

# The King's School Council Constitution Ordinance 1922

(Reprinted under the Interpretation Ordinance 1985.)

The King's School Council Constitution Ordinance 1922 as amended by The King's School Council Constitution Amendment Ordinance 1934, The King's School Council Constitution Amendment Ordinance 1948, The King's School Council Amendment Ordinance 1980, The King's School Council Constitution Amendment Ordinance 1983, the Diocesan Officers (Retirement) Ordinance 1987 and the Diocesan Officers (Retirement) Repeal Ordinance 2001.

## Table of Provisions

Clause	
1	..... Repeal
2	..... Interpretation
3	..... Government by the Council
4	..... Constitution of the Council
5	..... Chairman, Quorum etc at Council Meetings
6	..... Transitional Provisions
7	..... Regulations
8	..... Term of Office
9	..... Casual Vacancies
10	..... Filling of Casual Vacancies
12	..... Council to Manage etc
13	..... Council to Determine Course of Institution etc
14	..... Council may Regulate own Proceedings
15	..... Authorities
16	..... Commencement of Ordinance
17	..... Authority to Promote Bill
18	..... Carrying Ordinance into Effect
Schedule	

\*\*\*\*\*

## Long Title

An Ordinance to regulate the constitution of the Council of The King's School and to provide for the promotion in Parliament of a certain Bill and for other matters in connection therewith.

## Preamble

Whereas by subsection (2)(c) of section 3 of the Church of England Trust Property Act, 1917 it was provided that the Act should be deemed not to apply to nor to affect any property real or personal held or to be held upon trust for the purposes of The King's School or The King's School Council Act (hereinafter called "the Principal Act") or The King's School Council Act Amendment Act of 1894.

And Whereas it is expedient to provide for the repeal of the said subsection and of certain sections of the Principal Act and in anticipation to regulate the Constitution of the Council of The King's School including the representation of old boys on the said Council and the substitution of retirement by rotation in the place of the life tenure of membership of the said Council And Whereas this Ordinance was originally entitled "The King's School Council Constitution Ordinance 1922" (no. 5 of 1922) And Whereas the Principal Act (inter alia) was amended by an Act of Parliament entitled "Church of England Trust Property Amendment Act, 1923" (Act No. 26 of 1923) And Whereas this Ordinance in its original form was amended by Ordinance entitled "The King's School Council Constitution Amendment Ordinance 1934" (No. 8 of 1934), by Ordinance entitled "Casual Vacancies Ordinance 1935" (No. 11 of 1935) and by Ordinance entitled "The King's School Council Constitution Amendment Ordinance 1948" (No. 14 of 1948) And Whereas by an Act of Parliament entitled "The King's School Council (Amendment) Act 1963" (No. 24 of 1963) the Principal Act as amended was further amended and this Ordinance, as amended by Ordinances of Synod Nos. 8 of 1934, 11 of 1935 and 14 of 1948, was (inter alia) validated.

And Whereas by section 2 of the said Act No. 24 of 1963 it was provided that the “Synod may from time to time rescind, revoke, alter or vary” this Ordinance, as amended.

Now the Synod of the Diocese of Sydney Hereby Ordains Declares Directs and Rules as follows -

### **1. Citation**

This Ordinance may be cited as “The King's School Council Constitution Ordinance, 1922”.

### **2. Interpretation**

In this Ordinance unless the context otherwise requires or indicates –

- (a) “Archbishop” means the Archbishop of the Diocese of Sydney.
- (b) “Council” means “The Council of The King's School” incorporated by the Principal Act as amended.
- (c) “Old Boys' Union” means “The King's School Old Boys' Union”.
- (d) “School” means “The King's School” and shall include such other school or schools as from time to time the Council may govern.
- (e) “Synod” means the Synod of the Diocese of Sydney.
- (f) The singular includes the plural and the masculine includes the feminine and vice versa.

### **3. Government by the Council**

The School shall be governed by the Council.

