

(APPENDIX.—No. 4.)

ORDINANCE OF SYNOD, SESSION 1868, No. 1.

AN ORDINANCE FOR ESTABLISHING AND REGULATING THE
CONSTITUTION OF THE CATHEDRAL CHURCH OF
ST. ANDREW, SYDNEY.

(Assented to 13th August, 1868.)

WHEREAS the Church of St. Andrew in the City of Sydney now in course of erection is vested in the Bishop of Sydney for the time being as sole Trustee thereof upon trust for a Cathedral Church for the Diocese of Sydney And whereas it is necessary to provide for carrying out the said trust and to establish and regulate the constitution of the said Cathedral Church The Synod of the Diocese of Sydney in pursuance of the powers conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all other powers vested in the said Synod ordains and rules as follows :—

P R E L I M I N A R Y .

Short Title.

1.—This Ordinance may be cited as “The Cathedral Ordinance of 1868.”

Object and obligation of Ordinance.

2.—This Ordinance shall be the Constitution of the Cathedral Church of St. Andrew in the City of Sydney hereinafter mentioned as the Cathedral and the Trustee for the time being of the said Church of St. Andrew and every other person in any way acting in or about the execution of the trust hereinbefore mentioned shall in the execution of the said trust observe perform and keep the provisions of this Ordinance Provided nevertheless that nothing in

this Ordinance contained shall be held to affect or prejudice the rights or interests if any which the Parish of St. Andrew may now have in the said Church of St. Andrew.

Ordinance not to interfere with assigning Ecclesiastical District.

3.—Nothing contained in this Ordinance shall prevent the Bishop of the Diocese if he shall so see fit from assigning to the Cathedral an Ecclesiastical District under the pastoral superintendence of the Dean of Sydney for the time being and to be represented in the Synod of the Diocese by the Dean and Lay-members elected in the usual manner Provided nevertheless that the Inhabitants of any such District shall not acquire any special rights in or any control over the Cathedral.

CATHEDRAL.

Name of Cathedral.

4. The Cathedral shall be called or known by the name of “The Cathedral Church of St. Andrew Sydney” and shall be held to be the Parish Church of the entire Diocese.

General Government.

5.—The general management and government of the Cathedral shall be vested in a body of persons to be called “The Chapter of the Cathedral Church of St. Andrew Sydney” without prejudice however to the right of the Bishop of the Diocese to use the Cathedral for Ordinations and on all other occasions appointed by him and to officiate and preach in the Cathedral as he may at any time see fit.

Cathedral Property vested in Bishop.

6.—The fabric and site of the Cathedral and all lands property monies and revenues belonging to the Cathedral shall be vested in the Bishop of the Diocese as Trustee subject to the control of the Chapter as hereinafter provided.

CHAPTER.

Constitution of Chapter.

7.—The Chapter shall consist of fifteen members namely, The Bishop of the Diocese for the time being, The Dean of Sydney for the time being appointed by the Bishop, the Chancellor of the Diocese for the time being appointed by the Bishop, Six Canons being licensed, Clergymen of the Diocese in the Holy Order of Priesthood resident within the Diocese and appointed and elected as hereinafter provided, and Six Laymen being communicants of the United Church of England and Ireland resident within the Diocese and elected by the Synod of the Diocese as hereinafter provided.

President.

8.—The Bishop shall be President of the Chapter and the Dean shall act as President in the absence of the Bishop.

Declaration to be signed by Members.

9.—Every member of the Chapter shall on the first occasion of his being present at a meeting of the Chapter and before taking part in the business of the meeting sign the following Declaration :—

“I, A. B., do hereby solemnly promise that I will duly observe and “keep the Rules and Regulations of this Church so far as they affect me “as a member of the Chapter and in all other particulars.”

Quorum.

10.—Four members of the Chapter, two Clerical and two Lay, shall form a quorum and at all meetings of the Chapter the Senior Canon present shall in the absence of the Bishop and Dean act as President. The President shall have a vote as a member of the Chapter but shall not have any second or casting vote.

Powers of Chapter generally.

