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*St. Michael's Provisional Cathedral Wollongong  
Ordinance 1969*

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No. 36, 1969

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

WHEREAS due to the rapid increase in population of a certain area of the Diocese of Sydney at and adjacent to the City of Greater Wollongong the Synod of the Diocese of Sydney has by resolution determined that provision should be made for the future establishment of a separate diocese or additional centre of diocesan administration for such area as may be further specifically defined AND WHEREAS it is expedient that one of the parish churches in such area be now selected and designated as the Provisional Cathedral for such proposed new diocese or additional centre of diocesan administration and that such church be placed under the control of a Chapter and the title of the incumbent of such church be designated AND WHEREAS it is proposed to select the Church of Saint Michael at Wollongong as the Provisional Cathedral in such area NOW the Synod of the Diocese of Sydney in accordance with powers vested in it by the Constitutions for the order and good government of the Church of England in Australia in the Diocese of Sydney HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:—

1. The parish church of Saint Michael at Wollongong shall henceforth be known as the Provisional Cathedral of Saint Michael at Wollongong.
2. The said Provisional Cathedral shall continue to be the parish church of the parish in which it is situated and the provisions of the Sydney Church Ordinance 1912-1968 and the Parishes and Provisional Districts Ordinance 1961-1967 (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.
3. The provisions of the Presentation and Exchange Ordinance 1933-1966 shall not apply to the said Provisional Cathedral or to the parish in which it is situated.
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 Provisional Cathedral and shall continue to be such Senior Canon while he remains such Rector.
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 Provisional Cathedral as hereinafter constituted at a meeting called for the purpose

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- at which the quorum shall be ten members of whom three shall be lay canons elected or appointed pursuant to subparagraphs (d) and (e) of paragraph (5) of clause 10 hereof.
6. For all purposes for which a faculty or other form of permit is required in relation to such Provisional Cathedral under section 21 of the Sydney Church Ordinance 1912-1968 or any amendment thereof the application for such faculty or other form of permit may be made by such Chapter or by the Church Committee of the parish church of Saint Michael and shall be approved by such Chapter and such Church Committee before it is forwarded to the Archbishop.
  7. The Archbishop may by writing and under his seal authorise the Bishop in Wollongong to exercise such of his powers in relation to faculty applications in relation to such Provisional 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.
  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.
  9. There shall be a Chapter of such Provisional Cathedral which shall exercise the powers duties and functions set out in clauses 5, 6, 16 and 17 of this Ordinance in respect of such Provisional Cathedral. In all other respects the rights, powers and duties of the Churchwardens, Church Committee and Parish Council shall not be affected.
  10. Such Chapter shall consist of:—
    - (1) The Archbishop as President, *ex officio*.
    - (2) The Bishop in Wollongong, *ex officio*.
    - (3) The Archdeacons of Wollongong and Camden, *ex officio*.
    - (4) The Senior Canon of such Provisional Cathedral, *ex officio*.
    - (5) (a) One clerical and one lay canon to be appointed with the Archbishop's approval by the Bishop in Wollongong.
    - (b) One clerical canon holding a separate cure of souls within the area comprising the Rural Deaneries of Wollongong, Sutherland, Berrima and Campbelltown to be elected by the clerical members of Synod residing within such area.
    - (c) One clerical canon holding a separate cure of souls within such area and two lay canons being resident within or parishioners of a parish, provisional parish

