

Moore Theological College Ordinance 2009 Amendment Ordinance 2018

No 18, 2018

Long Title

An Ordinance to amend the Moore Theological College Ordinance 2009.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Moore Theological College Ordinance 2009 Amendment Ordinance 2018.

2. Amendment

The Moore Theological College Ordinance 2009 is amended by –

- (a) deleting each reference to “Chairman” and inserting instead the word “Chair”,
- (b) in clause 1.1, inserting a new definition as follows –
““Executive Committee” means the body consisting of the Archbishop or the Chair, the Secretary, the Treasurer, the Principal and two other members of the Governing Board elected by the Governing Board.”,
- (c) in subclause 1.1, deleting each occurrence of the word “principal” and inserting instead “Principal”,
- (d) in subclause 1.1, deleting paragraph (c) in the definition of “Principal” and inserting instead –
“(c) if there is no person appointed as the Principal or the Principal is on leave, the person who is then the Vice-Principal of the College.”,
- (e) in subclause 1.2, deleting paragraph (b), with subsequent re-lettering and insertion of the word “and” at the end of paragraph (a),
- (f) in subclause 3(b), deleting the first occurrence of the word “and” and inserting instead “in”,
- (g) in paragraph 4.1(a), inserting the words “including property held as a trustee for the purposes of the College” after the word “Council”,
- (h) in paragraph 4.2(g), inserting the words “on the nomination of the Principal” after the first occurrence of the word “appointed”,
- (i) in paragraph 4.2(k), inserting the matter “including holding, managing and applying funds given to the Council for the assistance of students” after the word “students”,
- (j) in clause 7(c), deleting the word “incumbents” and inserting instead the word “rectors”,
- (k) deleting the subclauses in clause 11 and inserting instead the following –
“11.1 Subject to clause 8.1, each retiring member of the Council is eligible for re-election.
11.2 Where a retiring member of the Council will have been a member of the Council for more than 12 years from the date of first appointment then that person is not eligible for re-election unless one calendar year has elapsed since retirement or two thirds of the Council resolve that the retiring member is eligible for re-election for a further term of 3 years.
11.3 Notwithstanding anything contained in this Ordinance but subject to clause 12.3, each person referred to in clauses 7(b) and 7(c) remains a member of the Council (and continues to hold any office to which the member may have been elected or appointed by the members of the Council) until the vacancy caused by the member’s retirement has been duly filled.”,
- (l) in subclause 13.2, deleting the words “his absence” and inserting instead “the absence of the Chair”,
- (m) inserting a new subclause 15.3 as follows, with subsequent re-numbering,
“15.3 The Governing Board may, by resolution, delegate to the Executive Committee the conduct of matters specified in that resolution.”

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- (n) in subclause 16.1, deleting paragraph (g) and inserting instead the following –
“(g) the Archdeacon for Women’s Ministry or her nominee.”,
- (o) deleting clause 19 and inserting instead the following –
“19. Casual vacancies in the membership of the Governing Board
The office of any member of the Governing Board becomes vacant if –
 - (a) in the case of a member who is a member of the Council, that person ceases to be a member of the Council,
 - (b) in the case of a member who is the Principal or the Chair of the Academic Board or the Archdeacon for Women’s Ministry, that person ceases to be the Principal or Chair of the Academic Board or the Archdeacon for Women’s Ministry, as the case may be,
 - (c) in the case of a member elected under clause 16.1(d), that person ceases to be a member of the Faculty,
 - (d) in the case of a member elected under clause 16.1(e), that person becomes an ineligible person,
 - (e) in the case of a member appointed by the Archdeacon under clause 16.1(g), the Archdeacon decides to withdraw that appointment,
 - (f) in the case of a member elected under clause 16.1(d), (e) or (f), that person becomes a member under clause 16.1(a), (b), (c) or (g), and
 - (g) in the case of all members, other than the Archbishop, the Principal and the Archdeacon for Women’s Ministry, if the member –
 - (i) dies,
 - (ii) resigns by writing addressed to the Secretary of the Governing Board,
 - (iii) becomes bankrupt,
 - (iv) is convicted of any offence punishable by imprisonment for 3 months or longer,
 - (v) is suspended or becomes subject to a prohibition order pursuant to an ordinance of the Synod,
 - (vi) is absent without leave from 3 consecutive ordinary meetings of the Governing Board,
 - (vii) becomes mentally ill, or
 - (viii) fails to sign the declaration referred to in clause 18.2 and deliver the signed declaration to the Secretary within 4 weeks of the date of being elected or appointed as a member of the Governing Board.”,
- (p) inserting a new subclause 20.2 as follows, with subsequent re-numbering –
“20.2 Where a retiring member of the Governing Board will have been a member of the Governing Board for more than 12 years from the date of first appointment then that person is not eligible for re-election unless one calendar year has elapsed since retirement or two thirds of the Council resolve that the retiring member is eligible for re-election for a further term of 3 years.”,
- (q) inserting a new subclause 21.2 as follows, with subsequent re-numbering –
“21.2 The Governing Board is to elect every 3 years from among its members the two other persons to make up the membership of the Executive Committee. In addition the Executive Committee may co-opt members of the Governing Board who have particular expertise or experience for a task delegated to it.”,
- (r) in subclause 21.5, capitalising the reference to the “acting chair”,
- (s) in clause 23, inserting the words “on the nomination of the Principal” after the word “Faculty”,
- (t) in clause 23, inserting the matter “who is suitable to be licensed or authorised by the Archbishop, and” after the word “College”,

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- (u) in subclause 24.1, inserting the words “comprised of the Chair of the Academic Board and all members of the Faculty and such other persons as the Council may appoint” after the first occurrence of the word “College”,
- (v) in subclause 25.3, deleting the words “once in each year” and inserting instead the word “annually”,
- (w) in subclause 25.3, deleting the second sentence,
- (x) in paragraph 2 of the Schedule, renumbering paragraph 2.1 as 2.3,
- (y) in paragraph 2 of the Schedule, renumbering paragraph 2.2 as 2.4,
- (z) in paragraph 2 of the Schedule, renumbering paragraph 2.3 as 2.1,
- (aa) in paragraph 2 of the Schedule, renumbering paragraph 2.4 as 2.2, and
- (bb) deleting each reference to “under the Discipline Ordinance 2006” and inserting instead “pursuant to an ordinance of the Synod”.

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

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 July 2018.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
23/07/2018