

# Regional Cathedrals (Amendment) Ordinance 2014

No 22, 2014

## Long Title

An Ordinance to provide for the election at Synod of certain members of the Chapter of St Michael's Regional Cathedral, Wollongong and St John's Regional Cathedral, Parramatta and for related governance purposes.

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

### 1. Name

This Ordinance is the Regional Cathedrals (Amendment) Ordinance 2014.

### 2. Amendment of St Michael's Regional Cathedral Wollongong Ordinance 1969

The St Michael's Regional Cathedral Wollongong Ordinance 1969 is amended as follows –

- (a) omit the matter “sub paragraphs (d) and (e) of paragraph (5) of clause 10” in clause 5 and insert instead “clauses 10(5) and 10(6)(d)”, and
- (b) omit the matter “, 18, 19 and 20” in clause 9 and insert instead “and 19”, and
- (c) omit clause 10(5) and the rider to clause 10(5) and insert instead –
  - (5) The Wardens of the Parish Church of Saint Michael Wollongong who shall be lay canons, ex officio.
  - (6)
    - (a) One clerical canon and one lay canon appointed by the Bishop of Wollongong with the approval of the Archbishop.
    - (b) Two clerical canons licensed by the Archbishop to a specific ministry in the Region elected by the Regional Electors.
    - (c) Two lay canons being resident or parishioners of a parish in the Region elected by the Regional Electors.
    - (d) Two lay canons elected by the annual general meeting of the Parish Church of Saint Michael Wollongong.
  - (7) For the purposes of clauses 10(6)(b) and (c) –

“parish” means a parish or provisional parish recognised under the Parishes Ordinance 1979 or a recognised church or provisional recognised church under the Recognised Churches Ordinance 2000.

“Region” means the Wollongong Region formed under the Regions Ordinance 1995.

“Regional Electors” has the meaning given in the Regions Ordinance 1995 in relation to the Region.’, and
- (d) omit clauses 13 to 16 and insert instead the following –

**“Qualifications for appointment or election of members**

13. A person is not eligible to be appointed or elected as a member of the Chapter –

  - (a) unless the person has reached the age of 21 years, or
  - (b) if the person –
    - (i) is an insolvent under administration, or
    - (ii) is of unsound mind or is a person whose person or estate is liable to be dealt with in any way by the laws relating to mental health or becomes otherwise incapable of acting, or
    - (iii) has been convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.

## **Regional Cathedrals (Amendment) Ordinance 2014**

### **Term of office of members**

14. (1) Subject to clause 15, a member appointed under clause 10(6)(a) holds office for a term of 3 years but is eligible for reappointment.

(2) The election of members under clauses 10(6)(b) and (c) must be held during the first session of each Synod and, subject to clause 15, such persons hold office until the first day of the first ordinary session of the next Synod but are eligible for re-election.

(3) The election of members under clauses 10(6)(d) must be held at the annual general meeting of the parish church of Saint Michael Wollongong following the first ordinary session of each Synod and, subject to clause 15, such persons hold office until such annual general meeting following the first ordinary session of the next Synod but are eligible for re-election.

### **Casual vacancies**

15. (1) A casual vacancy in the office of a member of the Chapter appointed or elected under clause 10(6) arises if –

- (a) the person becomes a member of the Chapter ex officio, or
- (b) the person is convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.

(2) A casual vacancy in the office of a member appointed under clause 10(6)(a) also arises if –

- (a) the person holding that office resigns by notice in writing to the Bishop of Wollongong, or
- (b) a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(3) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) also arises if a circumstance set out in rule 7.1(2)(a) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(4) A casual vacancy in the office of a member elected under clause 10(5)(d) also arises if –

- (a) if the person holding that office resigns by notice in writing to the Senior Canon, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

### **Filling of casual vacancies**

16. (1) A casual vacancy in the office of a member appointed under clause 10(6)(a) may be filled by the Bishop of Wollongong with the approval of the Archbishop.

