

SYDNEY CHURCH OF ENGLAND GIRLS' GRAMMAR SCHOOL  
AMENDMENT ORDINANCE 1974

No. 22 1974

AN ORDINANCE to reconstitute the Council of the Sydney Church of England Girls' Grammar School and to provide for other matters in respect of the said Council.

WHEREAS by the Sydney Church of England Girls' Grammar School Ordinance of 1895 (herein referred to as the "Principal Ordinance") the Council of the Sydney Church of England Girls' Grammar School (herein called the "Council") was constituted and provision made for regulation of the affairs of the Council AND WHEREAS the Principal Ordinance at various times has been amended and supplemented by subsequent Ordinances AND WHEREAS by the Church of England (Bodies Corporate) Act 1938 the Council was constituted a body corporate under the name of the "Sydney Church of England Girls' Grammar School Council" AND WHEREAS it is thought desirable to consolidate the various amendments which have been effected in relation to the Principal Ordinance AND WHEREAS circumstances have recently arisen rendering it now desirable to effect further amendments to the constitution of the Council and other incidental matters 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:-

1. (1) This Ordinance may be cited as the "Sydney Church of England Girls' Grammar School Amendment Ordinance 1974".

(2) The Principal Ordinance as amended by this Ordinance may be cited as the "Sydney Church of England Girls' Grammar School Ordinance 1895-1974".

2. The Principal Ordinance is hereby amended by the repeal of the provisions thereof save and except clauses 3, 8 and 9 thereof and the Sydney Church of England Girls' Grammar School (Amendment) Ordinance 1910 is amended by the repeal of the provisions thereof save and except clause 1 thereof and the Sydney Church of England Girls' Grammar School (Amendment) Ordinance 1919, the Sydney Church of England Girls' Grammar School Amending Ordinance 1920 and the Sydney Church of England Girls' Grammar School (Amendment) Ordinance 1939 are severally repealed PROVIDED THAT such repeal of the said provisions and Ordinances shall not affect the past operation thereof nor anything suffered, done or commenced nor any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

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

- (a) The Archbishop of Sydney for the time being ex officio.
- (b) Five (5) persons to be appointed by resolution of Standing Committee which may at any time by resolution revoke such appointment which said five (5) persons shall herein be collectively referred to as "the Management Committee".
- (c) Four (4) clergymen and eight (8) laymen to be elected by Synod. One (1) clergyman and two (2) laymen shall retire at the first ordinary session of each Synod, one (1) clergyman and three (3) laymen shall retire at the second ordinary session of each Synod and two (2) clergymen and three (3) laymen shall retire at the third ordinary session of each Synod. Retirement shall be according to priority of election and retiring members shall be eligible for re-election.

- (d) Six (6) women to be elected by Synod, two (2) of whom shall retire annually according to priority of election and shall be eligible for re-election.
- (e) One (1) woman who shall from time to time be elected by and from the members of any Old Girls' Union or other organisation in connection with the School and shall hold office for three (3) years but shall be eligible for re-election.

(2) Those members of the Council comprised in or referred to in sub-paragraphs (c) to (e) inclusive of paragraph (1) of this clause are herein collectively referred to as the "Elected Members".

4. (1) The Archbishop of Sydney for the time being shall be president of the Council. Provided always that in the absence of the Archbishop from the State his Commissary, and failing the appointment of a Commissary or during the vacancy of the See or the incapacity of the Archbishop the Administrator of the Diocese, shall be *ex officio* a member of the Council and may carry out the powers and functions of the Archbishop under this Ordinance.

(2) A Chairman may be appointed by the Council from amongst its members who shall in the absence of the President preside at all meetings of the Council and in the absence of the President and of the Chairman the members present shall from amongst their number elect a Chairman of the day.

5. The members of the Council as at the date on which this Ordinance is assented to shall be deemed to be the Elected Members herein and shall continue to hold office and retire on the same day that each would have retired had this Ordinance not been passed.

