

The Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923

(Reprinted under the Interpretation Ordinance 1985.)

The Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923 as amended by The Sydney Church of England Grammar School Constitution (Further Amendment) Ordinance 1943, the Interpretation Ordinance 1985, the Diocesan Officers (Retirement) Ordinance 1987, the Miscellaneous Amendments Ordinance 2001 and the Diocesan Officers (Retirement) Repeal Ordinance 2001.

Table of Provisions

Clause	
1-11	Council and Membership
12	Management
13	Course of Instruction
14-15	Powers and Proceedings
16	Repeals
17	Operative Date
18	Name of Ordinance

+ + + + +

Long Title

An Ordinance to amend and consolidate the "Sydney Church of England Grammar School Ordinance of 1894" and the Ordinances amending the same.

Whereas under the provisions of an Act of the Legislature of New South Wales entitled "Saint James' School Compensation Trust Act" a School has been established in connection with the Church of England commonly known as the Sydney Church of England Grammar School and situated in North Sydney And Whereas the said school since the time of its establishment has been under the government of a Council with the Archbishop of Sydney for the time being as ex officio President And Whereas the Council of the said School has been incorporated by the name of "Sydney Church of England Grammar School" under the "Anglican Church of Australia Trust Property Act 1917" (No. 21) And Whereas it is expedient to consolidate and amend the Ordinances dealing with the said School. The Synod of the Diocese of Sydney in pursuance of the powers conferred upon it by the aforesaid Acts and of all other powers vested in the said Synod Ordains and Rules as follows -

Council and Membership

1. The said School shall be governed by the "Sydney Church of England Grammar School Council" incorporated by the "Anglican Church of Australia Trust Property Act 1917" (No. 21).
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 the 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 Anglican Church of Australia in Priest's Orders and six shall be Lay Members of the Anglican Church of Australia.
 - (c) Five Representatives who shall be members of the Church of England, elected by the members of The Sydney Church of England Grammar 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. (1) Casual vacancies among the Governors elected or to be elected by Synod shall arise and be filled in the circumstances and manner prescribed by part 7 of the Synod Elections Ordinance 2000.
 - (2) ...
5. Casual vacancies among the representatives of The Sydney Church of England Grammar School Old Boys' Union shall arise upon -
 - (a) Resignation in writing addressed to the Honorary Secretary for the time being of The Sydney Church of England Grammar School Old Boys' Union and to the Honorary Secretary of the said Council;
 - (b) Death;
 - (c) Bankruptcy or assignment for the benefit of creditors;
 - (d) Loss of qualification for office;

- (e) Incapacity to act or absence from meetings continued for a period of three months without the leave of the Council.
- (f) ...

6. Whenever a casual vacancy shall arise among the representatives elected by the members of The Sydney Church of England Grammar School Old Boys' Union such vacancy shall be filled by an election to the vacancy made by a majority vote of the members of the Committee of the Union present at a meeting convened by notice in writing that the election be made thereat posted to every member of the said Committee not less than fourteen days before such meeting. The tenure of office of the person elected to such vacancy shall be until the next ensuing triennial election of representatives by the members of the said Union. Provided always that the person appointed to fill such casual vacancy shall be eligible for re-election.

7. Upon a casual vacancy among the representatives elected by the members of The Sydney Church of England Grammar School Old Boys' Union being filled by the Committee of the Union pursuant to clause 6 hereof the Honorary Secretary for the time being of the said Union shall forward the Honorary Secretary of the Council and the Diocesan Secretary a certificate in writing that the provisions of clause 6 hereof have been complied with and that the person named in such certificate has been duly elected to such casual vacancy.

8. On the first day of the first ordinary session of Synod which shall be held after this Ordinance shall have come into force under the provision hereinafter contained eight members of the Council (four being Clergymen and four Laymen) shall retire but six of such eight members (three being Clergymen and three Laymen) shall be eligible for re-election and two of such eight members shall be deemed to have been elected by members of the Sydney Church of England Grammar School Old Boys' Union. The members who are to constitute such eight six and two members shall be determined by agreement amongst the members of the Council and in the absence of such agreement by the Standing Committee by ballot and the Synod shall elect six new members (three being Clergymen and three Laymen) as aforesaid.

9. (1) 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 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.

(2) ...

10. (1) The Representatives to be elected by members of The Sydney Church of England Grammar 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.

(2) ...

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

Management

12. The Sydney Church of England Grammar School Council 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.

Course of Instruction

13. The Sydney Church of England Grammar School Council shall determine the course of instruction to be imparted in the said School and all matters in connection with the order and discipline thereof.

Powers and Proceedings

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.

Repeals

16. The "Sydney Church of England Grammar School Ordinance of 1894" the "Sydney Church of England Grammar School (Amendment) Ordinance 1910" and the "Sydney Church of England Grammar School (Amendment) Ordinance 1922" are hereby repealed but notwithstanding such repeal the members of the "Sydney Church of England Grammar School Council" shall continue in office until they retire in pursuance of the provisions of this Ordinance.

Operative Date

17. This Ordinance shall come into force when and not before "The King's School Council Constitution Ordinance 1922" shall come into force.

Name of Ordinance

18. This ordinance is the The Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923.

Table of Amendments

Long Title	Amended pursuant to the Interpretation Ordinance 1985.
Clause 1	Amended pursuant to the Interpretation Ordinance 1985.
Clause 2	Amended pursuant to the Interpretation Ordinance 1985.
Clause 4	Amended by Ordinances Nos 4, 1943; 28, 1987; 32, 2001 and 59, 2001.
Clause 5	Amended by Ordinances Nos 4, 1943; 28, 1987 and 59, 2001.
Clause 6	Amended by Ordinance No 4, 1943.
Clause 7	Amended by Ordinance No 4, 1943.
Clause 9	Amended by Ordinances Nos 28, 1987 and 59, 2001.
Clause 10	Amended by Ordinances Nos 28, 1987 and 59, 2001.
Clause 18	Amended by Ordinance No 32, 2001.

ROBERT WICKS
Legal Officer

MARK PAYNE
Diocesan Secretary

23 April 2002