

# Anglican Education Commission Ordinance 2006

No 39, 2006

## Long Title

An Ordinance to constitute and define the object and powers of the Anglican Education Commission Diocese of Sydney and for related purposes.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

## Part 1 - Preliminary

### 1. Name

This Ordinance is the Anglican Education Commission Ordinance 2006.

### 2. Interpretation

(1) In this Ordinance –

“Archbishop” means the Archbishop of the Diocese or in his absence his Commissary or if the See is vacant the Administrator of the Diocese.

“Commission” means the Anglican Education Commission Diocese of Sydney.

“Executive Director” means the person appointed as Executive Director under clause 14.

“Synod” means the Synod of the Diocese.

(2) In this Ordinance –

- (a) headings are used for convenience only and do not affect the interpretation of this Ordinance,
- (b) references to any legislation or to any section of any legislation include any modification or re-enactment of it and any legislation substituted for it,
- (c) a reference to a clause is a reference to a clause of this Ordinance,
- (d) words denoting the singular include the plural and vice versa,
- (e) words referring to any gender include both genders.

## Part 2 – Constitution, Object and Powers

### 3. Constitution

The Commission is constituted with the object and powers set out in this Ordinance.

### 4. Object

(1) The object of the Commission is to promote the Christian faith through religious and general education within the Diocese in accordance with the Fundamental Declarations and Ruling Principles of the Anglican Church of Australia.

(2) The Commission is to fulfil its object by such means as the Commission considers expedient including –

- (a) development of diocesan education policies as required by the Synod or the Standing Committee,
- (b) support of Anglican schools, parishes and organisations in faith development through their educational endeavours,
- (c) recruitment and encouragement of Christians into the teaching profession and the provision of career advice,
- (d) provision for the training and development of Christian educators and leaders in both government and non-government schools,
- (e) provision for training in Christian and General Religious Education in both government and non-government schools in the primary and secondary sectors, and within the tertiary sector,
- (f) study and research in religious and general education,
- (g) preparation of Christian educational resources,

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- (h) provision of resources and support for parents and their children in the choice of educational pathways,
- (i) support for Special Religious Education in government schools,
- (j) development of criteria for the official recognition of schools as Anglican schools,
- (k) representation to Government and statutory authorities concerning issues in education,
- (l) representation of the Diocese on the Anglican Provincial Commission on Christian Education, the Inter-Church Commission on Religious Education in Schools and other education-related inter-church and inter-faith bodies.

### **5. Powers**

The Commission has power to do all things necessary and desirable to fulfil its object and, without limiting the generality of the foregoing, may –

- (a) acquire property by purchase, donation or otherwise,
- (b) use any money paid to or properly vested in the Commission,
- (c) enter into contracts, employ persons and do all things that are necessary or incidental to fulfilling its object,
- (d) open and operate bank accounts and determine the persons by whom cheques and other banking documents shall be signed or endorsed, and
- (e) raise or borrow money for the purposes of the Commission provided that a resolution of the Commission to borrow must be approved by resolution of the Standing Committee before action is taken upon it.

## **Part 3 – Membership**

### **6. President**

The Archbishop is the President of the Commission.

### **7. Membership**

The members of the Commission are –

- (a) 6 persons elected by the Synod,
- (b) 3 persons appointed by the Archbishop, 2 of whom are to be Heads of Anglican schools,
- (c) 1 person appointed by the Moore Theological College Council,
- (d) 1 person appointed by the Sydney Anglican Schools Corporation, and
- (e) 1 person appointed by the Commission.

### **8. Term of office of members**

(1) Subject to clauses 9 and 10, 2 members of the Commission elected by the Synod are to retire on the first day of each ordinary session of the Synod.

(2) The members of the Commission to retire under subclause (1) are those who have held office the longest since last being elected but, in the case of competition, is to be determined by the members concerned. If those members cannot agree, the order of retirement is to be determined by lot.

(3) Subject to clause 9, a member of the Commission appointed by the Archbishop under clause 7(b) holds office until the first day of the first ordinary session of the Synod which next follows the appointment provided that the Archbishop may revoke the appointment at any time before that day.

(4) Subject to clause 9, a member of the Commission appointed by the Moore Theological College Council under clause 7(c) holds office until the first day of the first ordinary session of the Synod which next follows the appointment provided that the Moore Theological College Council may revoke the appointment at any time before that day.

(5) Subject to clause 9, a member of the Commission appointed by the Sydney Anglican Schools Corporation under clause 7(d) holds office until the first day of the first ordinary session of the Synod which next follows the appointment provided that the Sydney Anglican Schools Corporation may revoke the appointment at any time before that day.

