

CATHEDRAL ORDINANCE, 1902.

Preamble.

WHEREAS it is desirable to amend the Cathedral Ordinance, 1896: Be it therefore enacted by the Bishop, Clergy, and Laity of the Diocese of Grafton and Armidale in Synod assembled as follows:

1. The Cathedral Ordinance 1896 shall be, and the same is hereby repealed except as to every operation already effected by, or act done under the said Ordinance or as to any right, title, obligation or liability already acquired or accrued thereunder except as hereinafter provided.

2. The Cathedral Trust Ordinance 1896 shall be read with and form part of this Cathedral Ordinance.

3. The churches of Christ Church, Grafton, and of St. Peter, Armidale, shall be Cathedral Churches of the Diocese of Grafton and Armidale, and shall be used as such and as the parochial Churches of the parishes of Christ Church, Grafton, and of St. Peter, Armidale, respectively.

4. The right of the Bishop of Grafton and Armidale hereinafter called "The Bishop" to officiate as he may see fit in any church whether consecrated or licensed in the Diocese is hereby acknowledged and confirmed.

5. The Bishop shall, in addition to his ordinary episcopal rights be also the Ordinary of the Cathedral Churches, and may use them for any purpose in fulfilment of his office and may appoint at his discretion any Clerk in Holy Orders to preach therein.

6. The general management and government of the Cathedral Churches in all matters relating to their religious and ecclesiastical affairs shall be vested in a body to be called "The Chapter of the Cathedral Churches of Grafton and Armidale," constituted as hereinafter provided, and hereinafter called "The Chapter."

7. The general management of the financial affairs of each of the Cathedral Churches and of the Parishes hereinbefore mentioned and hereinafter called "The Cathedral Parishes" shall be vested in a body to be called "The Council of the Cathedral Church of Grafton" or "The Council of the Cathedral Church of Armidale" as the case may be constituted as hereinafter provided, and hereinafter called "The Council."

8. The Bishop shall be *ex officio* Dean and shall possess and exercise all the jurisdiction and powers incident to that office.

9. The Chapter is a body of persons the legitimate advisers of the Bishop in things spiritual of which the Bishop is head and shall be the Executive Officer. The Archdeacons of the Diocese and the two Canons Residentiary shall be *ex officio* members of the Chapter which shall further consist of four Clerical Canons, who shall be at the time of appointment or election, licensed clergy of the Diocese and of not less than three years

Trust of Cathedral Churches.

Churches to be Cathedral.

Rights of the Bishop.

Bishop to be Ordinary.

Government in religious matters.

Government in financial matters.

Bishop to be Dean.

Definition and Constitution of Chapter.

standing in the Holy Order of Priesthood and resident within the Diocese, two of whom shall be appointed by the Bishop and two shall be elected by the Synod, and of six Lay Canons who shall be communicants of the Church of England and resident within the Diocese, and shall not belong to any other religious denomination. Upon the passing of this Ordinance and at the first session of each succeeding Synod two of the Lay Canons shall be appointed by the Bishop and four shall be elected by the Synod, and shall hold office until the appointment or election of their successors.

10. When any Clerical Canon shall cease to be licensed in the Diocese, or to reside within the Diocese, or shall be absent from the Diocese for three consecutive months without permission of the Bishop, his Canonry shall thereupon become vacant and he shall cease to hold the office and to have the title of Canon, or if any member of the Chapter when required by the Bishop in writing, shall refuse to perform the duties of his office, or to comply with the regulations of the Chapter, the Bishop may, after due enquiry declare his office vacant.

11. A Lay Canon shall become disqualified (a) by reason of his absence from three successive meetings of the Chapter without leave first obtained from the Chapter; (b) by reason of the commission of any act which in the opinion of two-thirds of the Chapter shall render him unfit to continue in the performance of his duty as Lay Canon, and he shall thereupon cease to hold office.

Disqualification of Lay Canon.

12. When and as often as a vacancy by reason of death, resignation, incapacity or disqualification, under the provisions of this Ordinance, shall occur among the Clerical or Lay Canons appointed by the Bishop, it shall be filled by the Diocesan by writing under his hand and seal, and when and as often as a vacancy shall occur by reason of any of the abovementioned causes among the Clerical or Lay Canons elected by Synod, the vacancy shall be filled at the next Session of Synod.