### **4. Constitution of the Council**

Subject to the provisions of Clause 6 hereof the Council shall consist of the following Governors, namely –

- (a) The Archbishop for the time being who shall ex officio be a Governor and President of the Council provided that during a vacancy in the See the Administrator of the Diocese shall ex-officio be a Governor.
- (b) Ten (10) Governors elected by the Synod of whom five (5) shall be clergymen of the Church of England in Australia licensed in the Diocese of Sydney and five (5) shall be lay members of that Church (hereinafter called “clergy Governors” and “lay Governors” respectively).
- (c) Five (5) Governors elected by the members of the Old Boys' Union provided that at the time the membership of the said Union exceeds two hundred and fifty (250).
- (d) Not more than two (2) Governors (hereinafter called “Council elected Governors”) who may be elected by the Governors referred to in paragraphs (a) and (b) and the Governors if any referred to in paragraph (c) of this Clause.

Provided that no employee of the Council other than the Headmaster of The King's School shall be eligible for election to or to continue as a Governor of the Council.

### **5. Chairman, Quorum etc at Council Meetings**

- (1) The Archbishop when present shall preside at meetings of the Council.
- (2) The Archbishop may from time to time by notice in writing addressed to the Chairman elected pursuant to sub-clause (3) hereof appoint (and change the appointment of) a Deputy who shall be entitled to attend all meetings of the Council and in the absence of both the Archbishop and the Administrator of the Diocese shall act as a Governor and shall have a deliberative vote. The Deputy shall continue in office during a vacancy in the See.
- (3) The Council shall elect from among the Governors a Chairman who in the absence of the Archbishop shall preside at meetings; provided that in the absence of both the Archbishop and the Chairman the meeting may appoint one of the Governors then present to chair that meeting.
- (4) The Archbishop the Chairman or the acting Chairman shall while presiding at a meeting have both a deliberative vote and except for the purposes of the election of Governors by the Council a casting vote at that meeting.
- (5) At a meeting of the Council seven (7) Governors shall be a quorum. For the purpose of this sub-clause a Deputy appointed by the Archbishop shall in the absence of both the Archbishop and the Administrator of the Diocese be reckoned as a Governor.

(6) Subject to the concurrence of the person presiding at the meeting the Council may invite any person not a Governor to be present for the whole or any part of a meeting.

## **6. Transitional Provisions**

(1) Notwithstanding the provisions of Clause 4 sub-paragraph (b) hereof each Governor elected by the Synod and holding office as such on 15th October 1980 and whether or not the total of such Governors shall exceed ten (10) in number shall continue in office until the date upon which he would have retired but for this Ordinance.

(2) Notwithstanding the provisions of Clause 10 sub-clause (1) hereof the first (if any) casual vacancy occurring among each of the clergy Governors and the lay Governors and due to retire on the first sitting day of the First Ordinary Session of the Thirty-ninth Synod shall not be filled.

(3) (a) In the event of the Old Boys' Union having duly elected five (5) representatives to the Council within a period of thirty (30) months immediately prior to 15th October 1980 when such five (5) representatives shall be deemed to have been elected as Governors in accordance with the provisions of Clause 4 sub-paragraph (c) hereof and notice thereof in writing from the Chairman to the Honorary Secretary of the said Union shall be conclusive evidence of such election.

(b) Any such representatives deemed to have been elected as Governors pursuant to sub-clause (a) hereof shall subject to this Ordinance hold office until the next election of Governors by members of the Old Boys' Union.

(4) As soon as conveniently may be after the making of the regulations pursuant to Clause 7 sub-paragraph (b) hereof the Governors elected pursuant to sub-clause (1) and (3) of this Clause may from time to time elect the Governors referred to in Clause 4 sub-paragraph (d) hereof.

## **7. Regulations**

The Archbishop in Council from time to time may make regulations to provide for the election of Governors –

- (a) by members of the Old Boys' Union and by the Committee thereof; and
- (b) by the Council

and the Governors elected by the Old Boys' Union and by the Council shall be elected in accordance with such regulations.

## **8. Term of Office**

(1) On the first sitting day of the First Ordinary Session of the Thirty-ninth Synod those Governors continuing in office pursuant to Clause 6 sub-clause (1) hereof and due to retire on that day shall retire and during that Session Synod shall elect two (2) clergy and two (2) lay Governors to the Council. The remaining Governors continuing in office pursuant to Clause 6 sub-clause (1) hereof shall hold office until and retire on the first sitting day of the First Ordinary Session of the Fortieth Synod and Synod shall then elect three (3) clergy and three (3) lay Governors to the Council.

