
The Illawarra Grammar School Ordinance 1958.

No. 27, 1958.

AN ORDINANCE to confirm the establishment of "The Illawarra Grammar School" to provide a constitution for the Council of such School and for purposes connected therewith.

WHEREAS there have been many requests for the establishment of a Church of England School for boys in the Wollongong District over recent years AND WHEREAS certain land more particularly described in the Schedule hereto has now been acquired for the purpose of erecting and conducting such a school thereon AND WHEREAS it is expedient that a Council should now be constituted by Synod for the management conduct and control of such school to be known as "The Illawarra Grammar School" and with the powers and subject to the provisions hereinafter set forth and should hold and use the assets of the School in manner hereinafter declared NOW therefore the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DECLARES as follows:—

1. The acquisition of the land and premises described in the Schedule hereto and the foundation and establishment of the said School are hereby confirmed and adopted.

2. The name of the School shall be "The Illawarra Grammar School", and shall be governed by a Council appointed as hereinafter mentioned.

3. The members of the Council shall be the Archbishop of Sydney for the time being and nine other persons appointed by Synod as herein provided of whom four shall be clergymen and five lay persons, and two persons appointed by the Archbishop of whom one shall be a clergyman and one a lay person, who shall hold office for three years but shall be eligible for re-appointment.

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4. (a) The Archbishop of Sydney for the time being shall be President of the Council. Provided always that in the absence of the Archbishop from the State his Commissary, and failing the appointment of a Commissary or during the vacancy of the See or the incapacity of the Archbishop the Administrator of the Diocese, shall be ex officio a member of the Council and may carry out the powers and functions of the Archbishop under this Ordinance.
- (b) A Chairman may be appointed by the Council from amongst its members who shall in the absence of the President preside at all meetings of the Council and in the absence of the President and of the Chairman the members present shall from amongst their number elect a Chairman of the day.

5. At meetings of the Council five members shall form a quorum. The President or in his absence the Chairman or Chairman of the day shall have a deliberative vote and in case of an equality of votes a casting vote in addition to a deliberative vote.

6. If any member of the Council other than the ex officio member shall have been absent from three consecutive meetings of the Council without leave of the Council the seat of such member shall be vacant if so declared by resolution of the Council.

7. Any member of the Council shall ipso facto cease to be a member if his seat be declared vacant in pursuance of Clause 6 hereof or if he shall resign his seat or if he shall become bankrupt or insolvent or make any assignment for the benefit of his creditors or become a lunatic.

8. Whenever a vacancy shall occur in the said Council among the members elected by the Synod such vacancy shall be filled and the person or persons appointed to fill the same shall hold office in accordance with the provisions of the Casual Vacancies Ordinance 1935.

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9. The first members of the Council, appointed by Synod other than the Archbishop, shall be:—

The Ven. H. G. S. Begbie, Revs. R. R. Gibson, R. F. Gray, J. W. Holmes, Messrs. E. Beale, F. J. Cornally, A. F. Evans, P. T. Swan and D. B. Thompson.

10. At each ordinary session of Synod three of the members of the Council of whom at least one is a Clergyman and one a lay person shall retire from office but shall be eligible for re-appointment. Such members shall retire in rotation according to the length of time of office. Provided that where members have held office for an equal length of time the member or members to retire may be determined by ballot taken amongst the members of the Council.

11. Subject to the provisions of this Ordinance the Council shall manage govern and control the School and without limiting the generality thereof:

- (a) Shall determine the course of instruction to be imparted in the School and all matters in connection with the order and discipline thereof:—
- (b) Shall manage the property and finances of the school;
- (c) May regulate its own proceedings;
- (d) May make rescind or alter regulations;
- (e) May do all such acts and execute all such instruments as it may deem expedient for the purposes of the School;
- (f) May authorise any person or persons to do any act or sign or execute any instrument on its behalf.

12. The Council may invest moneys in hand from time to time in the purchase or lease of real and personal estate or in such other investments as may be authorised under the Investment of Church Trust Property Ordinance 1944 as amended and make arrangements for the use of land and premises for the purposes of the School and any interest in any real estate required by the Council by purchase or otherwise may at the request of the Council be taken and held as Church Trust property by Church of England Property Trust Diocese of Sydney or by any person

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or persons as the Council may determine and the Council may borrow moneys for the purpose of erecting any buildings, laying out grounds, providing furniture and equipment or for any other purposes connected with the said school and/or charge the said assets or any part thereof including the land referred to in the Schedule hereto 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 or other trustee for the time being shall give effect to any such charge by way of legal mortgage or otherwise as the Council may from time to time by resolution direct.

13. The Council shall undertake and pay all expenses of and incidental to the acquisition of the said land to the acquisition establishment and conduct of the said school and the expenses incurred in respect of this Ordinance.

14. All moneys derived by the Council from the conduct of the said School or otherwise obtained for and on behalf of the school shall be applied in furtherance of and for the benefit of the School including the insurance of persons employed by the Council or the granting or making provision for retiring allowances or pensions for such persons.

15. The Council may act notwithstanding any vacancy amongst its members.

16. The said land and other assets shall subject to the trusts upon which they are held be used for the purposes of the School.

17. The members 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 they or any of them may have properly incurred, for and on behalf of the School, and to which they, or any of them, may be subject by reason of his or her being or having been a member of the Council.

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18. The Council shall at least once in every year and also whenever a resolution shall be passed and communicated to it by the Synod of the Diocese of Sydney in that behalf report its proceedings and the progress and condition of the School to the Synod and at the same time present a statement of Income and Expenditure and a Balance Sheet duly audited showing the financial position of the School.

19. The provisions of the School Chapels and Chaplains Ordinance 1954 (No. 39 of 1954) shall apply to this School, as if they were contained in this Ordinance.

20. This Ordinance may be cited as "The Illawarra Grammar School Ordinance 1958."

SCHEDULE.

All that piece or parcel of land situate off Western Avenue West Wollongong, in City of Greater Wollongong, Parish Wollongong and County of Camden containing an area of 5 acres 2 roods $8\frac{1}{2}$ perches or thereabouts being Lot B in Miscellaneous Plan of Subdivision (R.P.) Dealing Number G952759 and being part of the land comprised in Certificate of Title Volume 4835 folio 169 subject to a right of carriageway of variable width leading to Western Avenue from the subject land as created by Grant of Right of Carriageway No. C509348.

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

WALTER S. GEE.

Acting Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 15th day of December, 1958.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

W. G. HILLIARD, Bishop.

Administrator.

15/12/1958.