

St Michael's Regional Cathedral Wollongong Ordinance 1969

(Reprinted under the Interpretation Ordinance 1985.)

The St Michael's Provisional Cathedral Wollongong Ordinance 1969 as amended by the St Michael's Provisional Cathedral Wollongong Amendment Ordinance 1970, the Area Deanery Ordinance 1985, the Interpretation Ordinance 1985, the Miscellaneous Amendments Ordinance 1986, the Diocesan Officers (Retirement) Ordinance 1987, the Assisted Provisional Parishes Ordinance 1988, the Diocesan Officers (Retirement) Ordinance Amendment Ordinance 1988, the Retirements Ordinance 1993, the Committee Membership Amendment Ordinance 1995, the Accounts, Audits and Annual Reports Ordinance 1995, the Diocesan Officers (Retirement) Repeal Ordinance 2001, the St Michael's (Regional Cathedral and Miscellaneous Amendments) Ordinance 2011 and the Regional Cathedrals (Amendment) Ordinance 2014.

Table of Provisions

Clause	
1.	Name of the Regional Cathedral
2.	Functions of the Regional Cathedral
3.	Provisions of the Nomination Ordinance
4.	Rector
5.	Vacancy in Incumbency
6-7.	Faculties
8.	Interpretation
9-12.	Constitution of the Chapter
13.	Qualifications for appointment or election of members
14.	Term of office of members
15.	Casual vacancies
16.	Filling of casual vacancies
17.	Quorum
18.	Resolutions of the Chapter without a meeting
19.	Additional Powers and Duties
20.	Omitted
21.	Omitted
22-23.	Rights of the Archbishop and Bishop
24.	Citation

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Long Title

An Ordinance to name the parish church of Saint Michael at Wollongong as a Regional Cathedral to constitute a Chapter as a body for its administration and control and for purposes incidental thereto.

Preamble

It is desirable to provide for a Regional Cathedral in the geographically distinct region of the Diocese, the City of Wollongong and its surrounds, to provide an additional teaching seat for the Archbishop of Sydney, and for his Assistant, the Bishop of Wollongong, and to provide a centre for diocesan leadership and regional ministry relevant to the City of Wollongong and its surrounds.

The Synod of the Diocese of Sydney Ordains as follows.

Name of the Regional Cathedral

1. The parish church of Saint Michael at Wollongong shall henceforth be known as the Regional Cathedral of Saint Michael at Wollongong.

Functions of the Regional Cathedral

2. The said Regional Cathedral shall continue to be the parish church of the parish in which it is situated and the provisions of the Parish Administration Ordinance 2008 and the Parishes Ordinance 1979 (or any amendments thereof) shall continue to apply to it and to any other church or churches which are or may become associated with it within such parish except in so far as such provisions are contrary to the express provisions of this Ordinance.

Provisions of the Nomination Ordinance

3. The provisions of the Nomination Ordinance 2006 shall not apply to the said Regional Cathedral or to the parish in which it is situated.

Rector

4. The Rector of the said parish church at the time of the passing of this Ordinance shall continue in office as such Rector and shall be styled Rector of such Parish and Senior Canon of such Regional Cathedral and shall continue to be such Senior Canon while he remains such Rector.

Vacancy in Incumbency

5. On a vacancy occurring in the incumbency of such Parish such vacancy shall be filled by the Archbishop with the concurrence of the Chapter of such Regional Cathedral as hereinafter constituted at a meeting called for the purpose at which the quorum shall be ten members of whom three shall be lay canons elected or appointed pursuant to clauses 10(5) and 10(6)(d) hereof.

Faculties

6. For all purposes for which a faculty or other form of permit is required in relation to such Regional Cathedral under the Parish Administration Ordinance 2008 the application for such faculty or other form of permit may be made by such Chapter or by the Parish Council of the parish church of Saint Michael and shall be approved by such Chapter and such Parish Council before it is forwarded to the Archbishop.

7. The Archbishop may by writing and under his seal authorise the Bishop of Wollongong to exercise such of his powers in relation to faculty applications in relation to such Regional Cathedral as he shall think fit and may at any time by writing and under his seal revoke any such authorisation in whole or in part.

Interpretation

8. For the purposes of this Ordinance "Archbishop" means the Archbishop of Sydney for the time being, and in the absence of the Archbishop from the State of New South Wales the powers by this Ordinance vested in him shall (subject to such limitations as he may prescribe) be exercised by a Commissary appointed by him and in default of such appointment or if the Archbishop be incapable of acting then by 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.