(2) Subject to this Ordinance of the Governors elected at the first election hereafter of Governors by members of the Old Boys' Union the three (3) Governors who received the most votes shall hold office until the election to be held in 1987 and the two who receive the least votes shall continue in office until the election to be held in 1984.

If a ballot is not necessary, the three Governors to continue in office until the election in 1987 and the two Governors to continue in office until the election in 1984 shall be determined by agreement among such five Governors, or failing agreement by lot.

(3) Subject to the provisions of this Clause and Clause 9 the term of office of a Governor shall be six (6) years.

(4) Following upon the elections to be held pursuant to the provisions of sub-clauses (1) and (2) of this Clause triennial elections shall be held in respect of each of the two groups of Governors referred to in paragraphs (b) and (c) of Clause 4.

(5) Subject to sub-clauses (1), (2) and (6) of this Clause a Governor shall hold office until and shall retire on the first day of the first sitting of the First Ordinary Session of the Synod held next but one after his election.

(6) A retiring Governor shall, if otherwise qualified, be eligible for re-election and notwithstanding anything contained in this Ordinance shall be deemed to remain a Governor (and continue to hold any office to which he may have been elected or appointed by the Council) until the vacancy caused by his retirement has been duly filled unless the vacancy arises by death or under Clause 9 sub-paragraphs (d), (e) or (g).

#### **9. Casual Vacancies**

A casual vacancy shall occur if a Governor other than the Archbishop –

- (a) .....
- (b) resigns his office by notice in writing addressed to the Chairman, and in such case shall unless the notice specifies a later date, be deemed to occur when the Chairman receives the notice or when the Council next meets and receives the resignation whichever be the sooner;
- (c) ceases to have any qualification which was necessary for his election;
- (d) becomes an employee of the Council other than as Headmaster of The King's School;
- (e) becomes a bankrupt or signs any authority effective under Section 188 of the Bankruptcy Act, 1966 as amended or applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with or assigns his property for the benefit of his creditors;
- (f) becomes within the meaning of the Mental Health Act, 1958 as amended an incapable person, a patient, a protected person or a voluntary patient and if the casual vacancy is so declared by resolution of the Council;
- (g) being an elected Governor shall have been absent from four (4) consecutive meetings of the Council without leave of the Council and if the casual vacancy is so declared by resolution of the Council; or
- (h) if the Council, at a meeting of the Council duly convened expressly for the purpose, passes by a majority of not less than two-thirds of the Governors present and including a majority of the Governors elected by the Synod and voting a resolution that his office be declared vacant; provided that before that meeting -
  - (i) the Council shall have informed him of the proposed resolution and the grounds on which it will be proposed; and
  - (ii) the Council shall have given him a reasonable opportunity at a meeting of the Council duly convened expressly for the purpose of showing cause why his office should not be declared vacant.

#### **10. Filling of Casual Vacancies**

(1) Subject to the provisions of Clause 6 sub-clause (2) a casual vacancy in the office of a Governor elected by Synod shall be filled by the election of a new Governor by Synod, or when Synod is not in session by the election of a new Governor by the Standing Committee of Synod; provided that the Synod may by resolution determine that a casual vacancy existing during a session of Synod shall not be filled during that session and thereupon after the close of that session that vacancy shall be filled by the election of a new Governor by the Standing Committee. Any Governor elected by the Standing Committee shall remain in office until the next Ordinary Session of Synod.

(2) A casual vacancy in the office of a Governor elected by the Old Boys' Union shall be filled by the election of a new Governor by the Committee of the Union and any Governor so appointed shall remain in office only until the next triennial election of Governors by members of the Union. At such next triennial election of Governors by members of the Union. At such next triennial election if there be any unexpired term of the casual vacancy there shall be held an election by members of the Union to fill the vacancy for the balance of such term.

(3) A casual vacancy in the office of a Council elected Governor, unless the Council determines not to fill such vacancy, shall be filled by the election of a new Governor by the remaining Governors for the time being who are not Council elected Governors.

(4) A person who becomes a Governor pursuant to this Clause shall subject to this Ordinance hold office for the remainder of the term for which his predecessor was elected.

11. ....