(2) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) may be filled by resolution of the Wollongong Regional Council.

(3) A casual vacancy in the office of a member elected under clause 10(6)(d) may be filled by a general meeting of the Parish Church of Saint Michael Wollongong.

(4) A person appointed to fill a casual vacancy in the office of a member of the Chapter holds office until the day on which the

## Regional Cathedrals (Amendment) Ordinance 2014

person whose vacancy he or she fills would have retired had the vacancy not occurred.”, and

- (e) omit clauses 19 and 20, renumber clause 18 as 19 and insert a new clause 18 as follows –

### **“Resolutions of the Chapter without a meeting**

18. The members of the Chapter may pass a resolution without a meeting of the members being held if –

- (a) a copy of the proposed resolution is sent to all members and a reasonable timeframe within which members may indicate their support for or objection to the proposed resolution being passed is specified, and
- (b) at least 75% of the members indicate within the specified timeframe that they support the proposed resolution being passed, and
- (c) no member objects within the specified timeframe either to the proposed resolution being passed or the proposed resolution being passed without a meeting.”

### **3. Amendment of St John’s Regional Cathedral Parramatta Ordinance 1969**

The St John’s Regional Cathedral Parramatta Ordinance 1969 is amended as follows –

- (a) omit the matter “sub paragraphs (d) and (e) of paragraph (5) of clause 10” in clause 5 and insert instead “clauses 10(5) and 10(6)(d)”, and
- (b) omit the matter “, 18, 19 and 20” in clause 9 and insert instead “and 19”, and
- (c) omit clause 10(5) and the rider to clause 10(5) and insert instead –

‘(5) The Wardens of the Parish Church of Saint John Parramatta who shall be lay canons, ex officio.

- (6)
  - (a) One clerical canon and one lay canon appointed by the Bishop of Western Sydney with the approval of the Archbishop.
  - (b) Two clerical canons licensed by the Archbishop to a specific ministry in the Region elected by the Regional Electors.
  - (c) Two lay canons being resident or parishioners of a parish in the Region elected by the Regional Electors.
  - (d) Two lay canons elected by the annual general meeting of the Parish Church of Saint John Parramatta.

- (7) For the purposes of clauses 10(6)(b) and (c) –

“parish” means a parish or provisional parish recognised under the Parishes Ordinance 1979 or a recognised church or provisional recognised church under the Recognised Churches Ordinance 2000.

“Region” means the Western Sydney Region formed under the Regions Ordinance 1995.

“Regional Electors” has the meaning given in the Regions Ordinance 1995 in relation to the Region.’, and

- (d) omit clauses 13 to 16 and insert instead the following –

### **“Qualifications for appointment or election of members**

13. A person is not eligible to be appointed or elected as a member of the Chapter –

- (a) unless the person has reached the age of 21 years, or
- (b) if the person –
  - (i) is an insolvent under administration, or

## **Regional Cathedrals (Amendment) Ordinance 2014**

- (ii) is of unsound mind or is a person whose person or estate is liable to be dealt with in any way by the laws relating to mental health or becomes otherwise incapable of acting, or
- (iii) has been convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.

### **Term of office of members**

14. (1) Subject to clause 15, a member appointed under clause 10(6)(a) holds office for a term of 3 years but is eligible for reappointment.

(2) The election of members under clauses 10(6)(b) and (c) must be held during the first session of each Synod and, subject to clause 15, such persons hold office until the first day of the first ordinary session of the next Synod but are eligible for re-election.

(3) The election of members under clauses 10(6)(d) must be held at the annual general meeting of the parish church of Saint John Parramatta following the first ordinary session of each Synod and, subject to clause 15, such persons hold office until such annual general meeting following the first ordinary session of the next Synod but are eligible for re-election.

### **Casual vacancies**

15. (1) A casual vacancy in the office of a member of the Chapter appointed or elected under clause 10(6) arises if –

- (a) the person becomes a member of the Chapter ex officio, or
- (b) the person is convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.

