and two members thereof" and by inserting in lieu thereof the words "any two of the president, vice-president, honorary treasurer and honorary secretary"; Sec. 13.
(Evidence of Resolution.)
- (ii) by omitting from the same section the words "such President and members" and by inserting in lieu thereof the words "the persons authorised by this section for the purpose";
- (j) by omitting section fourteen; Sec. 14.
(Power to join other organisations.)
- (k) (i) by omitting from subsection (a) of section fifteen the words "the one" and by inserting in lieu thereof the words ", one division"; Sec. 15.
(Power to separate objects.)
- (ii) by omitting from the same subsection the words "(b) of that section and the other relating to that mentioned in subsection (c) of the same section" and by inserting in lieu thereof the words "(c) of that section, another division

Sir Moses Montefiore Jewish Home (Amendment).

division relating to those mentioned in subsections (b) and (d) of that section, another division relating to subsection (e) of that section and another division relating to subsection (f) of that section”;

- (iii) by omitting from the same subsection the words “objects mentioned in the said subsection (a) and (b)” and by inserting in lieu thereof the words “object or objects mentioned in one division”;
- (iv) by omitting from the same subsection the words “that mentioned in the said subsection (c)” and by inserting in lieu thereof the words “that or those mentioned in any other division and, except in so far as they relate to the objects pursued, separately and apart from the objects mentioned in subsections (g), (h), (i), (j), (k), (l) and (m) of that section”;
- (v) by omitting from subsection (b) of the same section the words “subsection (a) and (b) of section five of this Act unless the Body Corporate by resolution determines to allocate any part or parts thereof for the purposes of subsection (c) of the said section five or unless” and by inserting in lieu thereof the words “the objects pursued, except in so far as the Body Corporate by resolution allocates them to other objects and except in so far as”;
- (vi) by omitting subsection (c) of the same section;

Sec. 18.
(Power to
guarantee
payment of
loans.)

- (1) (i) by omitting from section eighteen the word “Chairman” and by inserting in lieu thereof the word “Vice-President”;
- (ii) by omitting from the same section the words “Secretary or Treasurer” and by inserting in lieu thereof the words “Honorary Secretary or Honorary Treasurer”;

(iii)

Sir Moses Montefiore Jewish Home (Amendment).

- (iii) by omitting from the same section the letter and symbols "(c)" and by inserting in lieu thereof the letter and symbols "(e)";
- (m) by omitting section nineteen and by inserting inSubst. lieu thereof the following section :— sec. 19.

19. (a) A person who, immediately before theLife commencement of the Sir Moses MontefioreGovernors. Jewish Home (Amendment) Act, 1969, held office as a Life Governor, or as a Junior Life Governor, of the Body Corporate shall, after that commencement, continue in the office held by him.

(b) A person over the age of twenty-one years—

- (i) who was, immediately before that commencement, eligible for appointment as a Life Governor of the Body Corporate;
- (ii) who, after that commencement, makes a donation to the Body Corporate of five hundred dollars or more in one amount; or
- (iii) who, after that commencement, confers a signal benefit on the Body Corporate, not being a gift of money,

may be appointed by the Board of Management as a Life Governor of the Body Corporate.

(c) A Life Governor of the Body Corporate shall be entitled to vote at a general meeting of the Body Corporate and shall be eligible for election as a member of the Board of Management.

(d) A person under the age of twenty-one years who makes a donation to the Body Corporate of two hundred dollars or more in one amount may be appointed by the Board of Management as a Junior Life Governor of the Body Corporate.

Sir Moses Montefiore Jewish Home (Amendment).

New sec.
19A.

- (n) by inserting next after the same section the following new section :—

Investment
of funds
and
change of
investments.

19A. The Board of Management may realise any investment of the Body Corporate made before or after the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, and may invest the proceeds thereof, and any other funds of the Body Corporate, in the manner authorised by the Rules.

Sec. 21.
(Quorum.)

- (o) (i) by omitting from section twenty-one the word "six" and by inserting in lieu thereof the word "nine";
- (ii) by inserting in the same section after the word "members" where thirdly occurring the words "at the least".

Transitional
provision.

3. The Board of Management holding office immediately before the commencement of this Act shall be deemed to have been duly appointed as the Board of Management holding office under section eleven of the Principal Act, as amended by this Act, until the annual General Meeting of the Body Corporate next succeeding that commencement.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 24 September, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 52, 1969.

An Act to make further provision with respect to the objects, powers, authorities, duties and functions of The Sir Moses Montefiore Jewish Home and its Board of Management; to amend The Sir Moses Montefiore Jewish Home Act, 1927; and for purposes connected therewith. [Assented to, 3rd October, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Sir Moses ^{Short title.} Montefiore Jewish Home (Amendment) Act, 1969".

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Sir Moses Montefiore Jewish Home (Amendment).

(2) The Sir Moses Montefiore Jewish Home Act, 1927, is in this Act referred to as the Principal Act.

Amendment
of Principal
Act.

2. The Principal Act is amended—

Sec. 4.
(Power to
hold real
and
personal
estate.)

- (a) (i) by omitting from subsection (c) of section four the words "including the whole or any part of the land described in the said Schedule hereunder written";
- (ii) by omitting from the same subsection the words "the land comprised in the said Schedule" and by inserting in lieu thereof the words "any such real property";
- (iii) by omitting from the same subsection the words "the said land" and by inserting in lieu thereof the words "any such real property";
- (iv) by omitting from the same subsection the words "the trusts declared by section five of this Act shall attach to";
- (v) by inserting in the same subsection after the word "exchange" the words "shall be applied for or towards the attainment of the objects of the Body Corporate";
- (vi) by omitting from the same subsection the words "subsection (f) of section eight of this Act" and by inserting in lieu thereof the words "Rules made pursuant to subsection (c) of section seventeen of this Act";
- (vii) by omitting from the same subsection the words "subsections (a) (b) and (c) of";

New sec. 4A.

- (b) by inserting next after section four the following new section :—

Registration
of certain
securities,
etc.