## **12. Council to Manage**

The Council of The King's School shall manage and carry on the said School and its affairs and shall govern and control the management and user of the Church trust property held in connection therewith in such manner as it may deem expedient for the benefit of the said School.

## **13. Council to Determine Course of Instruction etc**

The Council of The King's School shall determine the course of instruction to be imparted in the said School and all matters in connection with the order and discipline thereof.

## **14. Council may Regulate own proceedings**

Subject to the provisions hereof the Council may regulate its own proceedings and for that purpose shall have power to make rescind or alter regulations and may appoint and employ such Officers as it may deem necessary and terminate such appointment.

## **15. Authorities**

The Council in exercise of the powers or the performance of any of the duties hereinbefore mentioned may by resolution authorise any person or persons to do any act or sign any document on its behalf.

## **16. Commencement of Ordinance**

This Ordinance shall come into force when and not before an Act of Parliament in the form contained in the Schedule hereto or in such form with such modifications thereof as the Standing Committee of the Synod shall approve of shall have been passed by Parliament.

## **17. Authority to Promote Bill**

The Standing Committee of the Synod are hereby authorised and empowered to promote in Parliament a Bill in the form contained in the Schedule hereto or in such form with such modifications thereof as the Standing Committee of the Synod shall approve.

## **18. Carrying Ordinance into Effect**

The Standing Committee of the Synod are hereby authorised and empowered to carry into effect the provisions of this Ordinance and for this purpose to incur such expense as may by them be deemed necessary.

19. ....

### The Schedule

A Bill to repeal Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and Sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892).

Whereas it is expedient to repeal Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and Sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892) Be it Therefore enacted by The King's Most Excellent Majesty by and with the consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows –

1. Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892) are hereby repealed.
2. The Council of The King's School may apply portion of their funds being capital or income in payment of the costs and expenses of and incidental to the promotion of this Act and to the opposing of any independent Bill amending or purporting to amend the "King's School Council Act".
3. This Act may be cited as the "Church of England Trust Property Act and the King's School Council Act Amendment Act 1922".

## **Notes**

1. The Council was incorporated under the name "Council of the King's School" by section 1 of the King's School Council Act 1893.

2. Certain regulations were made by the Archbishop-in-Council on 30 March 1981 pursuant to Clause 7 of this Ordinance for the election of Governors by the Council and by the Old Boys' Union.
3. The Act referred to in clause 16 of this Ordinance was passed 8 December 1923.

#### **Table of Amendments**

Preamble	New preamble inserted by Ordinance No 30, 1980.
Clause 1	New clause inserted by Ordinance No 30, 1980 and amended by Ordinance No 31, 1983 and under the Interpretation Ordinance 1985.
Clause 2	New clause inserted by Ordinance No 30, 1980.
Clause 3	New clause inserted by Ordinance No 40, 1980.
Clause 4	New clause inserted by Ordinance No 30, 1980 and amended by Ordinance No 31, 1983 and under the Interpretation Ordinance 1985.
Clause 5	New clause inserted by Ordinance No 30, 1980.
Clause 6	New clause inserted by Ordinance No 30, 1980.
Clause 7	New clause inserted by Ordinance No 30, 1980.
Clause 8	New clause inserted by Ordinance No 30, 1980.
Clause 9	New clause inserted by Ordinance No 30, 1980 and amended by Ordinances Nos 31, 1983; 28, 1987 and 59, 2001.
Clause 10	New clause inserted by Ordinance No 30, 1980.
Clause 11	Repealed by Ordinance No 30, 1980.
Clause 19	Repealed by Ordinance No 30, 1980.

ROBERT WICKS  
**Legal Officer**

MARK PAYNE  
**Diocesan Secretary**

30 April 2002

## The King's School Council Constitution Ordinance 1922

Regulations Made by the Archbishop-in-Council for the Election of Governors to be Elected by the Council