(2) A casual vacancy in the office of a member appointed under clause 10(6)(a) also arises if –

- (a) the person holding that office resigns by notice in writing to the Bishop of Western Sydney, or
- (b) a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(3) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) also arises if a circumstance set out in rule 7.1(2)(a) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(4) A casual vacancy in the office of a member elected under clause 10(5)(d) also arises if –

- (a) if the person holding that office resigns by notice in writing to the Senior Canon, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

### **Filling of casual vacancies**

16. (1) A casual vacancy in the office of a member appointed under clause 10(6)(a) may be filled by the Bishop of Western Sydney with the approval of the Archbishop.

## Regional Cathedrals (Amendment) Ordinance 2014

(2) A casual vacancy in the office of a member elected under clause 10(6)(b) or (c) may be filled by resolution of the Western Sydney Regional Council.

(3) A casual vacancy in the office of a member elected under clause 10(6)(d) may be filled by a general meeting of the Parish Church of Saint John Parramatta.

(4) A person appointed to fill a casual vacancy in the office of a member of the Chapter holds office until the day on which the person whose vacancy he or she fills would have retired had the vacancy not occurred.”, and

- (e) omit clauses 19 and 20, renumber clause 18 as 19 and insert a new clause 18 as follows –

### **“Resolutions of the Chapter without a meeting**

18. The members of the Chapter may pass a resolution without a meeting of the members being held if –

- (a) a copy of the proposed resolution is sent to all members and a reasonable timeframe within which members may indicate their support for or objection to the proposed resolution being passed is specified, and
- (b) at least 75% of the members indicate within the specified timeframe that they support the proposed resolution being passed, and
- (c) no member objects within the specified timeframe either to the proposed resolution being passed or the proposed resolution being passed without a meeting.”

## **4. Transitional**

(1) All persons elected or appointed under the previous form of the Principal Ordinances and holding office immediately before the commencement of this Ordinance are to remain in office as if they had been elected or appointed under the amended form of the Principal Ordinances, except as provided by this clause.

(2) Any person appointed under clause 10(5)(a) of the previous form of the Principal Ordinances is taken to have been appointed under clause 10(6)(a) of the amended form of the Principal Ordinances on Monday, 8 October 2012.

(3) The persons elected under clauses 10(5)(b) and (c) of the previous form of the Principal Ordinances are taken to have been elected by the Regional Electors at the first ordinary session of the 49<sup>th</sup> Synod under clauses 10(6)(b) and (c) of the amended form of the Principal Ordinances.

(4) Any person elected under clause 10(5)(e) of the previous form of the Principal Ordinances is taken to have been elected at the first annual general meeting of the relevant Parish Church following the first ordinary session of the 49<sup>th</sup> Synod.

(5) Any funds of the Chapter received under clause 19 or 20 of the previous form of the Principal Ordinances or otherwise held by or on behalf of the Chapter immediately before the commencement of this Ordinance shall be paid to the Wardens of the relevant Parish Church to be used for the purposes of the Parish.

(6) The Accounts, Audits and Annual Reports Ordinance 1995 is amended by omitting the following from the First Schedule –

“St John’s Regional Cathedral Chapter, Parramatta  
St Michael’s Regional Cathedral Chapter, Wollongong”

(7) For the purposes of this clause –

“previous form of the Principal Ordinances” means the form of St Michael’s Regional Cathedral Wollongong Ordinance 1969 and the St John’s Regional Cathedral Parramatta Ordinance 1969 in force immediately before the commencement of this Ordinance.

## **Regional Cathedrals (Amendment) Ordinance 2014**

“amended form of the Principal Ordinances” means the form of the St Michael’s Regional Cathedral Wollongong Ordinance 1969 and the St John’s Regional Cathedral Parramatta Ordinance 1969 as amended by this Ordinance.

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

K SOWADA  
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 June 2014.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
22/072014