



## S2.9 Synod Property Board By-Law

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### NAME AND SOURCE OF AUTHORITY

- S2.9.1 The name of the body is the “Synod Property Board” (hereinafter “the Board”), a Board appointed by and responsible to the Synod of Western Australia in accordance with Regulation 4.2.

### MEMBERSHIP

- S2.9.2 The Board is appointed by the Synod and consists of:
- (a) a Chairperson elected by the Synod for a two year term;
  - (b) the General Secretary;
  - (c) the Synod Property Officer;
  - (d) two other members of the Property Trust nominated by the Property Trust;
  - (e) two members of the Presbytery Property Committee nominated by the Presbytery Standing Committee; and
  - (f) up to four other members elected by the Synod for a two year term.
- S2.9.3 The Board may co-opt up to two further members, for a term of up to two years, to ensure balanced representation or to provide the Board with knowledge, abilities or experience not otherwise available to the Board. The appointment of co-opted members shall be subject to endorsement by the Synod Standing Committee.
- S2.9.4 A majority of the membership of the Board shall be members of the Uniting Church.
- S2.9.5 Presbytery or Synod staff, other than those covered in By-law S2.9.7, may be invited to attend and speak to assist the Board in the fulfilling of its purpose and responsibilities but are not eligible to vote.
- S.2.9.6 The Moderator of the Synod may, at their own discretion, attend and speak at any meeting of the Board.

### EXECUTIVE STAFFING

- S2.9.7 The Executive Officer, Property shall be the executive officer of the Board and shall have the right to attend Board meetings and to speak but not to vote except when the Board, in its absolute discretion, requests the Executive Officer, Property to retire from any meeting.

## **MEETINGS**

- S2.9.8 The Board will meet at least six times each year.
- S2.9.9 The meetings of the Board will be conducted in accordance with the principles and procedures of the *Manual for Meetings*.

## **QUORUM**

- S2.9.10 The quorum for meetings of the Board shall be the whole number next above one-half of the current voting members.

## **REPORTING**

- S2.9.11 The Board shall report to the Synod at least annually, to the Synod Standing Committee when requested and forward the unconfirmed and confirmed minutes of each Board meeting to Synod Standing Committee.

## **ROLE**

- S2.9.12 The role of the Board is to:
- (a) provide advice and recommendations in regard to policy and procedures relating to all property within the bounds of the Synod for determination or confirmation by the Synod;
  - (b) oversee the implementation of the Synod's agreed policies and procedures in regard to property within the bounds of the Synod;
  - (c) prepare and make available to all relevant Church Councils and Bodies within the bounds of the Synod written guidelines and advice to assist them in meeting their obligations and responsibilities and assisting in the timely resolution of all applications and requests in regard to property dealings and transactions or any other property matter;
  - (d) receive all applications and requests in regard to property dealings and transactions (Reg 4.6) submitted by the Presbytery, Church Councils, institutions and agencies or, when appropriate, initiate proposals and to give the final determination whether such applications or requests or proposals should be approved;
  - (e) identify, monitor and manage opportunities for long term property acquisition, disposal or development especially in regard to income streams and financial sustainability; and
  - (f) manage any property for which the Synod is the responsible body.

## **RESPONSIBILITIES**

- S2.9.13 The Board is authorised to act on behalf of the Synod to:
- (a) maintain a Property Register;
  - (b) manage Synod assets; and
  - (c) monitor the condition of all property held within the Synod and to ensure compliance with requirements of the law of the Church and of public regulatory bodies.
- S2.9.14 The Board will make recommendations to the Synod or the Synod Standing Committee on:
- (a) the acquisition or disposal or redevelopment of real property assets over \$1 million; and
  - (b) joint venture proposals.

## **DELEGATIONS**

- S2.9.15 The Board may delegate any of its roles and powers to:
- (a) the Presbytery Property Committee;
  - (b) another body within the Synod; or
  - (c) the Synod Property Officer or the Executive Officer, Property.
- S2.9.16 The Board may not delegate its power of delegation.

## **PRESBYTERY PROPERTY COMMITTEE**

- S2.9.17 The Board shall make available the services of its staff to assist the Presbytery Property Committee upon request.

## **PROPERTY SALES PROCEEDS**

- S2.9.18 The Board has, subject to any appeal to the Synod, the final determining responsibility in regard to the application of the proceeds of any sale of real estate.
- S2.9.19 The Board shall make its decisions in accordance with Reg 4.8.1.
- S2.9.20 From the net proceeds of any sale of real property, 9% shall be contributed to the Synod Property Services Fund. Use of this Fund will be determined by the Synod Property Board and may be used for property maintenance and repairs when other funds are not available.
- S2.9.21 From the net proceeds of any sale of real property, 5% shall be contributed to the UAICC Property Fund. Use of this Fund will be determined by the WA Regional Committee of UAICC and may be used to meet any costs relating to properties for which UAICC is the “responsible body”, including ongoing property costs, property development or for the acquisition of new property for the use of the UAICC.

- S2.9.22 The remaining balance of the net proceeds of any sale of real property shall be held in a “Property Sale Proceeds Account” in the Uniting Church Investment Fund. Any use of the income or capital of a Property Sale Proceeds Account must be in accordance with Reg 4.8.1 and after consideration and approval by the Board.
- S2.9.23 In regard to any use of property sales proceeds from congregational property in accordance with Reg 4.8.1 (c), the congregation is required to develop a Mission Plan for approval by the Presbytery or a Presbytery delegated body prior to any application for the sale, purchase, significant renovation or redevelopment of any congregational property being considered by the Synod Property Board or the use of interest only for ongoing expenses.
- S2.9.24 If any funds remain in a Property Sale Proceeds Account after five years from the date of the sale and the funds are not being used for any approved purpose, then they shall be transferred to the Synod’s Future Mission Fund.