1. The Council shall give not less than thirty (30) days' notice in writing to each Governor of the date for the closing of nominations.
2. On or before the date for the closing of nominations, each Governor may, by writing addressed to the Chairman, nominate not more than two (2) persons for election. A nomination -
  - (a) shall include the name, age, address and occupation of the nominee and such other matter as the Council may from time to time determine, and
  - (b) shall state that the nominee consents to serve, if elected, for a term of six (6) years or such lesser term as may be determined in accordance with this Ordinance.
3. As soon as practicable after the date for the closing of nominations the Council shall give not less than fourteen (14) days' notice in writing to each Governor of the date of a special or ordinary meeting of the Council at which the election shall be held. The notice shall include the matter referred to in paragraph (2) (a) in relation to each nominee.
4. The Governors present at the special meeting or ordinary meeting of the Council of which notice has been given under paragraph (3) may immediately before the election, resolve by simple majority whether to proceed with, postpone, defer or cancel the election and/or call for new nominations and if to proceed with the election whether one or two Governors shall be elected.
5. If, in the event of an election being held, there is only one nominee in the case of one vacancy or the number of nominees does not exceed the number of vacancies in the case of two (2) vacancies the Chairman shall declare that nominee or those nominees as the case may be duly elected.
6. If the number of nominees exceeds the number required to fill the vacancy or vacancies, a vote shall be taken by secret ballot.
7. On the taking of a vote -
  - (a) Where there is one vacancy to be filled -
    - (i) The Chairman shall declare the nominee with the greater or greatest number of votes to have been elected, or
    - (ii) Where two or more nominees receive an equal number of votes any nominees receiving a lesser number of votes shall be eliminated, a further vote shall be taken in respect of the remaining nominees and the remaining nominee who obtains the greatest or greater number of votes as a consequence of that further vote shall be declared by the Chairman to have been elected. If all nominees or two or more remaining nominees receive an equal number of votes, the nominee to be elected from those receiving such equal number of votes shall be determined by lot;
  - (b) Where there are two (2) vacancies to be filled -
    - (i) The Chairman shall declare to have been elected the two nominees who have each received a higher number of votes than the individual votes of each of the remaining nominees provided that the total of votes received by the said two nominees is greater by at least one vote than half the total of votes cast;
    - (ii) Where the total of votes received by the said two nominees in paragraph (i) hereof is not greater by at least one vote than half the total of votes cast, the nominee or nominees receiving the least number of votes shall be eliminated and a further vote taken and the procedure repeated if necessary until such time as the requirement of paragraph (i) hereof is met;
    - (iii) Where a greater number of nominees than the number of vacancies to be filled receiving the highest vote receive an equal number of votes and provided that the total of votes received by the said nominees is greater by at least one vote than half the total of votes cast, any nominees receiving a

lesser number of votes shall be eliminated and a further vote taken in respect of the remaining nominees;

- (iv) Where the total of votes received by the said nominees in paragraph (iii) hereof is not greater by at least one vote than half the total of votes cast the nominee or nominees receiving the least number of votes shall be eliminated and a further vote taken and the procedure repeated if necessary until such time as the requirement of paragraph (iii) hereof is met; or
- (v) Where two or more nominees receive an equal number of votes for the last vacancy to be filled and provided that the total of votes received by the said nominees together with the votes of the nominee already elected is greater by at least one vote than half the total of votes cast, a further vote shall be taken in respect of the said nominees and the nominee who obtains the greatest or greater number of votes as a consequence of that further vote shall be declared by the Chairman to have been elected. If two or more nominees receiving the highest number of votes receive an equal number of votes the nominee to be elected from those receiving such highest number of votes shall be determined by lot;
- (vi) Where the total of votes received by the said nominees in paragraph (v) hereof is not greater by at least one vote than half the total of votes cast, the nominee or nominees receiving the least number of votes shall be eliminated and a further vote taken and the procedure repeated if necessary until such time as the requirement of paragraph (v) hereof is met.

(Made by the Archbishop-in-Council on 30 March 1981 pursuant to clause 7 of The King's School Council Constitution Ordinance 1922-1983.)



## The King's School Council Constitution Ordinance 1922

Regulations made by the Archbishop-in-Council for the Election of Governors to be Elected by The King's School Old Boys' Union

1. The first election shall be held prior to October, 1981.  
  
Succeeding elections (other than elections held to fill extraordinary vacancies) shall be held on a day not less than two years and eleven months and not more than three years and one month after the last preceding ordinary election.  
  
