
St. Andrew's Cathedral School Ordinance 1971

No. 9, 1971

AN ORDINANCE to constitute the Council of St. Andrew's Cathedral School and for purposes incidental thereto.

WHEREAS it is expedient for changes to be made in the constitution of the St. Andrew's Cathedral School NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES RULES ORDAINS AND DIRECTS as follows:—

1. (a) This Ordinance may be cited as the "Cathedral Ordinance Amendment Ordinance 1971".
(b) The Cathedral Ordinance 1969, as amended by this Ordinance, may be cited as the "Cathedral Ordinance 1969-1971".
(c) The St. Andrew's Cathedral Site Development Ordinance 1970, as amended by this Ordinance, may be cited as the "St. Andrew's Cathedral Site Development Ordinance 1970-1971".
2. The Cathedral Ordinance 1969 is hereby amended by:—
 - (a) The deletion of the words "and the conduct of the St. Andrew's Cathedral School" from Clause 25,
 - (b) the deletion of paragraph (c) from Clause 29,
 - (c) the substitution of the word "from" for the word "of" in paragraph (e) of Clause 29,
 - (d) the insertion of the words "(hereinafter called the "School")" after the word "School" in paragraph (e) of Clause 29,
 - (e) the addition of the following sentence to Clause 34 at the end of that Clause—

"Nothing contained in this Clause shall authorise or be deemed to authorise the Precentor, the Dean or any such other person to interfere with or to prescribe Rules or Regulations which affect the management or control of the School", and
 - (f) the addition of the following heading, clauses and schedule after Clause 34—

"SCHOOL

35. The objects of the School shall be:—
- (a) to instruct the scholars who are enrolled at the School in accordance with the Doctrines and Principles of the Church of England in Australia in force in the Diocese of Sydney, and.
 - (b) to provide, from amongst the scholars enrolled at the School, Choristers for the Cathedral selected by the Precentor.
36. (a) For the purposes of this Clause, of Clauses 37 and 38 and of the Schedule hereto, the term "regulations" means
- (i) those regulations contained in the Schedule hereto, and
 - (ii) any additional regulations as the Chapter may prescribe pursuant to this Clause, as amended pursuant to this Clause and which have not been revoked.
- (b) The Chapter, at any time, may by resolution amend or revoke any regulations or prescribe new regulations provided that any such resolution of the Chapter
- (i) is supported by at least two-thirds of the members of the Chapter, and
 - (ii) is subsequently approved by resolution of the Standing Committee.
- Any such resolution of the Chapter shall take effect on and from the date on which such approval is given.
37. The management and control of the School shall be the responsibility of the St. Andrew's Cathedral School Council (hereinafter called "the Council") constituted with the powers and functions contained, from time to time, in the regulations.
38. (a) Until such time that the Standing Committee calls upon the Council, pursuant to Clause 6 of the St. Andrew's Cathedral Site Development Ordinance 1970-1971, to cause to be vacated the

St. Andrew's Cathedral School Ordinance 1971

- buildings and premises occupied by the School as at the date on which this Ordinance is assented to the said buildings and premises shall be under the management, government and control of the Chapter. The Chapter shall allow the School to occupy the said buildings and premises.
- (b) The Council shall meet the cost of all necessary repairs to and expenses in connection with the said buildings and premises.
 - (c) The Council shall manage govern and control all plant and equipment (other than such thereof as are fixtures) and all books and moveable records of the School.
 - (d) Nothing contained in this Ordinance shall entitle or be deemed to entitle the Council to manage, govern or control the said buildings and premises or any part thereof or the whole or any part of the land described in the First and Second Schedules to the St. Andrew's Cathedral Site Development Ordinance 1970".

SCHEDULE

1. The members of the Council in office on the date on which this Ordinance is assented to shall continue to be the Council until the 31st March, 1972.
2. After the 31st March, 1972 the members of the Council shall be the Archbishop of Sydney for the time being who shall be the President and who, when present, shall occupy the Chair at meetings of the Council, the Dean of Sydney for the time being, the Secretary of the Chapter and sixteen (16) other members. Of the said sixteen (16) other members, the Archbishop shall appoint one (1) clerical and one (1) lay member and the Chapter shall appoint by resolution—
 - (a) four (4) clergymen and four (4) lay persons all or some of whom may be members of the Chapter,
 - (b) four (4) members who may be clergymen and/or lay persons but who are not members of the Chapter,