11.—The Chapter shall have power from time to time as occasion may require to make Rules and Regulations upon and in respect of all matters and things concerning the order and good government of the Cathedral and the management and disposal of all Cathedral property monies and revenues subject however to any specific trust by which the same may be affected and shall also from time to time as occasion may require make Rules and Regulations for the performance conduct and arrangement of the services in the Cathedral.

Conduct of Business.

12.—The Chapter may from time to time as occasion may require make rules for the conduct of all business coming before it and for trying the validity of the election of any Canon and for securing the filling up by appointment or election in the manner hereinafter provided of any vacancy which may occur in the Chapter.

Salaries of Officers.

13.—The Chapter shall from time to time regulate the amount of the salaries of all Officers of the Cathedral hereinafter specified and shall have power to suspend or dismiss any Officer of the Cathedral for any cause which in the opinion of the Chapter shall warrant such suspension or dismissal.

Annual Accounts.

14.—The Chapter shall annually lay before the Synod of the Diocese an account of receipts and expenditure.

CANONS.*Canons how appointed and elected.*

15.—There shall be six Canons, three of whom shall be appointed by the Bishop and three elected by the Clergy of the Diocese in manner hereinafter provided. The two now existing Canons shall be considered as having been already appointed and elected by the Bishop and Clergy respectively. And the first vacancy which shall occur in the Chapter in connexion with either of

the two now existing Canons shall be considered as occurring in connexion with a Canon appointed by the Bishop. The Canons shall take rank as among themselves according to the date of their appointment or election and when two or more Canons shall be appointed or elected at the same time the Canons so appointed or elected shall take rank according to their seniority as Clergymen of the Diocese and every Canon shall unless becoming disqualified as hereinafter provided hold his office for life.

Disqualification.

16.—A Canon shall become disqualified by being absent from the Diocese for three months in succession without the permission of the Bishop or by ceasing to hold a license as a Clergyman of the Diocese or by such a violation of the Rules and Regulations of the Cathedral as shall in the opinion of two-thirds of the Chapter render him unfit to continue to act as a member of the Chapter.

Election of Canons. Preliminary proceedings.

17.—For electing Canons the Dean shall by the direction of the Bishop and in such manner and for such place and time (being not less than fifteen days from the date of the summons) as to the Bishop shall seem convenient summon a Meeting of the licensed Clergy of the Diocese being in the Holy Order of Priesthood and having a separate cure of souls within the Diocese together with the Warden of St. Paul's College within the University of Sydney And the Dean or in his absence some Clergyman in Priest's Orders appointed by him in writing shall preside as Chairman at all Meetings or Adjourned Meetings for the election of Canons but the Chairman shall not have any vote except in the case hereinafter specially provided.

Meeting and Adjourned Meeting.

18.—So soon as fifteen Clergymen together with the Chairman shall be present at the time and place mentioned in the summons the Meeting may proceed to business but if fifteen Clergymen and the Chairman are not present within half an hour after the time appointed the Meeting shall stand adjourned for fourteen days, the hour for the Adjourned Meeting being the same as that for which the Meeting was summoned, and so soon as at such Adjourned Meeting twelve Clergymen and the Chairman are present the Meeting may proceed to business but if twelve Clergymen and the Chairman are not present within half an hour after the time appointed the election of the Canon or Canons for which the Meeting was originally summoned shall lapse and the Bishop shall appoint such Canon or Canons as the case may be. And any Canon or Canons so appointed shall be considered as a Canon or Canons elected by the Clergy.

19.—In case of the Meeting or Adjourned Meeting proceeding to business if the number of persons proposed for election does not exceed the number which the Meeting is authorized to elect the Meeting may elect the person or persons so proposed accordingly.

Mode of Voting.

20.—In case of the Meeting or adjourned Meeting proceeding to business if the number of persons proposed for election shall exceed the number which the Meeting is authorized to elect, the Chairman shall adjourn or further adjourn the meeting as the case may be to such day as to him may seem convenient being not less than fifteen days from the date of such adjournment and the Dean shall forthwith transmit to every Clergyman summoned as aforesaid a list of the names of the persons proposed for election together with a notice of the day to which the Meeting has been adjourned as aforesaid and each Clergyman if he desires so to vote shall thereupon transmit to the Dean under a sealed cover a statement in writing signed by him indicating the person or persons in favour of whom he desires to give his vote.