6. No omission to elect any Elected Member or members nor any informality or error in the method of any such election nor any vacancy or vacancies in the office of any Elected Member shall affect the authority or powers of the Council and subject to the provisions of this Ordinance all such authority and powers may be exercised by the members for the time being holding office.

7. In respect to the election of the one (1) woman member referred to in sub-paragraph (e) of paragraph (1) of clause 3 hereof the following shall apply:-

- (a) The said election by and from the members of any such organisation as aforesaid shall be carried out through the post at the cost of such organisation but by and under direction of the Archbishop-in-Council.
- (b) The validity and result of any such election so carried out through the post as aforesaid and all questions with regard thereto and to the order of retirement under this Ordinance shall be determined by the Archbishop-in-Council and such determination shall be final and conclusive.
- (c) In this clause the words "Archbishop-in-Council" shall be deemed to have the same meaning as in the Sydney Church Ordinance 1912-1971 as amended from time to time.

8. At meetings of the Council three (3) members of the Management Committee shall constitute a quorum. The President or in his absence the Chairman or Chairman of the day shall have a deliberative vote and in case of an equality of votes a casting vote in addition to a deliberative vote.

9. Whenever a vacancy shall occur in the said Council among the Elected Members except the one (1) woman member referred to in sub-paragraph (e) of paragraph (1) of clause 3 hereof such vacancy shall be filled and the person appointed to fill the same shall hold office in accordance with the provisions of the Casual Vacancies Ordinance 1935.

10. Subject to the provisions of this Ordinance the Council shall manage govern and control the Schools established or proposed to be established by the Council and any other real or personal property severally held upon trust for such Schools in such manner as it may deem expedient for the benefit of such respective Schools and without limiting the generality hereof:-

- (a) Shall determine the course of instruction to be imparted in the Schools and all matters in connection with the order and discipline thereof.
- (b) Shall have power to make rescind or alter regulations and may appoint and employ such teachers officers and other persons as it may deem necessary and terminate such appointment.
- (c) 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.

11. At any duly convened meeting of the Council:-

- (a) No resolution shall be duly passed except with the consent of at least a majority of the members of the Management Committee present and voting at such meeting.
- (b) A resolution shall be deemed to have been duly passed by the Council if a majority of members of the Management Committee present at such meeting have voted in favour of such resolution notwithstanding that such resolution is not supported by or is opposed by a majority of the Elected Members present and voting.

12. Meetings of the Council shall be convened at such times and places and in such manner as the Council may from time to time determine provided that the President or Chairman or any member of the Management Committee may convene a meeting whenever he thinks fit.

Notice of a meeting of the Council need not be given to any of the Elected Members and the Council may meet and dispose of any business notwithstanding that notice of the meeting has not been given to all or any of the Elected Members or that no Elected Member is present at the meeting.

13. Each member of the Council shall be indemnified out of the assets of the Schools established or proposed to be established by the Council and other real or personal property held upon trust for such Schools against all loss or liability which he or she may have properly incurred for or on behalf of the Council or to which he or she may be subject by reason of being or having been a member of the Council other than those occasioned by his or her own wilful act or default.

14. The Council shall furnish to the Synod or the Standing Committee of Synod any information as to the affairs of any School established or proposed to be established by the Council which it may be requested to furnish in pursuance of a resolution of Synod or Standing Committee and shall at least once in each year present a report to the Synod and shall present income and expenditure accounts and balance sheets duly audited

and such other information as may be required from time to time by resolution of Synod.

15. The Council may from time to time make rules regulation or by-laws for carrying out the provisions of this Ordinance not being inconsistent with the provisions of this Ordinance and repeal or amend such rules regulations or by-laws and substitute others in lieu thereof. The Council shall forward a copy of such rules regulations or by-laws to the Standing Committee of the Synod which shall lay the same on the table of the next ordinary session of the Synod.

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

D. Cameron  
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 16th day of August 1974.

W.G.S. Gotley  
Secretary

I ASSENT to this Ordinance

M.L. Loane  
Archbishop of Sydney  
16/ 8/1974