4A. Where the Body Corporate has acquired by bequest, gift, purchase or otherwise any inscribed stock, money, fixed deposit, debenture or share in

Sir Moses Montefiore Jewish Home (Amendment).

a corporation and registrable in its books, and registration thereof in the name of the Body Corporate has been refused, the Board of Management may cause the stock, money, deposit, debenture or share, as the case may be, to be registered in the joint names of the persons for the time being holding office as President, Honorary Secretary and Honorary Treasurer of the Board of Management.

- (c) by omitting section five and by inserting in lieu Subst. sec. 5. thereof the following section :—

5. The objects of the Body Corporate shall be—

Objects of
the Body
Corporate.

- (a) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (b) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (c) to provide, otherwise than in the home referred to in subsection (a) of this section, for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

(d)

Sir Moses Montefiore Jewish Home (Amendment).

- (d) to provide, otherwise than in the home referred to in subsection (b) of this section, for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- (e) to grant relief to any persons of the Jewish faith by monetary payments to any such persons either by way of gift or upon loan or by guaranteeing the repayment of any moneys borrowed from any person, society or institution by any such person or persons or by gifts or loan of goods or by gifts of clothing or in such other way as the Board of Management shall think fit;
- (f) to provide and maintain a hospital, convalescent home and nursing home, or any of them, for such persons of both sexes of the Jewish faith as, in the opinion of the Board of Management, should be admitted to any such hospital, convalescent home or nursing home whether or not those persons are residents of one of the other homes provided and maintained by the Body Corporate;
- (g) to undertake and execute any trusts the undertaking whereof may be calculated to advance any one or more of the objects of the Body Corporate;
- (h) to promote good feeling and friendly intercourse and relationship amongst the residents of the homes or other institutions provided and maintained by the Body Corporate;
- (i)

Sir Moses Montefiore Jewish Home (Amendment).

- (i) to appoint from time to time either with full or restricted powers of delegation and either with or without remuneration, agents, attorneys, local directors or other persons or corporations under power of attorney or otherwise within the Commonwealth or elsewhere for the purpose of carrying out all or any of the objects of the Body Corporate and to revoke or cancel all or any of such appointments or delegations;
 - (j) to take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Body Corporate in the form of donations, annual subscriptions or otherwise;
 - (k) to obtain any Act of Parliament, order of any Court or other source of power which may be deemed requisite for the purposes of the Body Corporate;
 - (l) to support with its funds or otherwise any charitable or other object which in the opinion of the Board of Management is deserving of the support of the Body Corporate;
 - (m) to do all such other lawful things as are incidental or conducive to the attainment of the above objects.
- (d) (i) by omitting from section seven the word Sec. 7. "Treasurer" wherever occurring and by insert- (Receipts.) ing in lieu thereof the words "honorary treasurer or honorary secretary";
- (ii) by omitting from the same section the words "countersigned by the Secretary for the time being or by" and by inserting in lieu thereof the words "or of";
- (iii)

Sir Moses Montefiore Jewish Home (Amendment).

Sec. 8.
(Applica-
tion of
alienation
and mort-
gage
moneys.)
Subst.
sec. 9 and
new sec. 9A.
Board of
Manage-
ment.

- (iii) by omitting from the same section the word
"Secretary" where secondly occurring;
- (e) by omitting section eight;

- (f) by omitting section nine and by inserting in lieu
thereof the following sections :—

9. The Board of Management shall comprise—

- (a) a president, a vice-president, an honorary treasurer, an honorary secretary and not more than eleven other persons of the Jewish faith (all of whom are in this Act referred to as "elected members"); and
- (b) other members appointed from time to time by the elected members if they think fit so to do, not exceeding in number the number of persons that would, with the elected members, constitute a Board of Management of eighteen persons.

Powers of
Board of
Manage-
ment.

9A. The business of the Body Corporate shall be managed by the Board of Management which may, for that purpose but subject to any Rules not inconsistent with this Act prescribed by the members of the Body Corporate in general meeting, exercise all such powers of the Body Corporate as are not by this Act required to be exercised by those members in general meeting but no such Rule shall operate to invalidate any prior act of the Board of Management that would have been valid had the Rule not been prescribed.

Sec. 10.
(Annual
meeting.)

- (g) by omitting from section ten the words "shall be held in the month of February in each year" and by inserting in lieu thereof the words "(to be called the 'annual general meeting') shall, in addition to any other meeting, be held at least once in every calendar year not more than fifteen months after the next preceding annual general meeting";
- (h)

Sir Moses Montefiore Jewish Home (Amendment).

- (h) (i) by omitting from section eleven the words "a new" and by inserting in lieu thereof the words "the elected members of the new"; a Sec. 11.
(Board of Management.)
- (ii) by omitting from the same section the words "appointment being made" and by inserting in lieu thereof the words "election being held";
- (iii) by omitting from the same section the words "their successors are appointed" and by inserting in lieu thereof the words "the successors to the elected members are elected";
- (iv) by omitting from the same section the word "re-election" and by inserting in lieu thereof the words "election, appointment, re-election or re-appointment, as the case may require";
- (i) (i) by omitting from section thirteen the words "the President of the Board of Management and two members thereof" and by inserting in lieu thereof the words "any two of the president, vice-president, honorary treasurer and honorary secretary"; Sec. 13.
(Evidence of Resolution.)
- (ii) by omitting from the same section the words "such President and members" and by inserting in lieu thereof the words "the persons authorised by this section for the purpose";
- (j) by omitting section fourteen; Sec. 14.
(Power to join other organisations.)
- (k) (i) by omitting from subsection (a) of section fifteen the words "the one" and by inserting in lieu thereof the words ", one division"; Sec. 15.
(Power to separate objects.)
- (ii) by omitting from the same subsection the words "(b) of that section and the other relating to that mentioned in subsection (c) of the same section" and by inserting in lieu thereof the words "(c) of that section, another division

Sir Moses Montefiore Jewish Home (Amendment).

division relating to those mentioned in subsections (b) and (d) of that section, another division relating to subsection (e) of that section and another division relating to subsection (f) of that section”;

- (iii) by omitting from the same subsection the words “objects mentioned in the said subsection (a) and (b)” and by inserting in lieu thereof the words “object or objects mentioned in one division”;
- (iv) by omitting from the same subsection the words “that mentioned in the said subsection (c)” and by inserting in lieu thereof the words “that or those mentioned in any other division and, except in so far as they relate to the objects pursued, separately and apart from the objects mentioned in subsections (g), (h), (i), (j), (k), (l) and (m) of that section”;
- (v) by omitting from subsection (b) of the same section the words “subsection (a) and (b) of section five of this Act unless the Body Corporate by resolution determines to allocate any part or parts thereof for the purposes of subsection (c) of the said section five or unless” and by inserting in lieu thereof the words “the objects pursued, except in so far as the Body Corporate by resolution allocates them to other objects and except in so far as”;
- (vi) by omitting subsection (c) of the same section;

Sec. 18.
(Power to
guarantee
payment of
loans.)