Every election shall be held on a day to be fixed by the Committee of The King's School Old Boys' Union.
2. The Returning Officer shall be appointed by the said Committee.
3. (a) At least one calendar month before the date fixed for the closing of the nominations the said Committee shall post to every member of the Union a notice addressed to his address as registered with the Honorary Secretary of the Union informing him of the date fixed for the closing of the nominations and the date of the election and containing a copy of sub-section (c) hereof and the name and address of the Returning Officer.  
  
(b) Before the date fixed for the closing of nominations the said Committee shall forward to the Registrar of the Diocese a list certified by the Secretary of all members of the Union with their addresses, also six copies of alterations, if any, in the Constitution of the Union made since the previous list was sent and if so required by the Registrar six copies of a reprint, if any, of such Constitution. Such list shall be the list of all members of the Union entitled to take part in such election.  
  
(c) All nominations shall be signed by at least five members of the Union, one of whom shall certify to the consent of the nominated Candidate, and shall set forth the addresses and descriptions of the nominators and the Candidate and shall reach the address of the Returning Officer not later than the date fixed for the closing of nominations.
4. If the number of Candidates nominated does not exceed the number of Governors to be elected the Returning Officer shall declare them to be duly elected, and shall in writing certify the fact to the Archbishop and to the said Committee.
5. (a) If the number of Candidates nominated exceeds the number of Governors to be elected the said Committee shall cause to be printed ballot papers containing in alphabetical order the names of all Candidates duly nominated together with directions as to the method of voting and the date fixed for the holding of the election.  
  
(b) Every ballot paper before being sent out shall be initialled by the Returning Officer.  
  
(c) At least three weeks before the election day the Returning Officer shall cause a ballot paper so initialled to be posted to each member of the Union at his registered address with an addressed envelope for the return of the same.  
  
(d) Ballot papers shall be returned to the Returning Officer in a closed envelope which shall be opened only by him or by his duly appointed deputy or assistant on the day and after the hour fixed for the closing of the ballot.  
  
(e) If any member votes for more or less candidates than there are Governors to be elected his ballot paper shall be invalid.  
  
(f) Ballot papers reaching the address of the Returning Officer after 6.00pm on the day of election shall be invalid.  
  
(g) Each Candidate may appoint a scrutineer to represent him at the opening of the ballot papers and the counting of the same.
6. The Returning Officer shall declare the names of the persons who are duly elected and shall send in writing a certificate of the result of the election together with all the ballot papers in a sealed envelope to the said Registrar and a duplicate certificate to the said Committee and such certificate shall be conclusive, subject to an appeal by any interested party within 21 days to the Archbishop, the Chancellor of the Diocese and the said

Registrar, and the decision of the majority of them shall be reported to the Standing Committee and shall be final.

7. In the case of a casual vacancy occurring amongst the Governors representing The King's School Old Boys' Union, such vacancy shall be filled by the election of a new Governor by the Committee of the Union within three months of the vacancy occurring. Where in accordance with Clause 10. (2) of The King's School Council Constitution Ordinance, 1922-1980 an election by members of the Union is required to fill the vacancy created by the retirement of a Governor elected by the Committee, the election shall be held simultaneously with the triennial election to appoint Governors elected by the Union in accordance with Clause 8. of such Ordinance. Where a ballot is required to elect the Governors elected by the Union together with the Governor or Governors requiring election following a casual vacancy or vacancies, that person or those persons (being that number equal to the number of Governors requiring election following a casual vacancy or vacancies) receiving the least number of votes amongst those elected as Governors shall be elected for three years and the remainder for six years. Where there is an equality of votes the election of the Governor or Governors for three years shall be determined by lot. Where a ballot is not required, the newly elected Governors shall decide by agreement who shall be appointed for three years and who for six years and failing agreement by lot.

8. These Regulations may be altered from time to time by the Archbishop in Council.

9. **Interpretation Clause -**

Archbishop shall mean the Archbishop of Sydney for the time being and in the absence of the Archbishop from the State of New South Wales the functions herein referred to shall be exercised by the Commissary appointed by him under section 54 of the Sydney Church Ordinance and in default of such appointment or if the Archbishop be incapable of acting then the person who if the See were vacant would be the Administrator of the Diocese and if the See be vacant then by such Administrator.

(Made by the Archbishop-in-Council on 30 March 1981 pursuant to clause 7 of The King's School Council Constitution Ordinance 1922-1983.)