

THE MACARTHUR REGION
ANGLICAN CHURCH SCHOOL
ORDINANCE 1982

No. 23 1982.

AN ORDINANCE to constitute The Macarthur Region Anglican Church School Council and for other matters in connection therewith.

WHEREAS

A. It is desired to establish a School in the Macarthur Region to provide an education which in its content and environment allows for full individual development in the spiritual academic physical and social domains based on a clear biblical perspective in accordance with the doctrines and principles of the Anglican Church of Australia in force in the Diocese of Sydney.

B. The Wollongong Zone Council has raised funds for the establishment of such a School.

C. It is expedient that provision should be made for the constitution and election of a Council to establish and then to carry on the School and to vest authority in the Council for such purposes as are hereinafter mentioned.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

SHORT TITLE

1. This Ordinance may be cited as "The Macarthur Region Anglican Church School Ordinance 1982".

PRELIMINARY

2. In this Ordinance unless the context otherwise requires or indicates

- (a) "Archbishop" means the Archbishop of the Diocese of Sydney;
- 25 (b) "Basis and Statement of Faith" means
- (i) The Book of Common Prayer and the Thirty Nine Articles;
- (ii) Belief that God's written word conveys to us in many and varied ways the revelation of Himself which is fulfilled in our Lord Jesus Christ; that the holy scriptures of the Old and New Testaments contain all the necessary doctrine required for eternal salvation through faith in Jesus Christ; and that such
- 30 holy scriptures contain God's standard whereby all matters of doctrine and conduct are judged;
- 35 (c) "Clergyman" means a Clergyman of the Anglican Church of Australia;
- 40 (d) "Council" means the Council of The Macarthur Region Anglican Church School installed appointed or elected from time to time pursuant to this Ordinance;
- (e) "Macarthur Region" means the parochial units listed
- 45 in the Schedule;
- (f) "Principal" means the Headmaster or the teacher in charge of the School;
- (g) "School" means The Macarthur Region Anglican Church School;
- 50 (h) "Synod" means the Synod of the Diocese of Sydney;
- (i) "Synod members" means persons elected pursuant to clause 3(g);
- (j) "Zone Council" means the Wollongong Zone Council as constituted by the Wollongong Zone Council Ordinance 1972 as amended;
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- (k) the singular includes the plural and vice versa and the masculine includes the feminine and vice versa.

COUNCIL AND MEMBERS

3. The Council shall consist of the following members:-

- 60 (a) The Archbishop who shall be the President of the Council;
- (b) The Bishop of Wollongong who in the absence of the Archbishop shall act as Chairman of the Council subject to clause 12(c) hereof;
- 65 (c) The Archdeacon of Camden;
- (d) The Rural Dean of Macarthur;
- (e) A clergyman and a lay person resident in the Macarthur Region appointed by the Archbishop;
- (f) A clergyman and a lay person resident in the Macarthur Region appointed by the Zone Council;
- 70 (g) ~~Eight~~^{Six} persons resident in the Wollongong Zone as defined in the Wollongong Zone Council Ordinance 1972 as amended elected by the Synod of whom at least ~~two~~^{one} shall be ^aclergymen and at least ~~four~~^{three} shall be lay persons.

75 (h) ~~One~~^{One} clergyman and ~~one~~^{one} lay person to be elected by the Synod. A person who is an employee of the Council shall not be eligible to be appointed or elected to the Council.

4. The first members of the Council appointed under clauses 3(g) ^{and (h)} shall be:-

Clergy

The Reverend Donald Anderson

The Reverend Paul Gurrier-Jones

Lay Persons

Mr. Raymond Darby

Mr. Garry David

Mr. Russell Dawson

Dr. Andrew Gatenby

Mr. Allan Petersen

Mrs. Margaret Richards

who shall hold office until the elections referred to in clause 6 hereof.

90 5. At meetings of the Council seven members shall form a quorum.

6. On the first day of the next ordinary session of Synod held after this Ordinance comes into force or as soon as conveniently may be after that day the Synod shall elect the Synod members.