- (1) (i) by omitting from section eighteen the word “Chairman” and by inserting in lieu thereof the word “Vice-President”;
- (ii) by omitting from the same section the words “Secretary or Treasurer” and by inserting in lieu thereof the words “Honorary Secretary or Honorary Treasurer”;
- (iii)

Sir Moses Montefiore Jewish Home (Amendment).

- (iii) by omitting from the same section the letter and symbols "(c)" and by inserting in lieu thereof the letter and symbols "(e)";
- (m) by omitting section nineteen and by inserting in lieu thereof the following section :— Subst.
sec. 19.

19. (a) A person who, immediately before the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, held office as a Life Governor, or as a Junior Life Governor, of the Body Corporate shall, after that commencement, continue in the office held by him. Life
Governors.

(b) A person over the age of twenty-one years—

- (i) who was, immediately before that commencement, eligible for appointment as a Life Governor of the Body Corporate;
- (ii) who, after that commencement, makes a donation to the Body Corporate of five hundred dollars or more in one amount; or
- (iii) who, after that commencement, confers a signal benefit on the Body Corporate, not being a gift of money,

may be appointed by the Board of Management as a Life Governor of the Body Corporate.

(c) A Life Governor of the Body Corporate shall be entitled to vote at a general meeting of the Body Corporate and shall be eligible for election as a member of the Board of Management.

(d) A person under the age of twenty-one years who makes a donation to the Body Corporate of two hundred dollars or more in one amount may be appointed by the Board of Management as a Junior Life Governor of the Body Corporate.

(n)

Sir Moses Montefiore Jewish Home (Amendment).

- (n) by inserting next after the same section the following new section :— New sec.
19A.

19A. The Board of Management may realise any investment of the Body Corporate made before or after the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, and may invest the proceeds thereof, and any other funds of the Body Corporate, in the manner authorised by the Rules. Investment
of funds
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- (o) (i) by omitting from section twenty-one the word "six" and by inserting in lieu thereof the word "nine"; Sec. 21.
(Quorum.)
- (ii) by inserting in the same section after the word "members" where thirdly occurring the words "at the least".

3. The Board of Management holding office immediately before the commencement of this Act shall be deemed to have been duly appointed as the Board of Management holding office under section eleven of the Principal Act, as amended by this Act, until the annual General Meeting of the Body Corporate next succeeding that commencement. Transitional
provision.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

Government House,
Sydney, 3rd October, 1969.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 August, 1969.*

New South Wales



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ELIZABETHÆ II REGINÆ

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Sir Moses Montefiore Jewish Home (Amendment).

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Amendment
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- 5 (a) (i) by omitting from subsection (c) of section four the words "including the whole or any part of the land described in the said Schedule hereunder written";
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- 15 (iii) by omitting from the same subsection the words "the said land" and by inserting in lieu thereof the words "any such real property";
- (iv) by omitting from the same subsection the words "the trusts declared by section five of this Act shall attach to";
- 20 (v) by inserting in the same subsection after the word "exchange" the words "shall be applied for or towards the attainment of the objects of the Body Corporate";
- 25 (vi) by omitting from the same subsection the words "subsection (f) of section eight of this Act" and by inserting in lieu thereof the words "Rules made pursuant to subsection (c) of section seventeen of this Act";
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4A. Where the Body Corporate has acquired by bequest, gift, purchase or otherwise any inscribed stock, money, fixed deposit, debenture or share in

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etc.

Sir Moses Montefiore Jewish Home (Amendment).

5 a corporation and registrable in its books, and registration thereof in the name of the Body Corporate has been refused, the Board of Management may cause the stock, money, deposit, debenture or share, as the case may be, to be registered in the joint names of the persons for the time being holding office as President, Honorary Secretary and Honorary Treasurer of the Board of Management.

10 (c) by omitting section five and by inserting in lieu Subst. sec. 5. thereof the following section :—

5. The objects of the Body Corporate shall be—

Objects of
the Body
Corporate.

15 (a) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

20 (b) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

25 (c) to provide, otherwise than in the home referred to in subsection (a) of this section, for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

(d)

Sir Moses Montefiore Jewish Home (Amendment).

- 5 (d) to provide, otherwise than in the home referred to in subsection (b) of this section, for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- 10 (e) to grant relief to any persons of the Jewish faith by monetary payments to any such persons either by way of gift or upon loan or by guaranteeing the repayment of any moneys borrowed from any person, society
- 15 or institution by any such person or persons or by gifts or loan of goods or by gifts of clothing or in such other way as the Board of Management shall think fit;
- 20 (f) to provide and maintain a hospital, convalescent home and nursing home, or any of them, for such persons of both sexes of the Jewish faith as, in the opinion of the Board of Management, should be admitted to any such hospital, convalescent home or
- 25 nursing home whether or not those persons are residents of one of the other homes provided and maintained by the Body Corporate;
- 30 (g) to undertake and execute any trusts the undertaking whereof may be calculated to advance any one or more of the objects of the Body Corporate;
- 35 (h) to promote good feeling and friendly intercourse and relationship amongst the residents of the homes or other institutions provided and maintained by the Body Corporate;

(i)

Sir Moses Montefiore Jewish Home (Amendment).

