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*St. Michael's Provisional Cathedral Wollongong  
Amendment Ordinance 1970*

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No. 48, 1970

AN ORDINANCE to amend "St. Michael's Provisional Cathedral Wollongong Ordinance 1969" and for purposes incidental thereto.

WHEREAS it is expedient to amend the St. Michael's Provisional Cathedral Wollongong Ordinance 1969 with particular regard to the election of canons to the Chapter of the said Provisional Cathedral NOW the Synod of the Diocese of Sydney HEREBY ORDAINS DIRECTS DECLARES AND RULES as follows:—

1. This Ordinance may be cited as the "St. Michael's Provisional Cathedral Wollongong Amendment Ordinance 1970".
2. The St. Michael's Provisional Cathedral Wollongong Ordinance 1969 is in this Ordinance referred to as the "Principal Ordinance".
3. The Principal Ordinance as amended by this Ordinance may be cited as the "St. Michael's Provisional Cathedral Wollongong Ordinance 1969-1970".
4. Clause 10 of the Principal Ordinance is amended:—
  - (a) by deleting all the words in paragraph (3) and substituting in their place the following "Each Archdeacon having territorial jurisdiction within the area described in sub-paragraph (b) of paragraph (5) of this clause, ex-officio",
  - (b) by deleting the words "a separate cure of souls" in sub-paragraphs (b) and (c) of paragraph (5) and substituting in their place in each case the words "the Archbishop's licence to a specific ministry",
  - (c) by adding after the word "Synod" in sub-paragraph (b) of paragraph (5) the words "together with curates-in-charge of provisional districts and resident ministers in new housing districts".
5. Clause 11 of the Principal Ordinance is amended by adding to the end of the clause the following sentence—"Should they be absent from any meeting the members present shall elect a Chairman for such meeting."
6. Clause 12 of the Principal Ordinance is amended:—
  - (a) by deleting the words "to separate cures of souls within such area" and substituting in their place the words "as aforesaid",
  - (b) by deleting the words "to any separate cure of souls within such area" and substituting in their place the words "as aforesaid",
  - (c) by deleting the words "such separate cure of souls" and substituting in their place the words "his other ministry within such area".
7. Clause 14 of the Principal Ordinance is amended by deleting the words "and to all subsequent elections under this clause"

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at the end of the second sentence, and also by deleting all the words of the last sentence commencing "Casual vacancies in the office. . . ."

8. The Principal Ordinance is amended by adding the following two new clauses after Clause 14 to be numbered 15 and 16:—

"15. Whenever any canon or lay canon becomes a member of the Chapter ex-officio or ceases to be a member of the Chapter through death resignation or any other cause the Chapter shall declare a vacancy to exist and at the same time shall declare how the vacancy occurred and whether the vacancy exists among the appointed or elected members and in the latter case whether under sub-paragraph (b) (c) or (e) of paragraph (5) of Clause 10 hereof."

"16. (1) Whenever the Chapter declares a vacancy to exist among the appointed clerical or lay canons the Bishop in Wollongong with the Archbishop's approval shall fill such vacancy.

- (2) Whenever the Chapter declares a vacancy to exist among the elected clerical or lay canons an election shall be held to fill such vacancy in like manner as provided by sub-paragraph (b) or (c) of paragraph (5) of Clause 10 hereof as the case may require and in that event the following rules shall apply:—

- (a) The Secretary of the Chapter shall forthwith cause to be posted to the persons entitled to vote in accordance with the provisions of sub-paragraph (b) or (c) of paragraph (5) of Clause 10 hereof as the case may be a notice that a vacancy has been declared and that nominations to fill the vacancy are called for and drawing attention to such provisions of this Ordinance as relate to the making of such nominations.
- (b) Nominations shall open seven days after the day on which the Chapter declares a vacancy to exist and close at 4.00 p.m. fourteen days after the day on which such nominations open.
- (c) Nominations shall be delivered to the Secretary of the Chapter and shall declare an address and designation of the person nominated sufficient to identify him and shall be signed by four persons qualified to vote at such election one of whom shall certify that the person nominated has consented to nomination as a canon.
- (d) If the nominations are not in excess of the number of canons required to be elected the Secretary of the Chapter shall inform the Senior Canon who at the next meeting of the Chapter shall declare the person or persons nominated to be duly elected as canon or canons but whenever

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- they are in excess of the number of persons required to be elected the election of such person or persons to be canon or canons shall be by secret postal ballot.
- (e) The Secretary of the Chapter shall cause papers for such ballot to be delivered to the persons entitled to vote within 14 days of the close of nominations.
- (f) The election of canons under this Ordinance so far as voting ballot papers counting the votes and the result thereof are concerned shall as nearly as possible be in accordance with the provisions of the Parliamentary Electorates and Elections Act 1912 of New South Wales as amended and the Senior Canon shall for the purpose of such election be deemed to be the Returning Officer and have a casting vote accordingly.
- (g) The Bishop in Wollongong may appoint some person who in the event of the Senior Canon being absent or unable to act under the provisions aforesaid for the election of canons shall perform the functions hereinbefore mentioned in the place of the Senior Canon and such person shall perform the same in accordance with the provisions aforesaid.
- (h) The Senior Canon or other person acting for him under the provisions of paragraph (g) hereof shall forthwith notify the person or persons so elected and shall also report the result of the election to the Archbishop and to the Bishop in Wollongong and to the Church Committee of St. Michael's who shall cause notice thereof to be exhibited in the Provisional Cathedral.
- (3) Whenever the Chapter declares a vacancy to exist among the lay canons elected under sub-paragraph (e) of paragraph (5) of Clause 10 hereof the Rector of such Parish shall call a Vestry Meeting within 90 days of such vacancy being declared for the purpose of filling the vacancy until the next Annual Vestry Meeting.
- (4) Whenever the office of an appointed or elected lay canon becomes vacant before the expiration of his term of service the term of service of the lay canon appointed or elected to fill such casual vacancy shall expire at the date of expiration of the term of service of the lay canon whose seat he is appointed to fill."
9. The Principal Ordinance is amended by adding the following new clause after Clause 19 to be numbered 20:—

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- "20. Offertories which shall be received at any service of a central or regional character outside the normal hours of service conducted in such Provisional Cathedral shall be applied to the funds of the Chapter or such other central funds as the Chapter may determine unless otherwise specified by the Archbishop."
10. The Principal Ordinance is further amended by renumbering Clauses 15 to 17 inclusive so that they become Clauses 17 to 19 respectively, and by renumbering Clauses 18 to 21 inclusive so that they become Clauses 21 to 24 respectively.
  11. Clause 9 of the Principal Ordinance is amended by deleting the figures "16 and 17" and substituting in their place the figures "18, 19 and 20".

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

ATHOL RICHARDSON,  
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese this 15th day of October, 1970.

W. L. J. HUTCHISON,  
K. N. SHELLEY,  
Secretaries of Synod.

I assent to this Ordinance.

MARCUS LOANE,  
Archbishop of Sydney.

15/10/1970.