Final Meeting.

21.—On the day to which the Meeting has been so adjourned as aforesaid and so soon as five Clergymen are present at the Meeting the Chairman shall in the first place take in writing the votes of the Clergymen present who have not given their votes in writing as hereinbefore provided and shall then lay before the Meeting unopened the sealed papers received from Clergymen under the provision hereinbefore contained. These papers shall then be opened and shall be received as the votes of those whose signatures are attached to them and the person or persons who has or have the majority of votes shall be deemed to be duly elected as a Canon or Canons of the Cathedral and the Dean shall in the case of every election transmit through the Bishop to the Chapter a certificate in writing of such election.

Proceedings void, when.

22.—If on the day to which the Meeting has been so adjourned as aforesaid five Clergymen are not present within half an hour after the time appointed all the proceedings taken for electing the Canon or Canons as the case may be shall be void.

Chairman's Casting Vote.

23.—If in any case the votes given for any two or more persons shall be equal the Chairman shall give a casting vote.

LAY MEMBERS.

How elected.

24.—Six Laymen qualified as hereinbefore mentioned shall be elected as Members of the Chapter by the Synod of the Diocese, the Clergy and Representative Members of the Synod for this purpose voting collectively. The Lay Members of the Chapter shall take rank as among themselves according to the date of their election and when two or more Lay Members are elected at the same time the Lay Members so elected shall take rank in such order as the Synod shall at the time of election determine and every Lay Member shall unless becoming disqualified as hereinafter provided hold his office for six years.

Disqualification.

25.—A Lay Member shall become disqualified by being absent from the Diocese for three months in succession without the permission in writing of the Chapter or by the commission of any act which in the opinion of two-thirds of the Chapter notified to him in writing signed by them shall render him unfit to continue to act as a member of the Chapter, and he shall thereupon cease to hold office and the Chapter shall report to the next meeting of the Synod the vacancy caused by such disqualification.

OFFICERS.

Cathedral Officers.

26.—There shall be attached to the Cathedral the following Officers, namely, a Præcentor who shall be a Clergyman and be appointed by the Chapter, Minor Canons not exceeding four in number who shall be Clergymen and be appointed by the Chapter, an Organist who shall be appointed by the Chapter, Choristers who shall be appointed by the Præcentor, such other Officers as the Chapter may from time to time consider requisite for the due management of the Cathedral.

Control of Chapter.

27.—All Officers of the Cathedral shall in respect of the performance of their duties be subject to the general superintendence and control of the Chapter.

PRÆCENTOR.

Duties of Præcentor.

28.—The Præcentor shall lead the Choir and superintend the choral services, select and remove Choristers and supply vacancies in the Choir superintend the musical instruction of the Choristers and be responsible for the safe keeping of all books and music used by the Choir. He shall also, subject to the approval of the Chapter, select the choral services and the music to be used in the Choir.

Member of Chapter may be Præcentor.

29.—A member of the Chapter may be appointed Præcentor and such appointment shall not affect his position as a member of the Chapter.

MINOR CANONS.

Duties of Minor Canons.

30.—The duty of the Minor Canons shall be to assist the Bishop Dean or Canons in the performance of such services as may be prescribed and arranged by the Chapter.

ORGANIST.

Duties of Organist.

31.—The Organist shall play the Organ on all occasions when required so to do by the Præcentor and also on all other occasions when the Organ shall be required to be used. He shall have charge of the Organ and be

responsible for its safe keeping and also for the preservation of all Cathedral property connected with the Organ. He shall also under the superintendence of the Præcentor give such musical instruction to the Choristers as the Præcentor may direct.

CHORISTERS.

Duties of Choristers.

32.—The Choristers shall in all respects be under the control of the Præcentor and shall be subject to such Rules and Regulations as the Præcentor shall with the approval of the Chapter from time to time prescribe.

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

13th August, 1868.

WM. BARKER,
Chairman of Committees.

I certify that this Ordinance was passed by the Synod on the 13th day of August, 1868.

H. A. PALMER,
Secretary to the Synod.

Passed the Synod 13th August, 1868.

F. SYDNEY.

Assented to—13th August, 1868.

F. SYDNEY.