- 5 (i) to appoint from time to time either with full or restricted powers of delegation and either with or without remuneration, agents, attorneys, local directors or other persons or corporations under power of attorney or otherwise within the Commonwealth or elsewhere for the purpose of carrying out all or any of the objects of the Body Corporate and to revoke or cancel all or any of such appointments or delegations;
- 10 (j) to take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Body Corporate in the form of donations, annual subscriptions or otherwise;
- 15 (k) to obtain any Act of Parliament, order of any Court or other source of power which may be deemed requisite for the purposes of the Body Corporate;
- 20 (l) to support with its funds or otherwise any charitable or other object which in the opinion of the Board of Management is deserving of the support of the Body Corporate;
- 25 (m) to do all such other lawful things as are incidental or conducive to the attainment of the above objects.
- 30 (d) (i) by omitting from section seven the word Sec. 7. "Treasurer" wherever occurring and by insert- (Receipts.) ing in lieu thereof the words "honorary treasurer or honorary secretary";
- 35 (ii) by omitting from the same section the words "countersigned by the Secretary for the time being or by" and by inserting in lieu thereof the words "or of";
- (iii)

Sir Moses Montefiore Jewish Home (Amendment).

- (iii) by omitting from the same section the word
"Secretary" where secondly occurring;
- (e) by omitting section eight;
- 5 (f) by omitting section nine and by inserting in lieu
thereof the following sections : —
9. The Board of Management shall comprise—
- (a) a president, a vice-president, an honorary
treasurer, an honorary secretary and not
more than eleven other persons of the
10 Jewish faith (all of whom are in this Act
referred to as "elected members"); and
- (b) other members appointed from time to time
by the elected members if they think fit so
to do, not exceeding in number the number
15 of persons that would, with the elected
members, constitute a Board of Manage-
ment of eighteen persons.
- 9A. The business of the Body Corporate shall be
20 managed by the Board of Management which may,
for that purpose but subject to any Rules not
inconsistent with this Act prescribed by the mem-
bers of the Body Corporate in general meeting,
25 exercise all such powers of the Body Corporate as
are not by this Act required to be exercised by those
members in general meeting but no such Rule
shall operate to invalidate any prior act of the
Board of Management that would have been valid
had the Rule not been prescribed.
- (g) by omitting from section ten the words "shall be
30 held in the month of February in each year" and
by inserting in lieu thereof the words "(to be called
the 'annual general meeting') shall, in addition to
any other meeting, be held at least once in every
35 calendar year not more than fifteen months after
the next preceding annual general meeting";
- (h)

Sec. 8.
(Applica-
tion of
alienation
and mort-
gage
moneys.)

Subst.
sec. 9 and
new sec. 9A.

Board of
Manage-
ment.

Powers of
Board of
Manage-
ment.

Sec. 10.
(Annual
meeting.)

Sir Moses Montefiore Jewish Home (Amendment).

- (h) (i) by omitting from section eleven the words “a new” and by inserting in lieu thereof the words “the elected members of the new”; Sec. 11. (Board of Management.)
- 5 (ii) by omitting from the same section the words “appointment being made” and by inserting in lieu thereof the words “election being held”;
- (iii) by omitting from the same section the words “their successors are appointed” and by inserting in lieu thereof the words “the successors to the elected members are elected”; 10
- (iv) by omitting from the same section the word “re-election” and by inserting in lieu thereof the words “election, appointment, re-election or re-appointment, as the case may require”;
- 15 (i) (i) by omitting from section thirteen the words “the President of the Board of Management and two members thereof” and by inserting in lieu thereof the words “any two of the president, vice-president, honorary treasurer and honorary secretary”; Sec. 13. (Evidence of Resolution.)
- 20 (ii) by omitting from the same section the words “such President and members” and by inserting in lieu thereof the words “the persons authorised by this section for the purpose”;
- 25 (j) by omitting section fourteen; Sec. 14. (Power to join other organisations.)
- (k) (i) by omitting from subsection (a) of section fifteen the words “the one” and by inserting in lieu thereof the words “, one division”; Sec. 15. (Power to separate objects.)
- 30 (ii) by omitting from the same subsection the words “(b) of that section and the other relating to that mentioned in subsection (c) of the same section” and by inserting in lieu thereof the words “(c) of that section, another division

Sir Moses Montefiore Jewish Home (Amendment).

- division relating to those mentioned in subsections (b) and (d) of that section, another division relating to subsection (e) of that section and another division relating to subsection (f) of that section";
- 5 (iii) by omitting from the same subsection the words "objects mentioned in the said subsection (a) and (b)" and by inserting in lieu thereof the words "object or objects mentioned in one division";
- 10 (iv) by omitting from the same subsection the words "that mentioned in the said subsection (c)" and by inserting in lieu thereof the words "that or those mentioned in any other division and, except in so far as they relate to the objects pursued, separately and apart from the objects mentioned in subsections (g), (h), (i), (j), (k), (l) and (m) of that section";
- 15 (v) by omitting from subsection (b) of the same section the words "subsection (a) and (b) of section five of this Act unless the Body Corporate by resolution determines to allocate any part or parts thereof for the purposes of subsection (c) of the said section five or unless" and by inserting in lieu thereof the words "the objects pursued, except in so far as the Body Corporate by resolution allocates them to other objects and except in so far as";
- 20 (vi) by omitting subsection (c) of the same section;
- 25 (1) (i) by omitting from section eighteen the word "Chairman" and by inserting in lieu thereof the word "Vice-President";
- 30 (ii) by omitting from the same section the words "Secretary or Treasurer" and by inserting in lieu thereof the words "Honorary Secretary or Honorary Treasurer";
- 35 (iii)

Sec. 18.
(Power to
guarantee
payment of
loans.)

Sir Moses Montefiore Jewish Home (Amendment).

(iii) by omitting from the same section the letter and symbols "(c)" and by inserting in lieu thereof the letter and symbols "(e)";

5 (m) by omitting section nineteen and by inserting in Subst. lieu thereof the following section :— sec. 19.

10 19. (a) A person who, immediately before the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, held office as a Life Governor, or as a Junior Life Governor, of the Body Corporate shall, after that commencement, continue in the office held by him.

(b) A person over the age of twenty-one years—

15 (i) who was, immediately before that commencement, eligible for appointment as a Life Governor of the Body Corporate;

(ii) who, after that commencement, makes a donation to the Body Corporate of five hundred dollars or more in one amount; or

20 (iii) who, after that commencement, confers a signal benefit on the Body Corporate, not being a gift of money,

25 may be appointed by the Board of Management as a Life Governor of the Body Corporate.