95 7. (1) Of the Synod members elected pursuant to clause 6 four shall retire on the first day of the next ordinary session of Synod immediately after their election.

(2) In each of the next two succeeding years two Synod members shall retire on the first day of the next ordinary session of Synod in such respective year.

100 (3) As soon as conveniently may be after the election of Synod members pursuant to clause 6 to establish the orderly retirement of Synod members by rotation for the succeeding years and until all Synod members elected under
105 clause 6 have retired the members of that group (or the available members of that group, a decision of the Council, made in good faith, on any question of availability being final) shall determine (by agreement or failing agreement by lot) which of the members shall retire by rotation in
110 accordance with sub-clauses (1) and (2) of this clause and shall forthwith report the determination to the Chairman in writing signed by the persons taking part in the determination and the Chairman shall inform the President of the determination.

115 (4) Subject to sub-clauses (1) and (2) of this clause and to clauses 8 and ¹⁰~~11~~ the term of office of a Synod member

shall be three years.

(5) For the purpose of retaining the number of Synod members required by sub-clause (g) of clause 3 in each subsequent year after election of members pursuant to clause 6 an election shall be held annually as soon as conveniently may be on or after the first day of each annual ordinary session of the Synod.

8. Subject to clause 9 hereof a retiring Synod member shall be eligible for re-election and notwithstanding anything contained in this Ordinance shall remain a member 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.

~~9. A member of the Council shall not be over the age of sixty five years at the date of his appointment election or re-election.~~

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10. (1) A casual vacancy shall occur if a member of the Council other than the Archbishop:-

- (a) dies;
- (b) resigns his office by writing addressed to the Chairman or, in the case of the Chairman, by writing addressed to the President, and in such case shall unless the writing specified a later date be deemed to occur when the Chairman or President (as the case may be) receives the writing;
- (c) ceases to have any qualification which was necessary for his election or appointment;
- (d) becomes bankrupt or assigns 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 bankruptcy or insolvent debtors or compounds with or assigns his property for the benefit of his creditors;

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(e) becomes within the meaning of the Mental Health Act, 1958 as amended an incapable person, a patient, a protected person or a voluntary patient;

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(f) being a Synod member is for a continuous period of three months absent without leave of the Council from meetings of the Council held during that period;

(g) attains the age of 70 years; or

(2) ^A~~a~~ casual vacancy shall occur if the Council at a meeting of the Council duly convened expressly for the purpose passes by majority of not less than two thirds of the members of the Council present and voting a resolution that the office of a synod member be declared vacant provided that before that meeting the Council shall have:-

(i) informed him of the proposed resolution and the grounds on which it will be proposed; and

(ii) 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.

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(3) ~~The~~ The provisions of the Casual Vacancies Ordinance 1935 shall not apply to this clause.

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11. A casual vacancy in the office of the Synod members shall be filled by the election of a new member by Synod or when Synod is not in session by the election of a new member 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

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180 vacancy shall be filled by the election of a new member by
the Standing Committee. A person who becomes a member of
the Council pursuant to this clause shall hold office until
and retire on the day on which the person whose vacancy he
fills would have retired had the vacancy not occurred.

185 ^{11.}
~~12.~~ (1) The President when present shall preside at
meetings of the Council.

(2) The President may from time to time by notice in
writing addressed to the Chairman appoint (and change the
appointment of) a deputy who shall be entitled to attend all
meetings of the Council and in the absence of the President
190 the deputy shall act as a member of the Council and shall
have a deliberative vote. A deputy President shall continue
in office during a vacancy in the See.

(3) Upon the passing of this Ordinance and thereafter
at the first meeting of the Council after each ordinary
195 session of Synod the Bishop of Wollongong shall inform the
Council if he wishes to act as Chairman of the Council in
the absence of the Archbishop. If the Bishop of Wollongong
declines to act as Chairman the Council shall elect from
among the members of the Council a Chairman who

200 (a) in the absence of the President and the Bishop of
Wollongong, or

(b) if the Bishop of Wollongong is present but is
unwilling to act as Chairman,
shall preside at meetings. In the absence of both the
205 President and the Chairman the meeting may appoint one of
the members of the Council then present to act as Chairman
of the meeting.