Vacancies in Canonries, how filled.

13. It shall be the duty of the Bishop to install the Canons in their office and seat, and to receive their declaration of submission to the Statutes, Ordinances, Rules, and Regulations of the Cathedral Churches.

Installation of Canons.

14. The Bishop shall be President of the Chapter, and shall convene the meetings thereof. In the absence of the Bishop the senior Sub-Dean shall preside, and if the Bishop and both Sub-Deans be absent, the Senior Archdeacon present, and if no Archdeacons be present then the senior Canon present shall preside.

President of Chapter.

15. When the Bishop shall preside at any meeting of the Chapter, he may at his discretion vote as a member of the Chapter, and if on any question the voting be equal he shall also have a casting vote.

Vote of Bishop.

16. When any other member of the Chapter shall preside, he shall have his own vote, but shall not have any casting vote; and vote.

Other President's vote.

when the voting is equal, the matter under discussion shall be referred to the Bishop as Ordinary, and his decision shall be final.

Declaration
of Canons.

17. Every member of the Chapter before being installed in the seat assigned to him in either of the Cathedral Churches shall make the following declaration:—

I,, do solemnly promise that I will duly observe and keep the Statutes, Ordinances, Rules, and Regulations of the Cathedral Churches.

And no member of the Chapter shall be present at or take part in any meeting of the Chapter until after his installation.

18. Five members of the Chapter shall form a quorum for the transaction of business.

19. The Chapter may from time to time as occasion shall require make Statutes for the good government of the Cathedral Churches which shall come in force when assented to by the Bishop: provided always that no such statute shall be in contravention of the provisions of this Ordinance nor of the provisions of any Ordinance of the Synod of the Diocese now or hereafter in force. And at every session of the said Synod all such Statutes made by the Chapter during the preceding year shall be laid before the Synod.

The Chapter may also make Rules and Regulations for the performance, arrangement, and conduct of the Cathedral services; and may from time to time add to vary or rescind such Statutes, Rules, and Regulations.

20. Notwithstanding anything contained in any Ordinance of the Synod now or hereafter in force relating to the appointment of Clergy to Parishes, when and as often as a vacancy shall occur in the Cure of a Cathedral Parish, the Bishop or Vicar-General giving not less than fourteen days notice, shall summon, by writing a joint meeting of the members of the Cathedral Chapter and the Cathedral Council of that Parish which joint body shall be the Presentation Board of that Parish, and shall meet within the Parish in which the vacancy has occurred, and of this joint body eleven shall form a quorum.

21. The Bishop shall preside at such meeting and shall nominate a Clerk in full orders willing to accept the vacant cure, and if the Clerk so nominated be not disapproved by the majority of the members present at such meeting, then the said Clerk shall be instituted to the same, and the Clerk so instituted shall be Vicar of the parish and *ex officio* sub-Dean of the Cathedral Church within the parish and Canon Residentiary.

22. If the Clerk nominated as aforesaid be disapproved by a majority of the members present, or if no institution of the said Clerk take place the Bishop shall nominate another Clerk to the Presentation Board of the vacant cure as hereinbefore provided so soon as conveniently may be, and so on as often as be found necessary.

Quorum.

Powers
of the
Chapter.

Vacancies
in Cures of
Cathedral
Parishes,
how filled.

23. The Canon Residentiary, as Vicars of the Cathedral Rights of Parishes respectively, shall have the right to use their Cathedral Church for all ecclesiastical services commonly called "surplice churches, duties" which properly belong to their office as such Vicars.

24. All fees and offerings made at or for any ecclesiastical office performed within the Cathedral Church or Cathedral Parish, shall be the property of the Vicar of the Cathedral Church or Parish.

25. The Council of each Cathedral Church shall consist of the Bishop as President, the Vicar or Clerk in charge as Vice-President, the three Wardens of the Cathedral Church elected under the provisions of the Provincial Church Ordinance, and one Warden from each other church in the Cathedral Parish, elected by the three Wardens of that Church, if there be any such, all the above mentioned being *ex officio* members, and of twelve lay members, three being appointed by the Vicar or Clerk-in-charge, and nine elected by the Parishioners in manner as herein-after provided. Provided that such appointments by the Vicar or Clerk-in-charge shall be subject to confirmation by the Bishop.