(c) A Life Governor of the Body Corporate shall be entitled to vote at a general meeting of the Body Corporate and shall be eligible for election as a member of the Board of Management.

30 (d) A person under the age of twenty-one years who makes a donation to the Body Corporate of two hundred dollars or more in one amount may be appointed by the Board of Management as a Junior Life Governor of the Body Corporate.

Sir Moses Montefiore Jewish Home (Amendment).

- (n) by inserting next after the same section the following new section :— New sec.
19A.

5 19A. The Board of Management may realise any investment of the Body Corporate made before or after the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, and may invest the proceeds thereof, and any other funds of the Body Corporate, in the manner authorised by the Rules. Investment
of funds
and
change of
investments.

- 10 (o) (i) by omitting from section twenty-one the word "six" and by inserting in lieu thereof the word "nine"; Sec. 21.
(Quorum.)

- 15 (ii) by inserting in the same section after the word "members" where thirdly occurring the words "at the least".

3. The Board of Management holding office immediately before the commencement of this Act shall be deemed to have been duly appointed as the Board of Management holding office under section eleven of the Principal Act, as amended by this Act, until the annual General Meeting of the Body Corporate next succeeding that commencement. Transitional
provision.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969
[10c]

No. , 1969.

A BILL

To make further provision with respect to the objects, powers, authorities, duties and functions of The Sir Moses Montefiore Jewish Home and its Board of Management; to amend The Sir Moses Montefiore Jewish Home Act, 1927; and for purposes connected therewith.

[MR McCaw—26 August, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Sir Moses Montefiore Jewish Home (Amendment) Act, 1969".

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20—A

(2)

Sir Moses Montefiore Jewish Home (Amendment).

(2) The Sir Moses Montefiore Jewish Home Act, 1927, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment
of Principal
Act.

- 5 (a) (i) by omitting from subsection (c) of section four the words “including the whole or any part of the land described in the said Schedule hereunder written”; (Power to hold real and personal estate.)
- 10 (ii) by omitting from the same subsection the words “the land comprised in the said Schedule” and by inserting in lieu thereof the words “any such real property”;
- 15 (iii) by omitting from the same subsection the words “the said land” and by inserting in lieu thereof the words “any such real property”;
- (iv) by omitting from the same subsection the words “the trusts declared by section five of this Act shall attach to”;
- 20 (v) by inserting in the same subsection after the word “exchange” the words “shall be applied for or towards the attainment of the objects of the Body Corporate”;
- 25 (vi) by omitting from the same subsection the words “subsection (f) of section eight of this Act” and by inserting in lieu thereof the words “Rules made pursuant to subsection (c) of section seventeen of this Act”;
- (vii) by omitting from the same subsection the words “subsections (a) (b) and (c) of”;
- 30 (b) by inserting next after section four the following new section :—
- 4A. Where the Body Corporate has acquired by bequest, gift, purchase or otherwise any inscribed stock, money, fixed deposit, debenture or share in

Registration
of certain
securities,
etc.

Sir Moses Montefiore Jewish Home (Amendment).

a corporation and registrable in its books, and registration thereof in the name of the Body Corporate has been refused, the Board of Management may cause the stock, money, deposit, debenture or share, as the case may be, to be registered in the joint names of the persons for the time being holding office as President, Honorary Secretary and Honorary Treasurer of the Board of Management.

- 10 (c) by omitting section five and by inserting in lieu Subst. sec. 5. thereof the following section :—

5. The objects of the Body Corporate shall be—

Objects of
the Body
Corporate.

- 15 (a) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

- 20 (b) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

- 25 (c) to provide, otherwise than in the home referred to in subsection (a) of this section, for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

(d)

Sir Moses Montefiore Jewish Home (Amendment).

- 5 (d) to provide, otherwise than in the home referred to in subsection (b) of this section, for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- 10 (e) to grant relief to any persons of the Jewish faith by monetary payments to any such persons either by way of gift or upon loan or by guaranteeing the repayment of any moneys borrowed from any person, society
15 or institution by any such person or persons or by gifts or loan of goods or by gifts of clothing or in such other way as the Board of Management shall think fit;
- 20 (f) to provide and maintain a hospital, convalescent home and nursing home, or any of them, for such persons of both sexes of the Jewish faith as, in the opinion of the Board of Management, should be admitted
25 to any such hospital, convalescent home or nursing home whether or not those persons are residents of one of the other homes provided and maintained by the Body Corporate;
- 30 (g) to undertake and execute any trusts the undertaking whereof may be calculated to advance any one or more of the objects of the Body Corporate;
- 35 (h) to promote good feeling and friendly intercourse and relationship amongst the residents of the homes or other institutions provided and maintained by the Body Corporate;
- (i)

Sir Moses Montefiore Jewish Home (Amendment).

- 5 (i) to appoint from time to time either with full or restricted powers of delegation and either with or without remuneration, agents, attorneys, local directors or other persons or corporations under power of attorney or otherwise within the Commonwealth or elsewhere for the purpose of carrying out all or any of the objects of the Body Corporate and to revoke or cancel all or any of such appointments or delegations;
- 10 (j) to take such steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Body Corporate in the form of donations, annual subscriptions or otherwise;
- 15 (k) to obtain any Act of Parliament, order of any Court or other source of power which may be deemed requisite for the purposes of the Body Corporate;
- 20 (l) to support with its funds or otherwise any charitable or other object which in the opinion of the Board of Management is deserving of the support of the Body Corporate;
- 25 (m) to do all such other lawful things as are incidental or conducive to the attainment of the above objects.
- 30 (d) (i) by omitting from section seven the word "Treasurer" wherever occurring and by inserting in lieu thereof the words "honorary treasurer or honorary secretary";
- 35 (ii) by omitting from the same section the words "countersigned by the Secretary for the time being or by" and by inserting in lieu thereof the words "or of";

(iii)

Sir Moses Montefiore Jewish Home (Amendment).

(iii) by omitting from the same section the word
“Secretary” where secondly occurring;

(e) by omitting section eight;

Sec. 8.
(Applica-
tion of
alienation
and mort-
gage
moneys.)

5 (f) by omitting section nine and by inserting in lieu
thereof the following sections :—

Subst.
sec. 9 and
new sec. 9A.
Board of
Manage-
ment.