St. Andrew's Cathedral School Ordinance 1971

- (c) if the Old Boys' Union of the School elect five (5) nominees at the Annual Meeting of the Old Boys' Union immediately preceding such appointment all of whom are members of the Old Boys' Union and none of whom is a member of the Chapter, two (2) members selected from those nominees,
 - (d) where the Old Boys' Union does not so elect five (5) such nominees — two (2) members of the Old Boys' Union who are not members of the Chapter.
3. At the first appointment of the members of the Council by the Chapter under paragraphs (a) and (b) of Clause 2 half the number shall be appointed for two (2) years and half for four (4) years. Subsequent appointments by the Chapter shall be for a period of four (4) years in every case. The two (2) members appointed by the Archbishop shall be for a period of four (4) years in each case.
 4. In April of each year the Council shall elect a Chairman from among its members.
 5. Retiring members shall be eligible for reappointment.
 6. A member shall cease to be a member of the Council—
 - (a) if he is absent from six (6) consecutive meetings of the Council without the leave of the Council or without an apology having been received accepted and recorded in the Minutes of the Council,
 - (b) if he becomes bankrupt or insolvent or enters into any arrangement with his creditors,
 - (c) if he is convicted of any offence punishable by imprisonment of three months or more or
 - (d) if he becomes a patient or be declared by a competent Court to be a mentally ill person or an incapable person within the meanings of these terms in the Mental Health Act, 1958.
 7. If a casual vacancy shall occur in the position of any member such position shall be filled, in the case of an appointee of the Archbishop, by the Archbishop and, in any other case, by the Chapter. Any person so appointed by the Chapter shall possess the same qualifications as to membership or non membership of the Chapter and as

St. Andrew's Cathedral School Ordinance 1971

to membership of and election by the Old Boys' Union as the person whose ceasing to be a member of the Council gave rise to the casual vacancy. Any person so appointed shall hold office until the expiration of the remainder of the term of the person whose ceasing to be a member of the Council gave rise to the casual vacancy. The Council may act notwithstanding any vacancy amongst its members.

8. Any member appointed to the Council by the Chapter may be removed by the Chapter provided that any resolution for such removal shall be supported by at least two-thirds of the members of the Chapter.
9. At meetings of the Council in the absence of the President, the Chairman shall occupy the chair and in the absence of both the President and the Chairman the members present shall elect from their number a chairman of the day.
10. At meetings of the Council seven (7) members shall constitute a quorum. In the case of an equality of votes the Chairman of the meeting shall have a casting vote as well as a deliberative vote.
11. The Council shall forward to the Chapter and to the Standing Committee for their information—
 - (a) within six months from the end of each financial year of the School—a report on the operations of the School for that financial year together with an audited statement of income and expenditure for that financial year and a balance sheet for that financial year,
 - (b) within a reasonable time after the end of each school term—a report on the operations of the School during that school term and a statement of receipts and expenditure in respect of that term, and
 - (c) before or not later than three months after the commencement of each financial year—a budget for that financial year.
12. Subject to Cathedral Ordinance 1969-1971 to the Regulations and to any other Ordinance relating to the School,

St. Andrew's Cathedral School Ordinance 1971

the Council shall manage and govern the School and in particular but without limiting the generality hereof—

- (a) shall approve the courses of instruction consistent with the Objects of the School,
 - (b) subject to Regulation 15, shall determine all matters relating to the order and discipline of the School,
 - (c) shall appoint and may suspend or remove the Headmaster and no reason for such suspension or removal need be given provided that any resolution for the removal of the Headmaster shall be supported by not less than two-thirds of the members of the Council and provided that no Headmaster shall be appointed without the prior consent of the Chapter,
 - (d) 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,
 - (e) subject to these regulations may regulate its own proceedings,
 - (f) may prescribe, rescind or alter rules,
 - (g) may authorise any person or persons to do any act on its behalf,
 - (h) may appoint sub-committees either generally or specifically.
13. The Headmaster shall furnish to the Council such reports as the Council may require relating to the School.
14. 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.
15. The Council, in its management of the School, shall have full regard to the provisions of Cathedral Ordinance 1969-1971 as amended from time to time and shall abide

St. Andrew's Cathedral School Ordinance 1971

by the requirements and decisions of the Chapter relating to the Choristers. In the event of any difference or dispute between the Headmaster or his Deputy and any officer attached to the Cathedral as to his or their authority or responsibility, the Council, by itself or through a sub-committee of the Council shall resolve the difference or dispute as quickly as possible and shall thereafter report thereon to the Chapter but if the Council is unable to resolve the difference or dispute, the Council shall refer the difference or dispute to the Chapter for resolution."

3. The St. Andrew's Cathedral Site Development Ordinance 1970 is hereby amended:—

(a) by the deletion of Clause 6 and the insertion of the following clause in lieu thereof—

"(a) The Council (hereinafter called the "Council") of the St. Andrew's Cathedral School (hereinafter called the "School") shall cause to be vacated all buildings and premises on the said land occupied by the School upon the Standing Committee calling upon the Council so to do.

(b) The Council, with the approval of the Standing Committee, shall make all arrangements necessary to relocate the School on the said land or elsewhere during any building operations affecting any of the said buildings and premises and until such time as suitable permanent accommodation is available for the School. The cost of any such relocation shall be charged to the total cost of carrying out the works envisaged by this Ordinance.

(c) The Council shall not allow the number of students attending the School to exceed three hundred and twenty (320) before or during such relocation without the prior approval of the Standing Committee."

(b) by the deletion of the word "Chapter" from Clause 3 and by the insertion of the word "Council" in lieu thereof.

4. Nothing contained in this Ordinance shall affect or invalidate any act done or appointment or regulations made under or by virtue of any ordinance hereby amended.

St. Andrew's Cathedral School Ordinance 1971.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 31st day of May, 1971.

W. L. J. HUTCHISON,
Secretary.

I ASSENT to this Ordinance.

F. O. HULME-MOIR,
Commissary.

31/5/1971.