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- or provisional district within such area to be elected by the clerical and lay members of Synod who
- (i) represent parishes and provisional parishes in such area, or
  - (ii) are summoned or appointed under the 14th of the Constitutions contained in the Schedule to the Church of England Constitutions Act Amendment Act of 1902 and who are resident within such area,
- such clerical and lay members voting together.
- (d) The Churchwardens of such Provisional Cathedral who shall be lay canons thereof.
  - (e) Two lay canons to be elected by the annual vestry meeting of the parish church of Saint Michael at Wollongong.
11. The Chairman of the Chapter shall be the President or in his absence the Bishop in Wollongong or in his absence the Senior Canon.
  12. The Senior Canon and the clerical canons aforesaid and the Archdeacons who are members of the Chapter of such Provisional Cathedral shall have stalls in such Provisional Cathedral. Such clerical canons as aforesaid shall hold office only while they remain licensed to separate cures of souls within such area 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 to any separate cure of souls within such area 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 license to such separate cure of souls and shall thereupon be deemed to have relinquished such office together with the title and stall connected with it.
  13. Subject to the provisions of clause 14 and of sub-paragraphs (d) and (e) of paragraph (5) of clause 10 hereof, each such lay canon aforesaid shall hold office until the first day of the third successive ordinary session of Synod following his election or appointment, and shall be eligible for re-election or reappointment.
  14. The first appointment of each lay canon to be appointed under the provisions of sub-paragraph (a) of paragraph (5) of clause 10 hereof shall be for the period ending on the first day of the first successive ordinary session of Synod following such appointment. The first elections to take place under the provisions of sub-paragraphs (b) and (c) of paragraph (5) of clause 10 hereof shall be held immediately after assent is given to this Ordinance or at such times and places as the Archbishop shall in writing appoint and the provisions of the Elections Ordinance 1934-1959 (or any amendment thereof) shall apply

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to such elections and to all subsequent elections under this clause. At the first such election one lay canon shall be elected to hold office until the first day of the second successive ordinary session of Synod and one lay canon shall be elected to hold office until the first day of the third successive ordinary session of Synod following such election. Casual vacancies in the office of clerical or lay canons elected by members of Synod shall be filled at meetings of such members called by the Archbishop at such times and places as he shall think fit and in the case of lay canons shall be in each case for the balance of the term of office of the lay canon whose office has become vacant.

15. 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.
16. 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 in Wollongong and the Standing Committee of Synod on all matters relating to the Provisional Cathedral and its needs, property and functions as such Provisional Cathedral and the financing thereof.
17. Such Chapter shall be entitled to receive from the parish of Saint Michael Wollongong such moneys as may be determined by the Church Committee of the said church after consultation with the Chapter as to what may be considered requisite for the purposes of the Chapter and shall annually lay before Synod an audited statement of receipts and payments up to the 31st March preceding the next ordinary session of Synod and also before the 31st day of May in each year present to the Standing Committee of Synod a budget showing its estimates of expenditure for the period of twelve months commencing on the 1st day of April next ensuing and such further period as it may think fit together with its estimates of income available to meet such expenditure and recommendations as to how any discrepancy in such estimates may be met. Such budgets, estimates and recommendations shall not be binding upon the Synod or its Standing Committee.
18. Any person elected or appointed to any office or function in such Provisional Cathedral under the terms of this Ordinance shall cease to hold such office on the date when provision shall have been effectively made for the Cathedral and Chapter of a new Diocese in or including such area and any title conferred by this Ordinance on any person shall cease to apply to such person on such date.
19. The Archbishop shall have the right to use such Provisional Cathedral for ordinations and on all other occasions appointed by him and to officiate and preach in such Provisional Cathedral as he may at any time see fit and for such purposes he shall have keys of such Provisional Cathedral but subject to this and the

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next succeeding clause the Senior Canon shall have the powers of a rector of a parish church with regard to such Provisional Cathedral.

20. The Bishop in Wollongong shall subject to the rights of the Archbishop have the right to use such Provisional Cathedral for ordinations and on all other occasions appointed by him and to officiate and preach in such Provisional Cathedral as he may at any time see fit and for such purposes shall have keys of such Provisional Cathedral.
21. This Ordinance may be cited as "St. Michael's Provisional Cathedral Wollongong Ordinance, 1969".

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I certify that this Ordinance is printed in accordance with the ordinance as reported.

ATHOL RICHARDSON,  
Chairman of Committees.

We certify that this Ordinance was passed this 14th day of October, 1969.

W. L. J. HUTCHISON,  
K. N. SHELLEY,  
Secretaries of Synod.

I assent to this Ordinance.

MARCUS LOANE,  
Archbishop of Sydney.

14/10/1969.