26. The qualifications of Cathedral Councillors and of electors of the same shall be those of Churchwardens, Parochial Councillors, and Electors as set out in the Provincial Church Ordinance.

27. Within one calendar month after the passing of this Ordinance and on Easter Tuesday or within twenty-one days thereafter in each succeeding year the election of Cathedral Councillors shall take place for which election a meeting of Parishioners shall be convened by the Vicar or Clerk-in-charge, of which meeting notice shall be given during Divine Service on two Sundays, or eight days at least before the meeting, and nominations invited to be made in writing to the Clerk-in-charge by at least two electors, and such notice shall also be affixed together with a list of such nominations for at least one Sunday upon which Divine Service is held, on the principal door of the Church or Churches in the Parish prior to such meeting. Provided that until their successors are elected the retiring Councillors shall hold office.

28. The first meeting to elect Cathedral Councillors and the subsequent meetings at the time prescribed in every year shall be of Meeting presided over by the Vicar or Clerk in charge of each Cathedral Parish respectively, or in his absence by a parishioner elected by the meeting.

29. Every elector before voting at the aforesaid first meeting and at every subsequent Annual Meeting shall sign the following declaration:—

"I, the undersigned, do declare that I am an adult member of the Church of England, and that I have resided within the Cathedral Parish of during the last three months, and that I am an

Meeting for
election of
Cathedral
Councillors.

President

Qualifica-
tion of
voters.

habitual attendant of the said Cathedral Church or of a Church within the Cathedral Parish."

Powers of Bishop in Council.

30. Where any accidental or unavoidable impediment, misfeasance or omission shall have happened in carrying out the provisions of this Ordinance, the Bishop may take all such measures as may be necessary for removing such impediment or rectifying such misfeasance or omission, and may declare any act done to be valid notwithstanding such misfeasance or omission and may enlarge the time within which this Ordinance declares any matter shall be done, and may appoint any person other than the person herein named to do any act, matter or thing or to conduct any election, and in case of failure to elect or appoint any or all of the Councillors directed by this Ordinance may appoint the necessary number of qualified persons to give full effect to the provisions hereof.

President of Council Meetings.

31. The meetings of the Cathedral Council shall be presided over by the Bishop or in his absence by the Vicar or Clerk in charge; if the Vicar or Clerk in charge be also absent, the members present shall by a majority of votes elect a Chairman for that meeting only. The Bishop shall have a vote as a member of the Council, and also a casting vote. No chairman other than the Bishop shall have a casting vote. If in the absence of the Bishop there be, at any meeting of the Council, an equality of voting on any question, the matter under discussion shall be referred to the Bishop, and his decision shall be final.

Declaration of Council.

32. Every Cathedral Councillor shall on the first occasion of his being present at a meeting of the Council, after his election or re-election, and before taking part in the business of the meeting, sign the following Declaration in a book to be kept for that purpose:—

"I, the undersigned, do solemnly promise that I will duly keep and observe the Statutes, Ordinances, Rules, and Regulations of this Cathedral Church."

Meetings of Council.

33. The Council shall meet monthly on such day, and at such hour, as the majority of the members may from time to time determine. Provided always that a special meeting shall be convened by the President or Vice-President upon the requisition in writing of one-third of the members of the Council.

Appointment of Secretary and Treasurer.

34. At its first meeting after election each Council shall appoint from among its own members a Secretary and a Treasurer, and it shall make such regulations as it may deem necessary relating to the duties of such officers.

Quorum.

35. Five members of the Council shall form a quorum for the transaction of business.

36. The Council shall fulfil the duties ordinarily fulfilled by Parochial Councils except such as are inapplicable to a Cathedral Church and Parish as distinct from an ordinary Church and Parish, or are otherwise provided for by this Ordinance.

37. A Councillor shall become disqualified (a) by reason of his absence from the meetings of the Council for three months in succession without leave first obtained from the Council, (b) by reason of the commission of any act which in the opinion of two-thirds of the Council shall render him unfit to continue in the performance of his duty as Councillor, and he shall thereupon cease to hold office.

38. In the event of any vacancy the Council shall have power Vacancies. at its discretion to fill the same for the remainder of the year.