(4) The person presiding at a meeting shall have both a
deliberative vote and a casting vote at that meeting.

210 (5) For the purposes of establishing a quorum a deputy
appointed by the President shall in the absence of the
President be reckoned as a member of the Council.

(6) Subject to the concurrence of the Chairman the
Council may invite any person not a member of the Council to
215 be present for the whole or any part of the meeting.

DUTIES AND POWERS OF COUNCIL

12.
13. (1) The Council shall administer the said funds held by *sk*
the Zone Council and manage its other assets and may acquire
further assets for the purposes of the School and all real
220 and personal property acquired by it for such purposes shall
be church trust property for the Diocese of Sydney.

(2) The Council shall establish and manage and ~~carry on~~ ^{conduct} *sk*
the affairs of the School in accordance with the provisions
of every Act of Parliament and Ordinance (including this
225 Ordinance) specifically or otherwise applicable to the
School.

(3) Council shall make financial and other arrangements *sk*
and decisions for the present and future conduct of the
school and maintenance, improvement and extension of an
addition to the lands premises and other property of any
kind held occupied or used directly or indirectly by the
Council in connection with the School

P sk
(4) The powers conferred on the Council pursuant to
sub-clauses (1) (2) and (3) and clauses 13-16, both inclusive,
shall not be exercised prior to such date as the Standing
Committee may, by resolution determine.

13.
14. In appointing any person to be Principal of the School *sk*
the Council shall (in addition to the other requirements of
the position) appoint a person of christian faith and
230 character who is committed to furthering and is capable of
furthering the cause of christian education in the school as
a church school. Any person proposed to be appointed as
Principal shall give a signed personal assent to the Basis
and Statement of Faith.

14.
15. The School Chapels and Chaplains Ordinance 1975 shall *sk*
235 apply to every School established by the Council. *sk*

15. Subject to this Ordinance the Council shall have all powers necessary to enable it to perform the duties imposed upon it by this Ordinance, and in particular shall have the following powers:-

(a) To manage and conduct the School and its affairs and to 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 School.

- 240 (x) shall approve the courses of instruction consistent with the objects of the School referred to in the preamble hereto;
- (b) shall determine all matters relating to the order and discipline of the School;
- 245 (c) shall appoint and may suspend or remove the Principal provided that any resolution for removal of the Principal shall be supported by not less than two-thirds of the members of the Council;
- 250 (d) shall approve the appointment or dismissal of teachers by the Principal and may appoint such other officers as it may consider necessary to enable it to fulfill its objects;
- (e) may, subject to the provisions hereof, regulate its own proceedings and for that purpose shall have power to make rescind or alter regulations;
- 255 (f) may authorise any person or persons to do any act on its behalf;
- (g) may appoint sub-committees of Council either generally or specifically; and may co-opt non-council members to such sub-committees;
- 260 (h) shall require the Principal to furnish regularly to the Council such reports as it desires relating to the School.

15. The members of the Council shall be indemnified out of the property from time to time under the control of the Council against any loss or liability which they or any of them may have properly incurred for and on behalf of the school and to which they or any of them may be subject by reason of his or her being or having been a member of the Council.

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17.
 18. The Council shall at least once in every year present a report on its proceedings and the progress and condition of the School to the Synod and to the Zone Council and shall furnish such other information as may be required from time to time by resolution of Synod or the Standing Committee thereof or the Zone Council.

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 19. The Council shall comply with the provisions of the Accounts Ordinance 1975 as amended from time to time.

SCHEDULE

Camden, St. John
 Campbelltown, St. Peter
 Glenquarie, Holy Trinity
 Ingleburn with Denham Court
 and Rossmore

Minto, St. James
 Narellan, St. Thomas
 Ruse, Airs and
 Kentlyn, St. Andrew
 The Oaks, St. Luke

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

Chancellor

Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the ^{23rd} day of *August* 1982.

[Signature]

Secretary

I ASSENT to this Ordinance.

[Signature]

Archbishop of Sydney
 / /1982