

**SIR MOSES MONTEFIORE JEWISH HOME  
(AMENDMENT) ACT.**

**New South Wales**



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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**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.]

**B**E 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 : —

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

(2)

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(2) The Sir Moses Montefiore Jewish Home Act, No. 52, 1969 1927, is in this Act referred to as the Principal Act.

2. The Principal Act is amended—

Amendment  
of Principal  
Act.

- (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”; Sec. 4. (Power to hold real and personal estate.)
- (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”;
- (b) by inserting next after section four the following New sec. 4A.  
new section :—

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

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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.

Subst. sec. 5.

(c) by omitting section five and by inserting in lieu thereof the following section :—

Objects of  
the Body  
Corporate.

5. The objects of the Body Corporate shall be—

- (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 No. 52, 1969 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)

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- (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.

Sec. 7.  
(Receipts.)

- (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";
- (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; No. 52, 1969
- (e) by omitting section eight; Sec. 8.  
(Applica-  
tion of  
alienation  
and mort-  
gage  
moneys.)
- (f) by omitting section nine and by inserting in lieu thereof the following sections : — Subst.  
sec. 9 and  
new sec. 9A.
9. The Board of Management shall comprise— Board of  
Manage-  
ment.
- (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. Powers of  
Board of  
Manage-  
ment.
- (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"; Sec. 10.  
(Annual  
meeting.)
- (h)

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Sec. 11.  
(Board of  
Management.)

- (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";
- (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";

Sec. 13.  
(Evidence  
of Resolution.)

- (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";
- (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";

Sec. 14.  
(Power to  
join other  
organisations.)

- (j) by omitting section fourteen;

Sec. 15.  
(Power to  
separate  
objects.)

- (k) (i) by omitting from subsection (a) of section fifteen the words "the one" and by inserting in lieu thereof the words ", one division";
- (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 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";

- (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;

- (l) (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";

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

(iii)



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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)";

Subst.  
sec. 19.

(m) by omitting section nineteen and by inserting in lieu thereof the following section :—

Life  
Governors.

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—

(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)

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

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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.

- (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".

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.