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(6) Subject to clause 9, a member of the Commission appointed by the Commission under clause 7(e) holds office until the first day of the first ordinary session of the Synod which next follows the appointment provided that the Commission may revoke the appointment at any time before that day.

### **9. Casual vacancies**

(1) A casual vacancy in the office of member of the Commission elected by the Synod under clause 7(a) arises in a circumstance set out in rule 7.1(2) of the Schedule to the Synod Elections Ordinance 2000.

(2) A casual vacancy in the office of member of the Commission appointed by the Archbishop under clause 7(b) arises –

- (a) if the person holding that office resigns by notice in writing to the Archbishop, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i) of the Schedule to the Synod Elections Ordinance 2000) occurs in respect of that person.

(3) A casual vacancy in the office of member of the Commission appointed by Moore Theological College Council under clause 7(c) arises –

- (a) if the person holding that office resigns by notice in writing to the Moore Theological College Council, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i) of the Schedule to the Synod Elections Ordinance 2000) occurs in respect of that person.

(4) A casual vacancy in the office of member of the Commission appointed by Sydney Anglican Schools Corporation under clause 7(d) arises –

- (a) if the person holding that office resigns by notice in writing to the Sydney Anglican Schools Corporation, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i) of the Schedule to the Synod Elections Ordinance 2000) occurs in respect of that person.

(5) A casual vacancy in the office of member of the Commission appointed by the Commission under clause 7(e) arises –

- (a) if the person holding that office resigns by notice in writing to the Commission, or
- (b) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i) of the Schedule to the Synod Elections Ordinance 2000) occurs in respect of that person.

### **10. Filling of casual vacancies**

(1) A casual vacancy in the office of member of the Commission elected by the Synod is to be filled by the Synod, or by the Standing Committee if the Synod is not in session.

(2) A person elected to fill a casual vacancy in the office of the member of the Commission elected by the Synod holds office until the day on which the person whose vacancy he or she fills would have retired had the vacancy not occurred.

## **Part 4 – Meetings of the Commission**

### **11. Chairman of the Commission**

(1) The members of the Commission are to appoint one of their number to be Chairman of the Commission.

(2) The Chairman of the Commission is to be Chairman of meetings of the Commission.

(3) In the absence of the Chairman of the Commission, the meeting is to appoint one of its number then present to be Chairman of the meeting of the Commission.

### **12. Meetings of the Commission**

(1) The Commission is to meet at such time as it may determine, and is to meet at least once in every 3 month period.

(2) A meeting of the Commission may be convened by –

- (a) the President, or
- (b) the Chairman of the Commission, or
- (c) any 4 members of the Commission.

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(3) A quorum for a meeting of the Commission is 5 members.

### **13. Attendance of other persons at meetings of the Commission**

(1) The President may attend any meeting of the members of the Commission and may –

- (a) put before the members any question or proposal for their consideration, or
- (b) express his views on any question or proposal being considered by the members of the Commission.

(2) The Commission may invite any person who is not a member of the Commission to be present at the whole or part of any meeting of the Commission.

## Part 5 – Miscellaneous matters

### **14. Executive Director**

(1) The Executive Director of the Commission is to be appointed by the Archbishop with the agreement of the Commission for such terms and upon such conditions as the Archbishop with the agreement of the Commission thinks fit.

(2) The Executive Director is the chief executive of the Commission and is responsible to the Commission for the implementation of plans and strategies and for the operation and management of the Commission.

### **15. Indemnity**

(1) Subject to subclause (2) each member of the Commission is indemnified out of the assets of the Commission against all loss or liability which a member of the Commission or any of the members of the Commission may have incurred for or on behalf of the Commission and which they or any of them may be subject through being a member of the Commission.

(2) A member of the Commission is not entitled to be indemnified under subclause (1) against any loss or liability caused by the member's own wilful act or neglect .

### **16. Reporting by the Commission**

The Commission must at least once in every year present a report on its proceedings to the Synod and must furnish such other information as may be required from time to time by resolution of the Synod or the Standing Committee.

### **17. Compliance with the Accounts, Audits and Annual Reports Ordinance 1995**

The Commission must comply with the provisions of the Accounts, Audits and Annual Reports Ordinance 1995.

### **18. Commencement**

Except for this clause, this Ordinance commences on 1 January 2007

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

R TONG  
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 December 2006.

R WICKS  
Secretary

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I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
13/12/2006