Constitution of the Chapter

9. There shall be a Chapter of such Regional Cathedral which shall exercise the powers duties and functions set out in clauses 5, 6, and 19 of this Ordinance in respect of such Regional Cathedral. In all other respects the rights, powers and duties of the Wardens and Parish Council shall not be affected.

10. Such Chapter shall consist of –

(1) The Archbishop as President, ex officio.

(2) The Bishop of Wollongong, ex officio.

(3)

(4) The Senior Canon of such Regional Cathedral, ex officio.

(5) The Wardens of the Parish Church of Saint Michael Wollongong who shall be lay canons, ex officio.

- (6) (a) One clerical canon and one lay canon appointed by the Bishop of Wollongong with the approval of the Archbishop.
- (b) Two clerical canons licensed by the Archbishop to a specific ministry in the Region elected by the Regional Electors.
- (c) Two lay canons being resident or parishioners of a parish in the Region elected by the Regional Electors.
- (d) Two lay canons elected by the annual general meeting of the Parish Church of Saint Michael Wollongong.
- (7) For the purposes of clauses 10(6)(b) and (c) –
 - “parish” means a parish or provisional parish recognised under the Parishes Ordinance 1979 or a recognised church or provisional recognised church under the Recognised Churches Ordinance 2000.
 - “Region” means the Wollongong Region formed under the Regions Ordinance 1995.
 - “Regional Electors” has the meaning given in the Regions Ordinance 1995 in relation to the Region.

11. The Chairman of the Chapter shall be the President or in his absence the Bishop of Wollongong or in his absence the Senior Canon. Should they be absent from any meeting the members present shall elect a Chairman for such meeting.

12. The Senior Canon and the clerical canons aforesaid who are members of the Chapter of such Regional Cathedral shall have stalls in such Regional Cathedral. Such clerical canons as aforesaid shall hold office only while they remain licensed as aforesaid and shall be deemed to have relinquished such office together with the title and stall connected with it in the event of retirement or removal for any cause from being licensed as aforesaid Provided that in the case of clerical canons who retire from full time active ministry the provisions of the Canons Emeritus Ordinance 1944 shall apply Provided further that any such clerical canon may resign from such office without relinquishing his licence to his other ministry within such region and shall thereupon be deemed to have relinquished such office together with the title and stall connected with it.

Qualifications for appointment or election of members

13. A person is not eligible to be appointed or elected as a member of the Chapter –
- (a) unless the person has reached the age of 21 years, or
 - (b) if the person –
 - (i) is an insolvent under administration, or
 - (ii) is of unsound mind or is a person whose person or estate is liable to be dealt with in any way by the laws relating to mental health or becomes otherwise incapable of acting, or
 - (iii) has been convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.

Term of office of members

14. (1) Subject to clause 15, a member appointed under clause 10(6)(a) holds office for a term of 3 years but is eligible for reappointment.

(2) The election of members under clauses 10(6)(b) and (c) must be held during the first session of each Synod and, subject to clause 15, such persons hold office until the first day of the first ordinary session of the next Synod but are eligible for re-election.

(3) The election of members under clauses 10(6)(d) must be held at the annual general meeting of the parish church of Saint Michael Wollongong following the first ordinary session of each Synod and, subject to clause 15, such persons hold office until such annual general meeting following the first ordinary session of the next Synod but are eligible for re-election.

Casual vacancies

15. (1) A casual vacancy in the office of a member of the Chapter appointed or elected under clause 10(6) arises if –

- (a) the person becomes a member of the Chapter ex officio, or
 - (b) the person is convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.
- (2) A casual vacancy in the office of a member appointed under clause 10(6)(a) also arises if –
- (a) the person holding that office resigns by notice in writing to the Bishop of Wollongong, or
 - (b) a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.
- (3) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) also arises if a circumstance set out in rule 7.1(2)(a) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.
- (4) A casual vacancy in the office of a member elected under clause 10(5)(d) also arises if –
- (a) if the person holding that office resigns by notice in writing to the Senior Canon, or
 - (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

Filling of casual vacancies

16. (1) A casual vacancy in the office of a member appointed under clause 10(6)(a) may be filled by the Bishop of Wollongong with the approval of the Archbishop.
- (2) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) may be filled by resolution of the Wollongong Regional Council.
- (3) A casual vacancy in the office of a member elected under clause 10(6)(d) may be filled by a general meeting of the Parish Church of Saint Michael Wollongong.
- (4) A person appointed to fill a casual vacancy in the office of a member of the Chapter holds office until the day on which the person whose vacancy he or she fills would have retired had the vacancy not occurred.

