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*The Council for the Promotion of Sydney  
Church of England Diocesan Schools Ordinance 1947*

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No. 14, 1947.

AN ORDINANCE to amend the Board of Education Ordinance of 1919; to confirm the establishment of and provide a constitution for the body known as the Council for the Promotion of Sydney Church of England Diocesan Schools; and for purposes connected therewith.

WHEREAS by Section 2 of the Board of Education Ordinance of 1919, it is provided that the functions of the Board of Education of the Diocese of Sydney shall be the promotion of Educational work in accordance with the purposes of the Church of England within the Diocese of Sydney by such means as the Board shall think expedient including (inter alia) as provided by paragraph (a) of such section "Assisting the acquisition, establishment and maintenance of Schools."

AND WHEREAS subsequent to the passing of the said Ordinance the Standing Committee of the Synod of the Diocese of Sydney appointed certain persons to act as a body for certain purposes including purposes similar to those set forth in the said paragraph (a) of Section 2 of the said Ordinance.

AND WHEREAS the said Board of Education by resolution made on the eleventh day of August 1944 recognised and adopted the said body as exercising its functions for and on behalf of the said Board.

AND WHEREAS the said body became and is now known as the Council for the Promotion of Sydney Church of England Diocesan Schools and it has acquired and holds certain assets intended to be used in aid and furtherance of the purposes mentioned in the second recital of this preamble.

AND WHEREAS it is expedient that the said Council should now be constituted by Synod by the name, and with the powers and subject to the provisions hereinafter set forth and should hold and use the said assets in manner hereinafter declared.

Now therefore the Synod of the Diocese of Sydney ORDAINS AND DECLARES as follows:—

1. Paragraph (a) of Section 2 of the Board of Education Ordinance of 1919 is hereby repealed but such repeal shall not affect any matter or thing done under or pursuant to such Ordinance.

2. The establishment and work of the said body known as The Council for the Promotion of Sydney Church of England Diocesan Schools (hereinafter called the Council) is hereby confirmed

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but henceforth it shall be constituted with the powers and functions and subject to the provisions hereinafter set forth.

3. The members of the Council shall be the Archbishop of Sydney for the time being who shall be President and sixteen other persons appointed by Synod as herein provided of whom eight shall be clergymen and eight shall be laymen or women provided that not more than four women may be members at any one time, and two persons appointed by the Archbishop of whom one shall be a clergyman and one a layman. During the absence of the Archbishop from the said State his Commissary and during a vacancy in the See or the incapacity of the Archbishop the Administrator of the Diocese shall be ex officio a member of the Council and Acting President thereof.

4. The first members of the Council appointed by Synod other than the Archbishop of Sydney shall be Ven. S. M. Johnstone, Rev. O. W. Cooper, Rev. C. K. Hammond, Rev. C. E. Hulley, Rev. J. R. L. Johnstone, Rev. E. Parsons, Rev. A. W. Prescott, Rev. J. Price, Messrs. P. Beaumont, R. J. Cashman, A. B. Kerrigan, L. E. Lyons, N. W. Moin, J. Williams, Dr. R. Winton, Dr. A. Distin Morgan.

5. A Chairman may be appointed by the Council from among its members who shall in the absence of the President or Acting President preside at all meetings of the Council and in the absence of the President or Acting President and of the Chairman the members present shall from amongst their number elect a Chairman of the day.

6. At meetings of the Council five members shall form a quorum. The Chairman or Chairman of the day shall have a deliberative but not a casting vote. In case of an equality of votes the President or Acting President shall have a casting vote in addition to his deliberative vote.

7. At each ordinary session of Synod four of the members of the Council (two of whom shall be clergymen and two laymen or women) appointed by Synod shall retire from office but shall be eligible for re-appointment. Such members shall retire in rotation according to the length of their time in office, provided that where members have held office for an equal duration of time the member or members to retire shall be determined by ballot taken amongst such members.

8. The Schools set forth in the Schedule hereto and all persons appointed by or holding any office under the said Council before the passing of this Ordinance shall be subject to the provisions of

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this Ordinance and all property of the Council before the passing of this Ordinance shall be administered by the Council constituted hereunder and all property under the control of the Council before the passing of this Ordinance shall be under the control of the Council as constituted hereunder.

9. The Council shall control manage and carry on the said Schools and may promote acquire and establish other schools and control manage and carry on the same and may make such arrangements financial or otherwise for the benefit development extension and improvement of all its Schools and the assets thereto belonging and generally order and conduct the affairs of the same as the Council may from time to time think fit, provided that any syllabus of Religious Instruction shall be approved by the Board of Education of the Diocese of Sydney. And without limitation to the general powers hereinbefore conferred the said Council may invest moneys in hand from time to time in the purchase or lease of real and personal estate or in any other manner it may deem fit and make arrangements for the use of land and premises for the purposes of its Schools or otherwise for its work and any interest in any real estate acquired by the Council by purchase or otherwise may at the request of the Council be taken and held as Church trust property by the Church of England Property Trust Diocese of Sydney or by any person or persons as the Council may determine and the Council may borrow moneys and/or charge the said assets or any part or parts thereof to secure payment of such moneys and interest thereon and in respect of any real estate the said Church of England Property Trust Diocese of Sydney shall give effect to any such charge by way of legal mortgage or otherwise and the Council may regulate all matters in connection with the order and discipline of such Schools and may manage the property and finances of the said Council and its Schools in the manner which to it may appear expedient for the benefit of any one or more of them.

10. All moneys derived by the Council from the conduct of such Schools or otherwise obtained shall be applied in furtherance of the functions of the Council or for the benefit of such Schools or any of them including the insurance of persons employed by the Council or the granting or making provision for retiring allowances or pensions for such persons.

11. 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 from time to time and may appoint and/or employ such officers and committees as it may deem

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necessary. The Council may include on such committees persons who are not members of the Council.

12. Every person who is or has been a member of the Council shall be indemnified out of the assets for the time being under the control of the Council against all loss or liability which he or she may incur by reason of such membership.

13. The Council shall undertake and pay all expenses of and incidental to the acquisition establishment and conduct of the Schools set forth in the Schedule not yet paid and all liabilities in connection therewith and the expenses incurred in respect of this Ordinance.

14. The Council may in the exercise of the powers or the performance of any of the duties or functions herein mentioned by resolution authorise any person or persons to do any act or sign or execute any document on its behalf.

15. The Council shall at least once in every year and also whenever a resolution shall be passed and communicated to it by the Synod or Standing Committee of the Synod of the Diocese of Sydney in that behalf report its proceedings and the progress and condition of its activities and of its Schools or any of them to the Synod or Standing Committee and present a statement of receipts and expenditure and a balance sheet duly audited showing the financial position of the Council.

16. This Ordinance may be cited as "The Council for the Promotion of Sydney Church of England Diocesan Schools Ordinance 1947".

SCHEDULE

Name of School	Carried on at
Arden Church of England School .....	Beecroft
Tara Church of England School .....	Parramatta
St. Martin's Church of England School	Kensington
St. Paul's Kindergarten .....	Wahroonga

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

R. C. ATKINSON,  
Chairman of Committees.

We certify that this Ordinance was passed this fourth day of December, 1947.

S. H. DENMAN, A. L. BLYTHE,  
Secretaries of Synod.

I assent to this Ordinance.

5th December, 1947.

HOWARD SYDNEY.