

*St. Andrew's Cathedral.*

21 1902

AN ORDINANCE to amend and consolidate the Ordinances regulating the Constitution of the Chapter of St. Andrew's Cathedral.

(Assented to 23 September, 1902.)

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 State of New South Wales and of all other powers vested in the said Synod ordains and rules as follows:—

## PRELIMINARY.

*Short Title.*

1. This Ordinance may be cited as "The Cathedral Ordinance of 1902."

*Repeal.*

2. The Provisions of the Cathedral Ordinance of 1868 and of the Cathedral Ordinance Amendment Ordinance of 1876 and of the Cathedral Chapter Ordinance of 1885 and of the Cathedral Chapter Amendment Ordinance of 1893 are hereby repealed.

3. Such repeal shall not affect or invalidate any act done or appointment made under or by virtue of any of the Ordinances hereby repealed, and all persons appointed thereunder and holding office at the passing of this Ordinance shall remain in office as if this Ordinance had been in force at the time they were appointed, and they had been appointed thereunder and this Ordinance shall apply to them accordingly.

## CATHEDRAL.

*Name.*

4. The Cathedral shall be called or known by the name of "The Cathedral Church of St. Andrew Sydney"

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*St. Andrew's Cathedral.*

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and shall be held to be the Parish Church of the entire Diocese.

*Assigning Ecclesiastical District to the Cathedral.*

5. Nothing contained in this Ordinance shall prevent the Archbishop of Sydney as 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.

*General Government.*

6. 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 Archbishop of Sydney 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.

7. The Dean shall be appointed by the Archbishop of Sydney subject to the concurrence of the Chapter.

*Rights of the Dean.*

8. Subject to limitations and powers stated in this Ordinance and to the Rules and Regulations for the time being in force thereunder and to the rights hereby conferred on the Archbishop of Sydney the Dean shall have free access and admission into the Cathedral at all such times as he shall think fit and may celebrate Divine Service administer the Sacraments and perform all other Rites and Ordinances of the United Church of England and Ireland within the State of New South Wales therein without any hindrance from any person

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*St. Andrew's Cathedral.*

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whomsoever and shall for such purposes have keys of the Cathedral and he shall freely have use possess and enjoy the Deanery the garden and appurtenances thereof. Provided that in case he shall cease to hold the office of Dean he shall thereupon *ipso facto* forfeit and be absolutely deprived of all and singular his rights in or respecting the said Cathedral Deanery garden and appurtenances thereof.

*In whom Cathedral Property vested.*

9. The fabric and site of the Cathedral and Deanery and all lands and property together with the revenues therefrom belonging to the Cathedral which are now held by or vested in any Trustee or Trustees shall with the consent of such Trustee or Trustees be vested in the Church of England Property Trust Diocese of Sydney. And all lands and property together with the revenues therefrom belonging to the Cathedral and not vested in any Trustee or Trustees shall be and the same are hereby vested in the said Trust subject nevertheless to the control of the Chapter as hereinafter provided.

CHAPTER.

*Constitution of Chapter.*

10. The Chapter shall consist of The Archbishop of Sydney The Dean The Chancellor of the Diocese The Precentor eight Canons being licensed Clergymen of the Diocese in the Holy Order of Priesthood and resident in the Diocese to be appointed and elected as hereinafter provided and nine Laymen being communicants of the United Church of England and Ireland resident within the Diocese to be elected by the Synod as hereinafter provided.

*Vacation of seat by fresh appointment*

11. Whenever any member of the Chapter shall accept any other office or appointment except that of Pre-

*St. Andrew's Cathedral*

centor to which a seat in the Chapter is attached the seat previously held by him shall *ipso facto* be vacated and the vacancy thus created shall be filled up according to the circumstances of each such case.

*President.*

12. The Archbishop of Sydney shall be President of the Chapter and the Dean shall act as President in the absence of the Archbishop of Sydney. Should both be absent from any meeting the members present shall elect a President for such meeting.

*Declaration to be signed by Members.*

13. 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 for the time being in force and affecting me as a member of this Chapter.”

*Quorum.*

14. Six members of the Chapter three Clerical and three Lay shall form a quorum. 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.*

15. 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 properties moneys 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 con-

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*St. Andrew's Cathedral.*

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duct and arrangement of the Services in the Cathedral and for the duties to be performed by the Canons and Lay members of the Chapter and the officers of the Cathedral.

*Conduct of Business.*

16. The Chapter may from time to time make rules for the conduct of all business coming before it and for determining 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.*

17. 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.*

18. The Chapter shall annually lay before the Synod of the Diocese an account of receipts and expenditure made up to 31st of March.