39. All officers of the Cathedral Churches shall be subject in respect of the performance of their Cathedral duties to the superintendence and control of the Bishop and Chapter.

Organist.

40. The Organist of each Cathedral Church shall be appointed by and shall hold office at the pleasure of the Cathedral Council. He shall play the organ in connection with any services of the Cathedral Church, whenever required to do so by the Bishop or Sub-Dean, or Clerk-in-charge, and subject to the authority of the Sub-Dean shall have charge of the organ and be responsible for its care, and also for that of all music and other Cathedral property connected with it.

41. A detailed statement of the duties required of and of the privileges if any enjoyed by the Organist, shall be drawn up by the Bishop Council, and a copy thereof shall be furnished to him by the Bishop or Sub-Dean, on his first appointment to his office, and he shall enter into an agreement with the Bishop or Sub-Dean, as representing the Council, to faithfully perform the said duties at an annual salary to be stated in the said agreement, such salary having been first determined by the Council.

42. The Choristers shall be appointed and may be dismissed by the Vicar or Clerk in charge of each Cathedral Church respectively; they shall be under the control of the said Vicar or Clerk in charge, and shall be subject to such Rules and Regulations as the Vicar shall, with the concurrence of the Chapter, from time to time prescribe.

43. It shall be the duty of the Council of the respective Cathedral Churches to set apart sufficient sittings for the use of the Bishop and officiating Clergy of the Cathedral Church, and they may make Regulations for the letting of not more than two-thirds of the sittings in the body of each Cathedral Church at such annual rental as each Council shall have determined. The remainder of the sittings shall be free and unappropriated.

44. If there be any debt upon either Cathedral Church, the annual interest thereon shall be the first charge upon the seat rents if any, and if there be no debt, such rents shall be devoted to such other purposes as the Council may from time to time determine.

Rights of
seatholders.

45. Renters of sittings shall be entitled save as hereinafter provided to the exclusive use of such sittings at morning and evening prayer on all Sundays throughout the year, on Christmas Day, Ash Wednesday, Good Friday, and Ascension Day, provided they be occupied before the commencement of the service and provided that the Chapter may, upon any of the foregoing occasions not exceeding six in each year, declare the whole of the sittings in either Cathedral Church free and open.

Seats, when
free.

46. At all services other than those abovenamed, the whole of the sittings shall be free and unappropriated.

By-Laws.

47. The Council shall have power to draw up bye-laws for the management of its business and to amend or add to the same: provided always that such bye-laws shall be agreed to by at least two-thirds of the members of the Council, and shall have been confirmed by the Bishop.

Appropriation
of
income.

48. The total income received by each Council from offertory and other collections, except those by Synodical legislation assigned to special objects, from seat rents, from subscriptions, donations, and endowments shall be held to form one sum, which shall be known as the Cathedral revenue, and be chargeable as follows:—

- (1) The payment to the Vicar or Clerk-in-charge of the Cathedral Parish of such annual stipend as the Council may from time to time determine.
- (2) The payment to the Assistant Clergy, if any, of such stipends as may have been severally assigned to them by the Council.
- (3) The payment to the Registrar of the Diocese of Diocesan dues.
- (4) The payment of such salary to the Organist as the Council shall previously have determined, and the Bishop or Sub-Dean as representing the Council, shall have agreed to pay him.
- (5) The payment to the Verger of such salary as the Council shall have determined.
- (6) The payment to the Choristers of such *honorarium* for their services as the Council may from time to time determine.
- (7) Each Cathedral revenue shall likewise be chargeable with the repair of the Cathedral Church, and of the Vicarage of the Cathedral Parish, and of such other buildings as may be connected with the Cathedral Church or the Cathedral Parish.
- (8) The balance of the revenue that may remain at the disposal of the Council, after the above payments and charges shall have been satisfied, shall be dealt with as the Council shall from time to time determine.

Annual
Accounts.

49. Each Council shall, at least ten days before the holding of the annual meeting, provided for in clause twenty-six, print and circulate an account of all receipts and expenditure for the preceding year to 31st March, duly audited by two auditors elected at the annual meeting, and shall lay such account or accounts before the Synod at its next session.

Short Title.

50. This Ordinance may be cited and known as the "Cathedral Ordinance 1902."

Assented to, May 1st, 1902.