9. The Board of Management shall comprise—

10 (a) a president, a vice-president, an honorary
treasurer, an honorary secretary and not
more than eleven other persons of the
Jewish faith (all of whom are in this Act
referred to as “elected members”); and

15 (b) other members appointed from time to time
by the elected members if they think fit so
to do, not exceeding in number the number
of persons that would, with the elected
members, constitute a Board of Manage-
ment of eighteen persons.

20 9A. The business of the Body Corporate shall be
managed by the Board of Management which may,
for that purpose but subject to any Rules not
inconsistent with this Act prescribed by the mem-
bers of the Body Corporate in general meeting,
exercise all such powers of the Body Corporate as
are not by this Act required to be exercised by those
25 members in general meeting but no such Rule
shall operate to invalidate any prior act of the
Board of Management that would have been valid
had the Rule not been prescribed.

Powers of
Board of
Manage-
ment.

30 (g) by omitting from section ten the words “shall be
held in the month of February in each year” and
by inserting in lieu thereof the words “(to be called
the ‘annual general meeting’) shall, in addition to
any other meeting, be held at least once in every
calendar year not more than fifteen months after
35 the next preceding annual general meeting”;

Sec. 10.
(Annual
meeting.)

(h)

Sir Moses Montefiore Jewish Home (Amendment).

- (h) (i) by omitting from section eleven the words "a new" and by inserting in lieu thereof the words "the elected members of the new"; Sec. 11.
(Board of Management.)
- 5 (ii) by omitting from the same section the words "appointment being made" and by inserting in lieu thereof the words "election being held";
- (iii) by omitting from the same section the words "their successors are appointed" and by inserting in lieu thereof the words "the successors to the elected members are elected";
- 10 (iv) by omitting from the same section the word "re-election" and by inserting in lieu thereof the words "election, appointment, re-election or re-appointment, as the case may require";
- 15 (i) (i) by omitting from section thirteen the words "the President of the Board of Management and two members thereof" and by inserting in lieu thereof the words "any two of the president, vice-president, honorary treasurer and honorary secretary"; Sec. 13.
(Evidence of Resolution.)
- 20 (ii) by omitting from the same section the words "such President and members" and by inserting in lieu thereof the words "the persons authorised by this section for the purpose";
- 25 (j) by omitting section fourteen; Sec. 14.
(Power to join other organisations.)
- (k) (i) by omitting from subsection (a) of section fifteen the words "the one" and by inserting in lieu thereof the words ", one division"; Sec. 15.
(Power to separate objects.)
- 30 (ii) by omitting from the same subsection the words "(b) of that section and the other relating to that mentioned in subsection (c) of the same section" and by inserting in lieu thereof the words "(c) of that section, another division

Sir Moses Montefiore Jewish Home (Amendment).

- 5 division relating to those mentioned in sub-
sections (b) and (d) of that section, another
division relating to subsection (e) of that
section and another division relating to sub-
section (f) of that section”;
- 10 (iii) by omitting from the same subsection the
words “objects mentioned in the said subsec-
tion (a) and (b)” and by inserting in lieu
thereof the words “object or objects mentioned
in one division”;
- 15 (iv) by omitting from the same subsection the
words “that mentioned in the said subsection
(c)” and by inserting in lieu thereof the words
“that or those mentioned in any other division
and, except in so far as they relate to the
objects pursued, separately and apart from the
objects mentioned in subsections (g), (h),
(i), (j), (k), (l) and (m) of that section”;
- 20 (v) by omitting from subsection (b) of the same
section the words “subsection (a) and (b) of
section five of this Act unless the Body Cor-
porate by resolution determines to allocate any
part or parts thereof for the purposes of sub-
section (c) of the said section five or unless”
25 and by inserting in lieu thereof the words “the
objects pursued, except in so far as the Body
Corporate by resolution allocates them to
other objects and except in so far as”;
- 30 (vi) by omitting subsection (c) of the same
section;
- (1) (i) by omitting from section eighteen the word Sec. 18.
“Chairman” and by inserting in lieu thereof (Power to
the word “Vice-President”; guarantee
payment of
loans.)
- 35 (ii) by omitting from the same section the words
“Secretary or Treasurer” and by inserting in
lieu thereof the words “Honorary Secretary
or Honorary Treasurer”;
- (iii)

Sir Moses Montefiore Jewish Home (Amendment).

(iii) by omitting from the same section the letter and symbols "(c)" and by inserting in lieu thereof the letter and symbols "(e)";

5 (m) by omitting section nineteen and by inserting in Subst. lieu thereof the following section :— sec. 19.

10 19. (a) A person who, immediately before the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, held office as a Life Governor, or as a Junior Life Governor, of the Body Corporate shall, after that commencement, continue in the office held by him. Life Governors.

(b) A person over the age of twenty-one years—

15 (i) who was, immediately before that commencement, eligible for appointment as a Life Governor of the Body Corporate;

20 (ii) who, after that commencement, makes a donation to the Body Corporate of five hundred dollars or more in one amount; or

(iii) who, after that commencement, confers a signal benefit on the Body Corporate, not being a gift of money,

25 may be appointed by the Board of Management as a Life Governor of the Body Corporate.

(c) A Life Governor of the Body Corporate shall be entitled to vote at a general meeting of the Body Corporate and shall be eligible for election as a member of the Board of Management.

30 (d) A person under the age of twenty-one years who makes a donation to the Body Corporate of two hundred dollars or more in one amount may be appointed by the Board of Management as a Junior Life Governor of the Body Corporate.

Sir Moses Montefiore Jewish Home (Amendment).

- (n) by inserting next after the same section the following new section :—

New sec.
19A.

5 19A. The Board of Management may realise any investment of the Body Corporate made before or after the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, and may invest the proceeds thereof, and any other funds of the Body Corporate, in the manner authorised by the Rules.

Investment
of funds
and
change of
investments.

- 10 (o) (i) by omitting from section twenty-one the word "six" and by inserting in lieu thereof the word "nine";
- (ii) by inserting in the same section after the word "members" where thirdly occurring the words
- 15 "at the least".

Sec. 21.
(Quorum.)

3. The Board of Management holding office immediately before the commencement of this Act shall be deemed to have been duly appointed as the Board of Management holding office under section eleven of the Principal Act, as amended

20 by this Act, until the annual General Meeting of the Body Corporate next succeeding that commencement.