## CANONS.

*Canons how appointed and elected.*

19. There shall be eight Canons of whom three shall be appointed by the Archbishop of Sydney three shall be elected by the Clergy of the Diocese in manner hereinafter provided and two shall be elected by the Clergy summoned and Lay Representatives to the Synod in the manner following that is to say the Dean shall summon in writing a meeting of such Clergy and Lay Representatives and the method of nomination and election shall so far as the same can be applied be the same as is herein-

*St. Andrew's Cathedral.*

after provided for the election of Canons by Clergymen and for this purpose the words Clergy, and' Clergymen in Clauses twenty-two to twenty-eight inclusive shall be taken to mean and include the said Clergy summoned and Lay Representatives to the Synod. 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 hold his office for life unless he resign or his seat be vacated or he become disqualified as hereinafter provided.

20. The Stipends attached to the Canonries respectively shall be received by the present recipients thereof so long as they shall remain members of the Chapter and on any vacancy arising shall be held by the three Senior Canons in order of seniority.

*Disqualification.*

21. A Canon shall become disqualified by being absent from the Diocese for three months in succession without the permission of the Archbishop or by ceasing to hold a license as a Clergyman of the Diocese or unless with the approval of the Chapter through failure by physical inability to perform the usual duties of a Canon for twelve months in succession or by such a violation of the Rules and Regulations of the Chapter as shall in the opinion of two-thirds of the Chapter notified to him in writing signed by them render him unfit to continue to act as a member of the Chapter.

*Election of Canons. Preliminary proceedings*

22. For electing Canons the Dean shall by the direction of the Archbishop of Sydney or if the Archbishop be absent or the See be vacant then by the direction of

*St. Andrew's Cathedral.*

the Administrator of the Diocese 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 Archbishop of Sydney or the Administrator shall seem convenient summon a meeting of the Clergy being in the Holy Order of Priesthood being licensed Clergy of the Diocese and having a separate cure of souls within the Diocese together with the Warden of St. Paul's College within the University of Sydney the Principal of Moore College the Precentor of the Cathedral the Head Master of The King's School and the Ministers in Charge of Conventional and Mission Districts and all Clergymen who holding the Archbishop's general license have at any former time been licensed to a separate cure of souls in the Diocese. And the Dean 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. Should the Dean be unable to act from any cause whatsoever or should such office be vacant it shall be lawful for the Archbishop of Sydney or the Administrator of the Diocese to appoint in writing one of the licensed Clergyman aforesaid to fulfil the duties imposed in this respect upon the Dean by this and the following clauses.

*Meeting and adjourned meeting.*

23. 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

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*St. Andrew's Cathedral.*

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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 Archbishop of Sydney shall appoint such Canon or Canons as the case may be (who shall be considered as a Canon or Canons elected by the Clergy) or shall direct a fresh election to be held and meeting called in manner hereinbefore prescribed.

24. 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 authorised to elect the meeting may elect the person or persons so proposed accordingly .

*Mode of voting.*

25. 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 authorised 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 ballot paper containing 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 or as the case may be to the licensed Clergyman appointed as aforesaid to fulfil the duties of Dean under a sealed cover the aforesaid ballot paper indicating the person or persons in favour of whom he desires to give his vote.



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*St. Andrew's Cathedral.*

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*Final Meeting.*

26. 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 ballot papers received from Clergymen under the provisions hereinbefore contained. These papers shall then be opened 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 Archbishop of Sydney to the Chapter a certificate in writing of such election:

*Proceedings void, when.*

27. 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.*

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

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**LAY MEMBERS.***How elected.*

29. The 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 them-

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*St. Andrew's Cathedral.*

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selves 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 elected Lay Member shall unless becoming disqualified as hereinafter provided hold his office for six years or if at the end of that term the Synod of the Diocese be not in Session then until the Session of the Synod next ensuing.

*Disqualification.*

30. An elected Lay Member shall become disqualified by being absent from the meetings of the Chapter for six 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. In the event of any vacancy being caused in the number of elected Lay Members of the Chapter through death resignation or disqualification then if the Synod be not in Session the remaining members of the Chapter may proceed to fill such vacancy by the election of a duly qualified Layman who shall hold office until the Session of the Synod next ensuing.

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OFFICERS.

*Cathedral Officers.*

31. There shall be attached to the Cathedral the following Officers namely a Precentor who shall be a Clergyman in Priest's Orders and be appointed by the Chapter as many Minor Canons being Clergymen not exceeding

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*St. Andrew's Cathedral.*

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four in number as may be appointed by the Archbishop of Sydney with the concurrence of the Chapter an Organist who shall be appointed by the Chapter Choristers who shall be appointed by the Precentor and such other officers as the Chapter may from time to time consider requisite for the due management of the Cathedral.

*Control of Chapter.*

32. 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.

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PRECENTOR.

*Duties of Precentor.*

33. Without prejudice to any Rules and Regulations made by the Chapter the Precentor shall train 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.

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MINOR CANONS.

*Duties of Minor Canons.*

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

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ORGANIST.

*Duties of Organist.*

35. The Organist shall play the Organ on all occa-

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*St. Andrew's Cathedral.*

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sions when required to do so by the Precentor and also on all other occasions when his services shall be required. 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 Precentor give such musical instruction to the Choristers as the Precentor may direct.

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**CHORISTERS.***Duty of Choristers.*

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

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