

SYDNEY CHURCH OF ENGLAND GIRLS' GRAMMAR SCHOOL
MANAGEMENT ORDINANCE 1974

No. 53, 1974

AN ORDINANCE to constitute a separate council of and to provide for the management and control by that council of certain schools managed and controlled by the body corporate called "Sydney Church of England Girls' Grammar School Council", to provide for the management and control by the Council of The Illawarra Grammar School of another school managed and controlled by the said body corporate, to reconstitute the membership of the said body corporate and for purposes connected therewith.

WHEREAS

A. Sydney Church of England Girls' Grammar School Council is a body corporate constituted by the Church of England (Bodies Corporate) Act 1938.

B. The said body corporate manages five schools.

C. It is desirable that certain of these schools be continued in 1975.

D. Certain creditors of the said body corporate require that the schools, that continue in 1975, be managed and controlled by an organisation or body corporate other than the said body corporate.

E. It is desirable that The Council of The Illawarra Grammar School manage and control the school in Wollongong.

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) Where used herein, unless repugnant to the context or inconsistent therewith
- (a) the term "body corporate" means the said body corporate called "Sydney Church of England Girls' Grammar School Council",
 - (b) the term "Council" means the council constituted by Clause 2 hereof,
 - (c) the term "T.I.G.S." means the Council of The Illawarra Grammar School,
 - (d) the term "Darlinghurst school" means the school conducted by the body corporate at Darlinghurst,
 - (e) the term "Redlands school" means the school conducted by the body corporate at Cremorne,
 - (f) the term "Wollongong school" means the school conducted by the body corporate at Wollongong,
 - (g) the term "Loquat Valley school" means the school conducted by the body corporate at Loquat Valley,
 - (h) the expression "1895 Ordinance" means the Sydney Church of England Girls' Grammar School Ordinance 1895,
 - (i) the expression "Ordinance 22 of 1974" means the Sydney Church of England Girls' Grammar School Amendment Ordinance 1974;
 - (j) the expression "Ordinance 24 of 1974" means the Sydney Church of England Girls' Grammar School Further Amendment Ordinance 1974, and

(k) the expression "Ordinance 42 of 1974" means the Sydney Church of England Girls' Grammar Schools Assistance Ordinance 1974.

(2) The 1895 Ordinance as amended by Ordinance 22 of 1974, by the Sydney Church of England Girls' Grammar School Further Amendment Ordinance (No. 2) 1974 and by this Ordinance may be cited as "Sydney Church of England Girls' Grammar School Ordinance 1895-1974".

(3) Ordinance 22 of 1974 as amended by this Ordinance may be cited as "Sydney Church of England Girls' Grammar School Re-constitution Ordinance 1974".

(4) This Ordinance may be cited as "Sydney Church of England Girls' Grammar School Management Ordinance 1974".

2. The members of the Council shall consist of each person who is a member of the body corporate. Upon a person becoming a member of the body corporate, he shall become a member of the Council. Upon a person ceasing to be a member of the body corporate, he shall cease to be a member of the Council.

3. (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.

(3) At meetings of the Council three (3) members 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.

(4) 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 any member of the Council may convene a meeting whenever he thinks fit.

4. The Council shall furnish to the Synod or the Standing Committee of Synod any information as to the affairs of any School managed governed and controlled 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.

5. (1) On and after the first day of January 1975, the Darlinghurst school, the Redlands school and the Loquat Valley school shall cease to be managed and controlled by the body corporate and shall be managed and controlled by the Council.

(2) On and after the first day of January 1975, the Wollongong school shall cease to be managed and controlled by the body corporate and shall be managed and controlled by T.I.G.S.

6. (1) Subject to the provisions of this Ordinance, the Council shall manage govern and control the Darlinghurst school, the Redlands school and the Loquat Valley school 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.

(2) Subject to the provisions of this Ordinance, T.I.G.S. shall manage govern and control the Wollongong school for so long as it may desire to manage govern and control the same 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.

7. Notwithstanding anything contained in this or in any other Ordinance, T.I.G.S. shall not be entitled

(a) to act as or hold itself out as being the agent of the body corporate,

(b) to incur any debt on behalf of the body corporate,

(c) to hold itself out as being the owner of any property vested in or of the body corporate, or

(d) to use or occupy any property vested in or of the body corporate except to the extent permitted from time to time by the body corporate.

8. In acting pursuant to Clause 6, T.I.G.S. shall act subject to such instructions as may be given to it from time to time by the body corporate.

9. If T.I.G.S. by resolution thereof decides that it no longer desires to manage govern and control the Wollongong school, it shall forthwith notify the body corporate of that decision and thereafter the Council shall exercise the functions conferred upon T.I.G.S. by Clause 6(2) hereof.

10. (1) The 1895 Ordinance is hereby amended by the repeal of Clause 3 thereof.

(2) Ordinance 22 of 1974 is hereby amended as follows:-

(a) by the omission of Clause 1(2),

(b) by the omission of the words "which said five (5) persons shall herein be collectively referred to as 'the management committee'" in paragraph (b) of Clause 3(1),

(c) by the omission of paragraphs (c) (d) and (e) of Clause 3(1) and of Clause 3(2),

(d) by the omission of Clauses 5, 6 and 7,

- (e) by the substitution of the word "Council" for the words "Management Committee" in Clause 8,
- (f) by the omission of Clauses 9 and 11, and
- (g) by the substitution of the word "Council" for the words "Management Committee" in the first sentence of Clause 12 and by the omission of the second sentence of that Clause.

(3) The Sydney Church of England Girls' Grammar School Further Amendment Ordinance 1974 is hereby repealed.

(4) Ordinance 42 of 1974 is hereby amended as follows:-

- (a) the omission of all of the words in paragraph (h) of Clause 1(1) and the insertion in lieu thereof of the following:-

"the term 'new Council' means the Council and whichever organisation or organisations manage the Schools or any of them in 1975", and

- (b) the insertion of the following words after the word "applied" in Clause 2:-

"if the Council approves of such application (which approval may be given in any particular case subject to conditions)".

(5) The repeal of the said provisions and Ordinance shall not affect the past operations of the same nor anything suffered, done or commenced nor any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

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 December 1974.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

M.L. LOANE
Archbishop of Sydney
16/12/74