Transitional
provision.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

[10c]

SIR MOSES MONTEFIORE JEWISH HOME (AMENDMENT) BILL, 1969

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to extend the objects of the corporation constituted by the Principal Act to authorise, in addition to certain ancillary objects, the establishment of homes for poor, orphaned and other deserving children of the Jewish faith under the age of eighteen years and of a hospital, convalescent home and nursing home, or any of them, for persons of the Jewish faith;
- (b) to increase the membership of the Board of the corporation constituted by the Principal Act;
- (c) to authorise the investment of the funds of that corporation in accordance with Rules approved by the members in general meeting;
- (d) to make provisions consequential upon and ancillary to the foregoing.

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No. , 1969.

A BILL

To make further provision with respect to the objects, powers, authorities, duties and functions of The Sir Moses Montefiore Jewish Home and its Board of Management; to amend The Sir Moses Montefiore Jewish Home Act, 1927; and for purposes connected therewith.

[MR McCaw—26 August, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Sir Moses Montefiore Jewish Home (Amendment) Act, 1969".

Sir Moses Montefiore Jewish Home (Amendment).

(2) The Sir Moses Montefiore Jewish Home Act, 1927, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment
of Principal
Act.

- 5 (a) (i) by omitting from subsection (c) of section four the words “including the whole or any part of the land described in the said Schedule hereunder written”; (Power to hold real and personal estate.)
- 10 (ii) by omitting from the same subsection the words “the land comprised in the said Schedule” and by inserting in lieu thereof the words “any such real property”;
- 15 (iii) by omitting from the same subsection the words “the said land” and by inserting in lieu thereof the words “any such real property”;
- (iv) by omitting from the same subsection the words “the trusts declared by section five of this Act shall attach to”;
- 20 (v) by inserting in the same subsection after the word “exchange” the words “shall be applied for or towards the attainment of the objects of the Body Corporate”;
- 25 (vi) by omitting from the same subsection the words “subsection (f) of section eight of this Act” and by inserting in lieu thereof the words “Rules made pursuant to subsection (c) of section seventeen of this Act”;
- (vii) by omitting from the same subsection the words “subsections (a) (b) and (c) of”;
- 30 (b) by inserting next after section four the following new section :—

New sec. 4A.

4A. Where the Body Corporate has acquired by bequest, gift, purchase or otherwise any inscribed stock, money, fixed deposit, debenture or share in

Registration
of certain
securities,
etc.

Sir Moses Montefiore Jewish Home (Amendment).

5 a corporation and registrable in its books, and registration thereof in the name of the Body Corporate has been refused, the Board of Management may cause the stock, money, deposit, debenture or share, as the case may be, to be registered in the joint names of the persons for the time being holding office as President, Honorary Secretary and Honorary Treasurer of the Board of Management.

- 10 (c) by omitting section five and by inserting in lieu Subst. sec. 5. thereof the following section :—

5. The objects of the Body Corporate shall be— Objects of
the Body
Corporate.

15 (a) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

20 (b) to provide and maintain a home for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

25 (c) to provide, otherwise than in the home referred to in subsection (a) of this section, for the shelter, support and relief, permanent as well as temporary, of such aged, infirm or other persons of both sexes of the Jewish faith as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;

30 (d)

Sir Moses Montefiore Jewish Home (Amendment).

- 5 (d) to provide, otherwise than in the home referred to in subsection (b) of this section, for the shelter, support and relief, permanent as well as temporary, of such poor, orphaned or other children of both sexes of the Jewish faith under the age of eighteen years as are, in the opinion of the Board of Management, deserving of the assistance of the Body Corporate;
- 10 (e) to grant relief to any persons of the Jewish faith by monetary payments to any such persons either by way of gift or upon loan or by guaranteeing the repayment of any moneys borrowed from any person, society
- 15 or institution by any such person or persons or by gifts or loan of goods or by gifts of clothing or in such other way as the Board of Management shall think fit;
- 20 (f) to provide and maintain a hospital, convalescent home and nursing home, or any of them, for such persons of both sexes of the Jewish faith as, in the opinion of the Board of Management, should be admitted to any such hospital, convalescent home or
- 25 nursing home whether or not those persons are residents of one of the other homes provided and maintained by the Body Corporate;
- 30 (g) to undertake and execute any trusts the undertaking whereof may be calculated to advance any one or more of the objects of the Body Corporate;
- 35 (h) to promote good feeling and friendly intercourse and relationship amongst the residents of the homes or other institutions provided and maintained by the Body Corporate;
- (i)

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- 5 (i) to appoint from time to time either with
full or restricted powers of delegation and
either with or without remuneration, agents,
attorneys, local directors or other persons
or corporations under power of attorney or
otherwise within the Commonwealth or
elsewhere for the purpose of carrying out
all or any of the objects of the Body Cor-
porate and to revoke or cancel all or any
10 of such appointments or delegations;
- (j) to take such steps by personal or written
appeals, public meetings or otherwise as
may from time to time be deemed expedient
for the purpose of procuring contributions
15 to the funds of the Body Corporate in the
form of donations, annual subscriptions or
otherwise;
- (k) to obtain any Act of Parliament, order of
any Court or other source of power which
20 may be deemed requisite for the purposes
of the Body Corporate;
- (l) to support with its funds or otherwise any
charitable or other object which in the
opinion of the Board of Management is
deserving of the support of the Body Cor-
25 porate;
- (m) to do all such other lawful things as are
incidental or conducive to the attainment
of the above objects.
- 30 (d) (i) by omitting from section seven the word Sec. 7.
"Treasurer" wherever occurring and by insert- (Receipts.)
ing in lieu thereof the words "honorary
treasurer or honorary secretary";
- 35 (ii) by omitting from the same section the words
"countersigned by the Secretary for the time
being or by" and by inserting in lieu thereof
the words "or of";
- (iii)

