

Abbotsleigh Amendment Ordinance 1992

No 46, 1992

An Ordinance to amend the Abbotsleigh Ordinance 1924-1981.

Whereas it is expedient to amend the Abbotsleigh Ordinance 1924-1981 (the "Principal Ordinance").

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

1. This Ordinance may be cited as the "Abbotsleigh Amendment Ordinance 1992".
2. The first paragraph of clause 3 of the Principal Ordinance is to be deleted and the following new paragraph inserted instead -

"The members of the Council shall (subject to clause 10) be the Archbishop of Sydney for the time being and fourteen (14) other persons of whom nine (9) persons, namely, two (2) clergymen, four (4) laymen and three (3) laywomen shall be appointed by the Synod and three (3) women shall be appointed by the Abbotsleigh Old Girls' Union from amongst its members so long as the Union exists and consists of not less than forty (40) financial members and two (2) persons shall be appointed by the other members of the Council provided always that in the absence from the State or the incapacity of the Archbishop or during the vacancy of the See the Administrator of the Diocese shall be deemed to be an ex-officio member of the Council."

3. In the first line of the third paragraph of clause 3 of the Principal Ordinance, the words and figures "seventeen (17)" are to be deleted.
4. In the first sentence of clause 6 of the Principal Ordinance, the word "seven" is to be deleted and the word "six" is to be inserted instead.
5. Clause 7 of the Principal Ordinance is to be deleted and the following new clause is to be inserted instead -

"7.(1) A member of the Council ceases to be a member of the Council if the member -

- (a) dies;
- (b) resigns by written notice given to the Secretary of the Council or, in the case of a person appointed by the Synod, given to the Diocesan Secretary;
- (c) becomes bankrupt or makes an arrangement or composition with his creditors generally;
- (d) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
- (e) ceases to hold any qualification for office.

(2) A member of the Council also ceases to be a member of the Council if -

- (a) in the case of a member appointed by the Synod - the Synod or the Standing Committee of the Synod, by resolution, declares that the office of that member shall become vacant;
- (b) in the case of a member appointed by the Abbotsleigh Old Girls' Union - if two-thirds of the Committee of that Union, by resolution, declares that the office of that member shall become vacant; and
- (c) in the case of a member appointed by the Council, if three-fourths of the members of the Council, by resolution, declare that the office of that member shall become vacant.

(3) A member of the Council also ceases to be a member upon the twelfth anniversary of his/her first appointment to the Council provided that if a member of the

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Council is the Chairman of the Council on the twelfth anniversary of his/her first appointment to the Council as a member he/she may remain a member of the Council while serving as Chairman of the Council up to a maximum of fifteen years from the date of his/her first appointment as a member of the Council.

(4) Subclause (3) shall not apply to those who are members of the Council on 1 December 1992. However, their membership ceases at the time when they would otherwise be eligible for reappointment next after the twelfth anniversary of their first appointment to the Council provided that if such a member of the Council is the Chairman of the Council on the twelfth anniversary of his/her first appointment to the Council as a member he/she may remain a member of the Council while serving as Chairman of the Council up to a maximum of fifteen years from the date of his/her first appointment as a member of the Council."

6. Subclause (2) of clause 8 of the Principal Ordinance is to be deleted and the following new sub-clause is to be inserted instead -

"(2) Until the number of clergymen appointed by the Synod has been reduced to less than two, neither the Synod nor the Standing Committee shall appoint a clergyman to replace a clergyman who has ceased to be a member of the Council. Until the number of laymen appointed by the Synod has been reduced to less than four neither the Synod nor the Standing Committee shall appoint a layman to replace a layman who has ceased to be a member of the Council. Until the number of laywomen appointed by the Synod has been reduced to less than three neither the Synod nor the Standing Committee shall appoint a laywoman to replace a laywoman who has ceased to be a member of the Council. Until the number of Abbotsleigh Old Girls' Union appointees has been reduced to less than three, the Abbotsleigh Old Girls' Union shall not appoint one of its members to replace one of its members who has ceased to be a member of the Council."

7. Subclauses (1), (2), (3) and (4) of clause 10 of the Principal Ordinance are to be deleted and the following new sub-clauses are to be inserted instead -

"(1) The provisions of clause 3 shall not affect the Council membership of the clergymen, laymen, laywomen and Abbotsleigh Old Girls' Union appointees who are members of the Council on 1 December 1992.

(2) If there are three clergymen on the Council on the first day of the ordinary session of the Synod held in 1993, one of them shall retire as a member of the Council.

(2A) If there are five laymen on the Council on the first day of the ordinary session of the Synod held in 1993, one or two of them (as shall reduce the number of laymen on the Council to four) shall retire as members of the Council.

(2B) If there are four laywomen on the Council on the first day of the ordinary session of the Synod held in 1996, one of them shall retire as a member of the Council.

(2C) If there are four Abbotsleigh Old Girls' Union appointees on the Council on the day of the Union's Annual General Meeting in 1994, one of them shall retire as a member of the Council.

(3) At the ordinary session of the Synod in 1994 and in each fourth year after that year, four members of the Council appointed by the Synod, namely -

- (a) one clergyman;
- (b) two laymen; and
- (c) one laywoman,

shall retire from office as a member of the Council.

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(4) At the ordinary session of the Synod in 1996 and in each fourth year after that year, five members of the Council appointed by the Synod, namely -

- (a) one clergyman;
- (b) two laymen; and
- (c) two laywomen,

shall retire from office as a member of the Council.

(4A) The provisions of subclauses (3) and (4) shall not apply to laywomen on the Council until such time as the number of laywomen on the Council has been reduced to less than four."

8. Clause 11 of the Principal Ordinance is to be deleted and the following new clause is to be inserted instead -

"Members of the Council appointed by the Abbotsleigh Old Girls' Union shall each hold office for a period of four years. Each member so appointed shall retire from office at the end of her four year term but, subject to any rule or policy which the Abbotsleigh Old Girls' Union may adopt, shall be eligible for re-appointment."

9. In clause 21 of the Principal Ordinance, the matter "-1981" is deleted.

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

N.M. Cameron
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 23rd day of November 1992.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

Donald Robinson
Archbishop of Sydney
23/11/1992