

**CITY NIGHT REFUGE AND SOUP KITCHEN  
INCORPORATION (AMENDMENT) ACT.**

**New South Wales**



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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An Act to place the control and management of the City Night Refuge and Soup Kitchen under the control of the Sydney City Mission; to confer and impose upon the Council of the Sydney City Mission the powers, duties, rights and liabilities formerly held by the General Committee of the City Night Refuge and Soup Kitchen; to vest in the Sydney City Mission the property of the City Night Refuge and Soup Kitchen in New South Wales; and for purposes connected therewith. [Assented to. 17th April, 1969.]

**WHEREAS**

Elizabeth II  
Preamble.

WHEREAS the General Committee of the City Night Refuge and Soup Kitchen, a charitable society operating in Sydney, was incorporated under the City Night Refuge and Soup Kitchen Incorporation Act, 1932 AND WHEREAS the Sydney City Mission was incorporated under section 52 of the Companies Act, 1899, on the thirty-first day of December one thousand nine hundred and one for the purposes of promoting the extension of evangelical religion throughout Sydney and its suburbs without reference to denominational distinction AND WHEREAS since the year of our Lord one thousand nine hundred and forty-six the City Night Refuge and Soup Kitchen has been an integral part of the overall operation of the Sydney City Mission AND WHEREAS it is expedient that the Council of the Sydney City Mission should be invested with all the powers and authorities formerly invested in the General Committee of the City Night Refuge and Soup Kitchen and that the real and personal property now vested in the City Night Refuge and Soup Kitchen should now be vested in the Sydney City Mission : BE it therefore 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 :

Short  
title.

1. This Act may be cited as the "City Night Refuge and Soup Kitchen Incorporation (Amendment) Act, 1969".

Interpreta-  
tion.

2. In this Act, except insofar as the context or subject-matter otherwise indicates or requires—

"Council" means the Council of the Sydney City Mission for the time being appointed pursuant to the Articles of Association of the Sydney City Mission.

"Property" includes real and personal property and any estate or interest of any description or tenure in any property, real or personal, and any debt and anything in action and any right of interest.

"Rules" mean rules for the time being passed by the Council of the Sydney City Mission.

3.

*City Night Refuge and Soup Kitchen Incorporation (Amendment).*

3. As from the commencement of this Act the membership of the General Committee of the City Night Refuge and Soup Kitchen shall be identical with the membership of the Council of the Sydney City Mission which Council shall have all the powers and authorities formerly held and vested in the General Committee of the City Night Refuge and Soup Kitchen.

Elizabeth II  
Control.

4. (1) All property in New South Wales which is now vested in or held by or which hereafter at any time may be given, devised or bequeathed to any person in trust for or on behalf of or for the benefit of the City Night Refuge and Soup Kitchen shall, by virtue of this Act, vest in the Sydney City Mission, subject to the conditions or trusts upon which it is now held or may hereafter be given, devised or bequeathed; and all other persons are hereby divested of all such property of which they are seised or possessed.

Vesting of  
property.

(2) All rights accrued or accruing to any person in New South Wales on behalf of the City Night Refuge and Soup Kitchen are hereby vested in and may be enforced by the Sydney City Mission, and all liabilities of the City Night Refuge and Soup Kitchen or any branch, or any person in New South Wales on behalf of the City Night Refuge and Soup Kitchen, may be enforced against the Sydney City Mission.

5. As from the commencement of this Act all lands and other property real and personal formerly held by or vested in the City Night Refuge and Soup Kitchen shall be vested in the Sydney City Mission which shall have power to hold such lands and other property real and personal, and any estate or interest therein, and also to sell, mortgage, lease or otherwise dispose of the said lands and other property, real and personal, or any interest therein and to apply such property proceeds and funds now by this Act vested in or under the control of the Sydney City Mission in the furtherance of any of the objects or powers of the City Night Refuge and Soup Kitchen.

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**Elizabeth II**  
**Common**  
**Seal.**

6. The Council may affix the Common Seal of the Sydney City Mission to any document to which the Common Seal of the City Night Refuge and Soup Kitchen would have formerly been necessary provided however that such Common Seal shall not be affixed to any document except in pursuance of a resolution of the Council and every document so sealed shall be signed by at least three members of the Council.

**Rules.**

7. The Council shall have power to make rules for the conduct of the affairs of the City Night Refuge and Soup Kitchen and the furtherance of the objects for which the said City Night Refuge and Soup Kitchen was originally formed as hereinbefore mentioned, and in such rules provisions may be made respecting the following matters, that is to say :—

- (a) the appointment of such other working or temporary committees as shall from time to time be required for the furtherance of the objects for which the City Night Refuge and Soup Kitchen was originally formed as hereinbefore mentioned;
- (b) the mode of altering or repealing the rules of the City Night Refuge and Soup Kitchen, and of making others; and
- (c) the efficient management of the affairs and business of the City Night Refuge and Soup Kitchen generally, and the promotion of the objects for which the City Night Refuge and Soup Kitchen was formed.

**Power to**  
**invest funds.**

8. The Council may from time to time invest any funds of the City Night Refuge and Soup Kitchen and any moneys given or bequeathed to or arising from any donation of real or personal property to the City Night Refuge and Soup Kitchen at the absolute discretion of such Council subject to any provisions or direction in the instrument creating such bequest

or

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or donation in any of the securities for the time being authorised by the law of the said State for the investment of trust funds or in the purchase of land of freehold tenure in the said State, and from time to time to vary any investment. **Elizabeth II**

9. Notice to or service upon the Secretary or acting Secretary for the time being of the Council shall be deemed to be a notice to or service upon the City Night Refuge and Soup Kitchen.