

*The Blue Mountains Church of England Grammar School for
Boys Ordinance 1951.*

No. 35, 1951.

AN ORDINANCE to constitute the Blue Mountains Church of England Grammar School Council and to provide for the management and control by such Council of the School at Wentworth Falls now carried on by The Council for the Promotion of Sydney Church of England Diocesan Schools and for other matters in respect of the said School.

WHEREAS:—

- (a) The Council for the Promotion of Sydney Church of England Diocesan Schools is at present carrying on a School for Boys at Wentworth Falls known as The MacLaurin School (hereinafter called "the School").
- (b) It is expedient to provide for the constitution of a Council to take over and manage the School and for other matters in connection with the order and discipline thereof.
- (c) The lands used for the purposes of the School more fully described in the Schedule hereto are vested in the Church of England Property Trust Diocese of Sydney and have been mortgaged in pursuance of the Sydney Church of England Diocesan Schools (Wentworth Falls Mortgage) Ordinance 1951.

The Synod of the Diocese of Sydney ordains as follows:—

1. On and after a day to be declared by the Standing Committee the School shall cease to be managed by The Council for the Promotion of Sydney Church of England Diocesan Schools and shall be managed by a Council (hereinafter called "the Council") constituted as hereinafter provided and the School shall be known and called "The Blue Mountains Church of England Grammar School for Boys."

2. The Members of the Council shall be the Archbishop of Sydney for the time being and seventeen other persons, namely: Five Clergymen and Ten Lay Persons, elected by Synod of whom not more than three shall be women, and two persons appointed by the Archbishop of Sydney.

3. (a) The Archbishop of Sydney for the time being shall be President of the Council. Provided always that

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in the absence from the State or incapacity of the Archbishop or during the vacancy of the See the Administrator of the Diocese shall be an *ex officio* member of the Council and may carry out the powers and functions of the Archbishop under this Ordinance.

- (b) 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.

4. At meetings of the Council five members shall form a quorum. In case of an equality of votes the Chairman of the day shall have a casting vote in addition to a deliberative vote.

5. The first members other than the Archbishop and the persons appointed by him shall be:—

Ven. G. T. Denham.
Rev. C. E. B. H. Burgess.
Rev. J. R. L. Johnstone LL.B.
Rev. L. T. Lambert.
Rev. H. R. Smith, B.Sc.
Mrs. E. M. Vickery.
Mrs. T. H. Davis.
Mr. E. C. B. MacLaurin, M.A., B.D.
Mr. Douglas Hill.
Mr. Frank Walford.
Mr. Gordon C. Burnett.
Mr. K. E. Barnett.
Dr. G. N. M. Aitkens, M.R.C.S., L.R.C.P.
Mr. A. L. Webb, M.B., B.S., F.R.C.S.
Mr. D. S. Campbell.

6. At each ordinary session of Synod six of the members of the Council elected by Synod being two clergymen and four lay persons shall retire from office but shall be eligible for re-appointment. Such members shall retire in rotation according to the length of time of office. Provided that where members have held office for an equal length of time the member or members to retire may be determined by ballot taken amongst the members of the Council. The members appointed by the Archbishop shall hold office for three years and shall be eligible for re-appointment.

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7. Subject to the provisions of this Ordinance the Council shall manage govern and control the School and without limiting the generality hereof:—

- (a) shall determine the course of instruction to be imparted in the School both religious and secular such religious instruction to be in accordance with the 39 Articles and formularies of the Church of England and all matters in connection with the order and discipline thereof;
- (b) shall manage the property and finances of the School;
- (c) may regulate its own proceedings;
- (d) may make rescind or alter regulations;
- (e) may do all such acts and execute all such instruments as it may deem expedient for the purposes of the School;
- (f) may authorise any person or persons to do any act or sign or execute any instrument on its behalf.

8. The Council may act notwithstanding any vacancy amongst its members.

9. (1) The said land shall be used for the purpose of the school and shall not be sold exchanged mortgaged leased or otherwise dealt with except in accordance with the Church of England Trust Property Act 1917.
- (2) The Council may dispose of or deal with other assets used in connection with the School as it thinks fit.

10. The members of the Council shall be indemnified out of the said land and other assets of the School against all 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.

11. The Council shall pay all expenses of and incidental to the carrying on of the School and of this Ordinance.

12. The Council shall take over from the Council for the Promotion of Sydney Church of England Diocesan Schools from the day declared in pursuance of Clause 1:

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- (a) the liabilities incurred under the mortgages created in pursuance of the Sydney Church of England Diocesan Schools (Wentworth Falls Mortgage) Ordinance 1951; and
- (b) such debts and other liabilities incurred in carrying on the School as may be agreed upon by the Council and the Council for the Promotion of Sydney Church of England Diocesan Schools, or in default of an agreement determined by Standing Committee.

13. The Council shall at least once in every year and also whenever a resolution shall be passed and communicated to it by the Synod of the Diocese of Sydney in that behalf report their proceedings and the progress and condition of the School to the Synod and at the same time present a statement of receipts and expenditure and a balance sheet duly audited showing the financial position of the School.

14. Casual vacancies on the Council shall occur and be filled in accordance with the Casual Vacancies Ordinance 1935.

15. This Ordinance may be cited as "The Blue Mountains Church of England Grammar School for Boys Ordinance 1951."

THE SCHEDULE.

Lands in the City of Blue Mountains Parish of Jamieson County of Cook being the whole of the lands comprised in Certificates of Title Volume 2922 Folio 54 Volumes 4522 Folio 66 and Volume 6115 Folio 35.

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

W. G. HILLIARD, Bishop,
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney this 11th day of October, 1951.

S. H. DENMAN { Secretaries of
A. L. BLYTHE { Synod

I assent to this Ordinance.

HOWARD SYDNEY.

11/10/1951.