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*The King's School Council Constitution 1922.*

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AN ORDINANCE to regulate the constitution of the Council of The King's School and to provide for the promotion in Parliament of a certain Bill and for other matters in connection therewith.

WHEREAS by the Church of England Trust Property Act 1917 Section 3 (2) (c) it was provided that that Act should be deemed not to apply to nor affect any property real or personal held or to be held upon any trust for the purposes of The King's School or The King's School Council Act or The King's School Act Amendment Act of 1894. AND WHEREAS it is expedient to provide for the repeal of the said sub-section and of certain sections of the "King's School Council Act" and in anticipation to regulate the Constitution of the Council of The King's School including the representation of old boys on the said Council and the substitution of retirement by rotation in the place of life tenure of membership of the said Council. NOW THEREFORE the Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the Church of England Trust Property Act 1917 or otherwise ordains declares directs and rules as follows:—

1. The King's School shall be governed by the Council of The King's School Incorporated by the "King's School Council Act."

2. The said Council shall consist of eighteen members, namely—

(a) The Archbishop of the Diocese of Sydney for the time being; provided that in the absence of the Archbishop or during a vacancy of the See the Administrator of the Diocese shall be summoned to meetings of the Council as *ex officio* representative of the Archbishop.

(b) Twelve Governors elected by the Synod of the Diocese of Sydney, of whom six shall be licensed Clergymen of the Church of England in Priest's Orders, and six shall be Lay Members of the Church of England.

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(c) Five Representatives who shall be members of the Church of England, elected by the members of The King's School Old Boys' Union, provided that such membership shall exceed 250.

3. At meetings of the Council seven members shall form a quorum and the Chairman shall have both a deliberative and a casting vote.

4. If any member of the Council other than the Archbishop of Sydney shall have been absent from three consecutive meetings of the Council without leave of the Council the seat of such member shall be vacant if so declared by resolution of the Council.

5. Any member of the Council shall *ipso facto* cease to be a member if his seat be declared vacant in pursuance of Clause 4 hereof or if he shall resign his seat or if he shall become bankrupt or insolvent or make any assignment for the benefit of creditors or if he shall become a lunatic.

6. Whenever a vacancy shall occur in the said Council among the members elected by the Synod such vacancy shall be filled up by the election of a new member by the Synod or when the Synod is not in session by the Standing Committee of the Synod. Any member so appointed by the Standing Committee of the Synod shall remain in office only until the next ordinary session of the Synod. The Synod may by resolution determine that any vacancy existing when the Synod is in session shall not be filled during such session and thereupon after the close of such session such vacancy may be filled by the Standing Committee in lieu of the Synod.

7. Whenever there shall be a vacancy among the Representatives elected by the members of The King's School Old Boys' Union, such vacancy shall be filled up by the election of a new Representative by the members of The King's School Old Boys' Union.

8. On the first day of the first ordinary session of the Synod which shall be held after this Ordinance shall have come into force under the provision hereinafter contained the present Governors (with the exception of the Archbishop of Sydney) shall retire but shall be eligible for re-election and the Synod shall elect twelve new Governors as aforesaid.

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9. Thereafter on the first day of the first ordinary session of any Synod six Governors (three being Clergymen and three Laymen) shall retire but shall be eligible for re-election and in the absence of agreement the six Governors to retire shall be determined by the Standing Committee by ballot and thereafter at every first ordinary session of any Synod six of the said Governors shall similarly retire such retirement being in rotation according to their length of time of office. Interim successors in office shall retire on the day on which the members whose places they were elected to fill were due for retirement.

10. The Representatives to be elected by members of The King's School Old Boys' Union shall hold office for three years and shall be eligible for re-election; the first election shall be made as soon as practicable after this Ordinance shall have come into force as aforesaid and an election shall be made every third year thereafter.

11. The Archbishop in Council from time to time may make regulations to provide for the election of Representatives by members of The King's School Old Boys' Union.

12. The Council of The King's School shall manage and carry on the said School and its affairs and shall govern and control the management and user of the Church trust property held in connection therewith in such manner as it may deem expedient for the benefit of the said School.

13. The Council of The King's School shall determine the course of instruction to be imparted in the said School and all matters in connection with the order and discipline thereof.

14. Subject to the provisions hereof the Council may regulate its own proceedings and for that purpose shall have power to make rescind or alter regulations and may appoint and employ such Officers as it may deem necessary and terminate such appointment.

15. The Council 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.

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16. This Ordinance shall come into force when and not before an Act of Parliament in the form contained in the Schedule hereto or in such form with such modifications thereof as the Standing Committee of the Synod shall approve or shall have been passed by Parliament.

17. The Standing Committee of the Synod are hereby authorised and empowered to promote in Parliament a Bill in the form contained in the Schedule hereto or in such form with such modifications thereof as the Standing Committee of the Synod shall approve.

18. The Standing Committee of the Synod are hereby authorised and empowered to carry into effect the provisions of this Ordinance and for this purpose to incur such expense as may by them be deemed necessary.

19. This Ordinance may be cited as "The Kings' School Council Constitution Ordinance 1922."

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THE SCHEDULE.

A BILL to repeal Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and Sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892).

WHEREAS it is expedient to repeal Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and Sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892) BE IT THEREFORE enacted by THE KING'S MOST EXCELLENT MAJESTY by and with the consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. Section 3 sub-section (2) (c) of the "Church of England Trust Property Act 1917" and sections 5, 6, 7, 8, 9 and 10 of the "King's School Council Act" (1892) are hereby repealed.

2. The Council of The King's School may apply portion of their funds being capital or income in payment of the costs and

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expenses of and incidental to the promotion of this Act and to the opposing of any independent Bill amending or purporting to amend the "King's School Council Act."

3. This Act may be cited as the "Church of England Trust Property Act and the King's School Council Act Amendment Act 1922."

I certify the above Ordinance is in accordance with the Ordinance as passed in Committee.

A. J. GOULD,

*Chairman of Committees.*

We certify that this Ordinance was passed on 11th October, 1922.

E. CLAYDON } *Secretaries*  
W. R. BEAVER } *of the Synod.*

I assent to this Ordinance,

JOHN CHARLES SYDNEY.

23rd October, 1922.