Anglican Church Diocese of Sydney

Cathedral Ordinance Amendment Ordinance 1997

No 48, 1997

Long Title

An Ordinance to amend the Cathedral Ordinance 1969.

Preamble

A. By the St Andrew's Cathedral School Ordinance 1971 the Standing Committee, using its powers under the Anglican Church of Australia Trust Property Act 1917, amended the Cathedral Ordinance 1969 (the "Principal Ordinance") to provide for the government and control of the St Andrew's Cathedral School.

B. By the St Andrew's Cathedral School Incorporation Ordinance 1978 the Standing Committee, using its powers under the Anglican Church of Australia (Bodies Corporate) Act 1938, declared that it was expedient that the persons who, for the time being, are members of the unincorporated body known as the Council of St Andrew's School should be constituted a body corporate (the "Body Corporate") under the name of "The Council of St Andrew's Cathedral School".

C. The Body Corporate was subsequently incorporated.

D. It is expedient to further amend the Principal Ordinance to provide for the government and management of St Andrew's Cathedral School.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows -

Name of Ordinance

1. This Ordinance is the Cathedral Ordinance Amendment Ordinance 1997.

Amendment of Principal Ordinance

2. The Principal Ordinance is amended as follows -

(a) Clause 29(c) is amended by deleting the words after "School".

(b) Clause 35 is deleted and the following is inserted instead -

"35. The objects of the School include -

(a) the education of students (who are enrolled at the School) in accordance with the Doctrines and Principles of the Anglican Church of Australia in force in the Diocese of Sydney; and

(b) the provision, from students enrolled at the School, of Choristers for the Cathedral."

(c) Clause 36(1) is amended by deleting the matter "clauses 37 and 38" and inserting "clause 37" instead.

(d) Clause 37 is amended by deleting the matter "management and control" and inserting "government and management" instead.

(e) Clause 38(1) is amended by deleting the matter "manage govern and control all" and inserting "govern, manage and control all land, buildings," instead.

(f) Clause 38(2) is amended by deleting the matter "manage, govern or control" and inserting "govern, manage or control" instead.

(g) Regulation 1 in the Schedule is deleted and the following is inserted instead -

"1. The Council in office immediately before the Cathedral Ordinance Amendment Ordinance 1997 takes effect shall, subject to regulation 6, continue in office up to and including 31 March 1998."

(h) Regulation 2 in the Schedule is deleted and the following is inserted instead -

"2. (1) Subject to regulation 1, the members of Council shall be -

(a) the Archbishop, who shall be President of the Council;

(b) the Dean;

(c) 1 clergyman appointed by the Archbishop;

(d) 1 lay person appointed by the Archbishop;

(e) 2 clergymen appointed by Chapter;

(f) 1 lay person, a member of Chapter, appointed by Chapter;

(g) 6 lay persons appointed by Chapter;

(h) 1 member of the Old Boys' Union of the School appointed by the Council as provided for in regulation 16A; and

(i) 1 parent appointed by the Council as provided for in regulation 16B.

(2) Subject to sub-regulation (4), members of Council appointed pursuant to paragraphs (c) to (g) inclusive of sub-regulation (1) shall be appointed for a period of 4 years.

(3) Members of Council appointed pursuant to paragraphs (h) and (i) of sub-regulation (1) shall be appointed for a period of 12 months.

(4) 1 clergyman appointed pursuant to paragraph (e) of sub-regulation (1), and 3 lay persons appointed pursuant to paragraph (g) of sub-regulation (1), and who, in each case, assume office on 1 April 1998, shall be appointed for a period of 2 years, and thereafter for a period of 4 years.

(5) Subject to regulation 6, retiring members are eligible for reappointment."

(i) Regulation 3 in the Schedule is deleted.

(j) Regulation 4 in the Schedule is deleted and the following is inserted instead -

"4. (1) At the first Council Meeting of the relevant year, or as soon as reasonably practicable thereafter, the Council shall elect a Chairman from among its members.

(2) The Chairman elected pursuant to sub-regulation (1) shall, subject to regulation 6, hold office as Chairman for a period of 2 years.

(3) If the Chairman ceases to hold office during his 2 year term, the Council shall as soon as practicable elect a new Chairman who shall hold office for the balance of the term.

(4) At the first Council Meeting of the relevant year, or as soon as reasonably practicable thereafter, the Council shall elect a Deputy Chairman from among its members.

(5) The Deputy Chairman elected pursuant to sub-regulation (4) shall, subject to regulation 6, hold office as Deputy Chairman for a period of 2 years.

(6) If the Deputy Chairman ceases to hold office during his 2 year term, the Council shall as soon as practicable elect a new Deputy Chairman who shall hold office for the balance of the term."

(k) Regulation 5 in the Schedule is deleted.

(l) Regulation 6(1)(c) in the Schedule is amended by deleting the comma and the words following "years".

(m) Regulation 9 in the Schedule is amended by adding after "Council" the matter "the President shall occupy the chair and,".

(n) Regulation 12 in the Schedule is deleted and the following is inserted instead -

"12. Subject to this Ordinance, any other Ordinance relating to the School and to the regulations, the Council shall govern and manage the School and, in particular, but without limiting the generality thereof -

(a) shall, after consultation with the Chapter, appoint the Headmaster, and, on reasonable cause being shown, suspend or dismiss the Headmaster, provided that any such appointment, suspension or dismissal shall be supported by not less that two-third of the members of the Council;

(b) shall approve the appointment of teachers by the Headmaster and may appoint such other officers as it may consider necessary to enable it to fulfil its objects;

(c) may regulate its own proceedings;

(d) may prescribe, rescind or alter rules;

(e) may authorise any person or persons to act on its behalf;

(f) may appoint subcommittees either generally or specifically; and

(g) may exercise the powers conferred upon it pursuant to The Council of St Andrew's Cathedral School Incorporation Ordinance 1978-1988 on the terms and conditions set out in that Ordinance."

(o) Regulation 15 in the Schedule is amended by deleting the matter "Cathedral Ordinance 1969" and inserting the matter "this Ordinance" instead.

(p) Regulation 16A(1) in the Schedule is amended by deleting "(c)" and substituting "(h)".

(q) Regulations 16A(2) and 16A(3) in the Schedule are deleted and the following is inserted insert -

"(2) At the Council Meeting in March, or as soon as reasonably practicable thereafter, the Council may appoint 1 person from the list of nominations, or may, in its absolute discretion, decline to make any appointment."

(r) Regulation 16B(1) in the Schedule is amended by deleting "(d)" and inserting "(i)" insert.

(s) Regulations 16B(2) and 16B(3) in the Schedule are deleted and the following is inserted instead -

"(2) At the Council Meeting in March, or as soon as reasonably practicable thereafter, the Council may appoint one (1) person from the list of nominations, or may, in its absolute discretion, decline to make any appointment."

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

N.M. CAMERON
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 8 December 1997.

M.A. PAYNE
Secretary

I Assent to this Ordinance.

R.H. GOODHEW
Archbishop of Sydney
9/12/1997