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- (iii) by omitting from the same section the word
"Secretary" where secondly occurring;
- (e) by omitting section eight;
- (f) by omitting section nine and by inserting in lieu
thereof the following sections :—
9. The Board of Management shall comprise—
- (a) a president, a vice-president, an honorary
treasurer, an honorary secretary and not
more than eleven other persons of the
Jewish faith (all of whom are in this Act
referred to as "elected members"); and
- (b) other members appointed from time to time
by the elected members if they think fit so
to do, not exceeding in number the number
of persons that would, with the elected
members, constitute a Board of Manage-
ment of eighteen persons.
- 9A. The business of the Body Corporate shall be
managed by the Board of Management which may,
for that purpose but subject to any Rules not
inconsistent with this Act prescribed by the mem-
bers of the Body Corporate in general meeting,
exercise all such powers of the Body Corporate as
are not by this Act required to be exercised by those
members in general meeting but no such Rule
shall operate to invalidate any prior act of the
Board of Management that would have been valid
had the Rule not been prescribed.
- (g) by omitting from section ten the words "shall be
held in the month of February in each year" and
by inserting in lieu thereof the words "(to be called
the 'annual general meeting') shall, in addition to
any other meeting, be held at least once in every
calendar year not more than fifteen months after
the next preceding annual general meeting";
- (h)

Sec. 8.
(Applica-
tion of
alienation
and mort-
gage
moneys.)

Subst.
sec. 9 and
new sec. 9A.

Board of
Manage-
ment.

Powers of
Board of
Manage-
ment.

Sec. 10.
(Annual
meeting.)

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- (h) (i) by omitting from section eleven the words "a new" and by inserting in lieu thereof the words "the elected members of the new"; Sec. 11.
(Board of Management.)
- 5 (ii) by omitting from the same section the words "appointment being made" and by inserting in lieu thereof the words "election being held";
- (iii) by omitting from the same section the words "their successors are appointed" and by inserting in lieu thereof the words "the successors to the elected members are elected";
- 10 (iv) by omitting from the same section the word "re-election" and by inserting in lieu thereof the words "election, appointment, re-election or re-appointment, as the case may require";
- 15 (i) (i) by omitting from section thirteen the words "the President of the Board of Management and two members thereof" and by inserting in lieu thereof the words "any two of the president, vice-president, honorary treasurer and honorary secretary"; Sec. 13.
(Evidence of Resolution.)
- 20 (ii) by omitting from the same section the words "such President and members" and by inserting in lieu thereof the words "the persons authorised by this section for the purpose";
- 25 (j) by omitting section fourteen; Sec. 14.
(Power to join other organisations.)
- (k) (i) by omitting from subsection (a) of section fifteen the words "the one" and by inserting in lieu thereof the words ", one division"; Sec. 15.
(Power to separate objects.)
- 30 (ii) by omitting from the same subsection the words "(b) of that section and the other relating to that mentioned in subsection (c) of the same section" and by inserting in lieu thereof the words "(c) of that section, another division

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- division relating to those mentioned in subsections (b) and (d) of that section, another division relating to subsection (e) of that section and another division relating to subsection (f) of that section”;
- 5 (iii) by omitting from the same subsection the words “objects mentioned in the said subsection (a) and (b)” and by inserting in lieu thereof the words “object or objects mentioned
- 10 in one division”;
- (iv) by omitting from the same subsection the words “that mentioned in the said subsection (c)” and by inserting in lieu thereof the words “that or those mentioned in any other division
- 15 and, except in so far as they relate to the objects pursued, separately and apart from the objects mentioned in subsections (g), (h), (i), (j), (k), (l) and (m) of that section”;
- (v) by omitting from subsection (b) of the same
- 20 section the words “subsection (a) and (b) of section five of this Act unless the Body Corporate by resolution determines to allocate any part or parts thereof for the purposes of subsection (c) of the said section five or unless”
- 25 and by inserting in lieu thereof the words “the objects pursued, except in so far as the Body Corporate by resolution allocates them to other objects and except in so far as”;
- (vi) by omitting subsection (c) of the same
- 30 section;
- (1) (i) by omitting from section eighteen the word “Chairman” and by inserting in lieu thereof the word “Vice-President”;
- 35 (ii) by omitting from the same section the words “Secretary or Treasurer” and by inserting in lieu thereof the words “Honorary Secretary or Honorary Treasurer”;
- (iii)

Sec. 18.
(Power to
guarantee
payment of
loans.)

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(iii) by omitting from the same section the letter and symbols "(c)" and by inserting in lieu thereof the letter and symbols "(e)";

5 (m) by omitting section nineteen and by inserting in Subst. lieu thereof the following section :— sec. 19.

10 19. (a) A person who, immediately before the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, held office as a Life Governor, or as a Junior Life Governor, of the Body Corporate shall, after that commencement, continue in the office held by him. Life Governors.

(b) A person over the age of twenty-one years—

15 (i) who was, immediately before that commencement, eligible for appointment as a Life Governor of the Body Corporate;

20 (ii) who, after that commencement, makes a donation to the Body Corporate of five hundred dollars or more in one amount; or

(iii) who, after that commencement, confers a signal benefit on the Body Corporate, not being a gift of money,

25 may be appointed by the Board of Management as a Life Governor of the Body Corporate.

(c) A Life Governor of the Body Corporate shall be entitled to vote at a general meeting of the Body Corporate and shall be eligible for election as a member of the Board of Management.

30 (d) A person under the age of twenty-one years who makes a donation to the Body Corporate of two hundred dollars or more in one amount may be appointed by the Board of Management as a Junior Life Governor of the Body Corporate.

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- (n) by inserting next after the same section the following new section :— New sec.
19A.

5 19A. The Board of Management may realise any investment of the Body Corporate made before or after the commencement of the Sir Moses Montefiore Jewish Home (Amendment) Act, 1969, and may invest the proceeds thereof, and any other funds of the Body Corporate, in the manner authorised by the Rules. Investment
of funds
and
change of
investments.

- 10 (o) (i) by omitting from section twenty-one the word "six" and by inserting in lieu thereof the word "nine"; Sec. 21.
(Quorum.)

- 15 (ii) by inserting in the same section after the word "members" where thirdly occurring the words "at the least".

3. The Board of Management holding office immediately before the commencement of this Act shall be deemed to have been duly appointed as the Board of Management holding office under section eleven of the Principal Act, as amended Transitional
provision.
20 by this Act, until the annual General Meeting of the Body Corporate next succeeding that commencement.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969