

Lord Mayor's Community Aid Bill

EXPLANATORY MEMORANDUM

Outline

This Bill establishes a fund to be known as the Lord Mayor's Community Aid Fund.

The Fund replaces the Lord Mayor's Fund for Metropolitan Hospitals and Charities constituted under the *Lord Mayor's Fund Act 1930*.

The Lord Mayor's Community Aid Fund is to be administered by a council incorporated by the legislation.

The council will consist of both nominated and co-opted members who will primarily represent the interests of donors to the Fund.

Day to day responsibility for the affairs of the Fund will be vested in an executive committee elected by, and from, the members of the council.

It should be noted that the Bill does not retain the present nexus between the *Lord Mayor's Fund Act 1930* and the *Hospitals and Charities Act 1958*.

As a result, money in the Fund can be used to support any charitable institution, hospital, benevolent or other organisation in the metropolitan area rather than only those organisations which are institutions or benevolent societies within the *Hospitals and Charities Act 1958* definition.

The council will also have a capacity to apply money in special circumstances to a charitable organisation outside the metropolitan area.

Clause Notes

PART 1—PRELIMINARY

Clause 1 describes the purposes of the Act.

Clause 2 provides for the commencement of the Act on a day to be proclaimed.

Clause 3 defines various terms used in the Act.

PART 2—THE FUND

Clause 4 establishes a Lord Mayor's Community Aid Fund.

Clause 5 provides for the payment of money into, and out of, the Fund.

PART 3—THE COUNCIL

Division 1—Establishment, Powers and Functions

Clause 6 incorporates the Lord Mayor's Community Aid Council.

Clause 7 set out the functions of the Council.

Clause 8 describes the powers of the Council. This includes power to deal with real and personal property and the investment of money in the Lord Mayor's Community Aid Fund. The clause also requires the Council to consult the Chief General Manager of the Department of Health before making money available to a scheduled hospital.

Clause 9 enables the Council to apply money to a charity outside the metropolitan area with Ministerial approval if there are special circumstances of unforeseen need.

Division 2—Composition

Clause 10 sets out the composition of the Council.

Clause 11 empowers the Council to co-opt a person who is not a member of the Council to assist the Council, the executive committee or a sub-committee.

Clause 12 deals with resignations from, and the filling of vacancies in, the membership of the Council.

Clause 13 enables the Council to appoint a Patron-in-Chief and Patrons of the Fund.

Clause 14 requires the Council to hold a general meeting at least once each quarter. One such meeting must be the annual general meeting.

Clause 15 prescribes matters which must be included in the agenda for the annual general meeting of the Council.

Clause 16 deals with the calling of special meetings of the Council.

Division 3—The Executive Committee

Clause 17 requires the Council to establish an executive committee.

Clause 18 deals with meetings of the executive committee.

Clause 19 defines the duties of the executive committee and requires the executive committee to report its proceedings to the Council.

Division 4—Sub-committees of the Council

Clause 20 authorizes the establishment of sub-committees by the Council.

Division 5—Procedure

Clause 21 sets out the order of precedence for chairing a meeting of the Council.

Clause 22 prescribes the quorums for meetings of the Council, executive committee and sub-committees.

Clause 23 deals with special meetings of the Council and the executive committee.

Clause 24 prescribes the mode of voting at meetings of the Council, executive committee or sub-committee.

PART 4—MISCELLANEOUS

Clause 25 requires the executive committee to employ a secretary and empowers it to also employ or appoint such other persons as it thinks fit.

Clause 26 requires the Council, executive committee and sub-committees to keep proper records of their proceedings and affairs.

Clause 27 requires the Council to prepare and to submit to the Minister an annual report of its affairs, and provides for the tabling of the report in the Parliament.

Clause 28 provides for the audit by the Auditor-General of the accounts and financial records of the Council.

Clause 29 empowers the Council to make rules in relation to various matters.

Clause 30 repeals the *Lord Mayor's Fund Act 1930*.

Clause 31 provides for the succession of the Council to the Lord Mayor's Fund for Metropolitan Hospitals and Charities and for the transfer to the new Fund of the assets and liabilities of the Lord Mayor's Fund for Metropolitan Hospitals and Charities.

Clause 32 deals with the convening of the first meeting of the Council and contains various transitional provisions with respect to the Council of the Lord Mayor's Fund for Metropolitan Hospitals and Charities, its executive committee, the secretary and the staff of the Lord Mayor's Fund for Metropolitan Hospitals and Charities.

Clause 33 deems any reference to the "Lord Mayor's Fund" in any trust, deed, will or document to be a reference to the "Lord Mayor's Community Aid Fund".

Clause 34 continues in operation rules and regulations made under the *Lord Mayor's Fund Act 1930*.