Quorum

17. Subject to the provisions of clause 5 hereof a quorum at meetings of the Chapter shall consist of not less than six members of whom at least one shall be a lay canon. The President or other person acting as Chairman at any meeting shall have a casting vote only.

Resolutions of the Chapter without a meeting

18. The members of the Chapter may pass a resolution without a meeting of the members being held if –
- (a) a copy of the proposed resolution is sent to all members and a reasonable timeframe within which members may indicate their support for or objection to the proposed resolution being passed is specified, and
 - (b) at least 75% of the members indicate within the specified timeframe that they support the proposed resolution being passed, and
 - (c) no member objects within the specified timeframe either to the proposed resolution being passed or the proposed resolution being passed without a meeting.

Additional Powers and Duties

19. In addition to all other powers and duties conferred by this Ordinance such Chapter shall act as an advisory body to advise the Archbishop, the Bishop of Wollongong and the Standing Committee of Synod on all matters relating to the Regional Cathedral and its needs, property, functions and financing.

20.

21.

Rights of the Archbishop and Bishop

22. The Archbishop shall have the right to use such Regional Cathedral for ordinations and on all other occasions appointed by him and to officiate and preach in such Regional Cathedral

as he may at any time see fit and for such purposes he shall have keys of such Regional Cathedral but subject to this and the next succeeding clause the Senior Canon shall have the powers of a rector of a parish church with regard to such Regional Cathedral.

23. The Bishop of Wollongong shall subject to the rights of the Archbishop have the right to use such Regional Cathedral for ordinations and on all other occasions appointed by him and to officiate and preach in such Regional Cathedral as he may at any time see fit and for such purposes shall have keys of such Regional Cathedral.

Citation

24. This Ordinance may be cited as “St Michael's Regional Cathedral Wollongong Ordinance 1969”.

Table of Amendments

Title	Amended by Ordinance No 37, 2011.
Long Title	Amended by Ordinance No 37, 2011.
Preamble	Amended under the Interpretation Ordinance 1985. New Preamble inserted by Ordinance No 37, 2011.
Clause 1	Amended by Ordinance No 37, 2011.
Clause 2	Amended under the Interpretation Ordinance 1985 and by Ordinances Nos 36, 1986 and 37, 2011.
Clause 3	Amended under the Interpretation Ordinance 1985 and Ordinance No 37, 2011.
Clause 4	Amended by Ordinance No 37, 2011.
Clause 5	Amended by Ordinances Nos 37, 2011 and 22, 2014.
Clause 6	Amended under the Interpretation Ordinance 1985 and Ordinance No 37, 2011.
Clause 7	Amended by Ordinances Nos 36, 1986 and 37, 2011.
Clause 9	Amended by Ordinances Nos 48, 1970; 37, 2011 and 22, 2014.
Clause 10	Amended by Ordinances Nos 48, 1970; 24, 1985; 36, 1986; 28, 1987; 30, 1988; 49, 1993; 23, 1995; 59, 2001; 37, 2011 and under the Interpretation Ordinance 1985. Amended by Ordinance No 22, 2014.
Clause 11	Amended by Ordinances Nos 48, 1970 and 36, 1986.
Clause 12	Amended by Ordinances Nos 48, 1970 and 37, 2011.
Clause 13	Original clause omitted and replaced by Ordinance No 22, 2014.
Clause 14	Amended by Ordinances Nos 48, 1970 and 36, 1986. Omitted and replaced by Ordinance No 22, 2014.
Clause 15	Amended by Ordinance No 48, 1970. Omitted and replaced by Ordinance No 22, 2014.
Clause 16	Amended by Ordinances Nos 48, 1970; 36, 1986 and 37, 2011. Omitted and replaced by Ordinance No 22, 2014.
Clause 17	Amended by Ordinance No 48, 1970.
Clause 18	New clause inserted by Ordinance No 22, 2014.
Clause 19	Amended by Ordinances Nos 48, 1970; 36, 1986; 34, 1995; 37, 2011 and under the Interpretation Ordinance 1985. Renumbered by Ordinance No 22, 2014.
Clause 20	Amended by Ordinances Nos 48, 1970 and 37, 2011. Omitted by Ordinance No 22, 2014.
Clause 21	Amended by Ordinances Nos 48, 1970 and omitted by Ordinance No 37, 2011.
Clause 22	Amended by Ordinances Nos 48, 1970 and 37, 2011.
Clause 23	Amended by Ordinances Nos 48, 1970; 36, 1986 and 37, 2011.

Clause 24 Amended by Ordinances Nos 48, 1970; 36, 1986 and 37, 2011.

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