

AN ORDINANCE

TO PROVIDE FOR THE FORMATION OF A NEW DIOCESE TO BE CALLED THE DIOCESE OF GRAFTON.

WHEREAS it is expedient that the Territory described in the Preamble. Schedule hereto being now within the Diocese of Grafton and Armidale should be formed into a new Diocese to be called the Diocese of Grafton and that the Diocese of Grafton and Armidale should be called the Diocese of Armidale. And whereas the moneys and investments representing the funds administered by the Bishop-in-Council under the provisions of "The Diocesan Council Ordinance 1896" are Diocesan moneys of the said Diocese of Grafton and Armidale vested in Trustees upon certain express trusts respectively for the use and benefit of the Church of England within the said Diocese of Grafton and Armidale. And whereas by reason of the circumstances which make it expedient that the said Territory should be formed into a new Diocese and of other circumstances it is also expedient that the said moneys and investments should be apportioned and that parts of the said moneys and investments should be vested in separate Trustees and held upon similar trusts for the use and benefit of the Church of England within the said new Diocese and that the remaining parts of the said moneys and investments should be held upon similar trusts for the use and benefit of the Church of England within the said Diocese of Grafton and Armidale exclusive of the said Territory. And whereas it has accordingly become inexpedient to carry out or observe the particular purpose or purposes to which the said Diocesan moneys and investments are by the said Trusts respectively devoted. And whereas the Bishop of Grafton and Armidale has approved in writing of the formation of a Diocese of Grafton. Be it therefore enacted ordained and declared by the Bishop Clergy and Laity of the Diocese of Grafton and Armidale in Synod assembled as follows that is to say:—

1. This Ordinance may be cited as the "Diocese of Grafton Ordinance 1913."

2. The "Grafton Diocese Ordinance 1910" except so much thereof as relates to a committee is hereby repealed but such repeal shall not affect the past operation thereof nor anything suffered done or commenced nor any right privilege obligation or liability acquired accrued or incurred thereunder.

3. In this Ordinance unless inconsistent with the context or subject matter—

Interpretation.

"Bishop of Grafton and Armidale" means the Bishop for the time being of the Diocese of Grafton and Armidale or other the person for the time being entitled to exercise the powers vested in the Bishop of the Diocese of Grafton and Armidale under the constitutions contained in the Schedule to the "Church of England Constitutions Act Amendment Act of 1902 and the said Act or any Constitutions or Act amending or taking the place of the same.

Short Title.

Repeal.

"Metropolitan" means the Archbishop of Sydney for the time being or other the person for the time as exercising the functions of the Metropolitan under the Constitution for the Provincial Synod of the Province of New South Wales or any Constitutions amending or taking the place of the same.

Meeting for election of Bishop.

4. As soon as may be after the Metropolitan shall certify in writing to the Bishop of Grafton and Armidale that in his opinion a sufficient endowment has been secured for the maintenance of the proposed See of Grafton the Bishop of Grafton and Armidale shall convene a meeting of the Clergy and Representative Members in Synod of the Parishes and Parochial Districts within the territory described in the Schedule hereto for the purpose of electing the first Bishop of the proposed Diocese of Grafton. The Bishop of Grafton and Armidale shall preside at the said meeting and adjournments if any thereof and the procedure shall be that provided for in the Bishop's Appointment Ordinance 1887.

Necessary steps to give effect to election.

5. As soon as may be after such election the Bishop of Grafton and Armidale shall take the steps necessary for the purpose of having effect given thereto in accordance with the Determination for the Confirmation and Consecration of Bishops made by the General Synod of the Dioceses in Australia and Tasmania on the 5th day of October 1905 and the amending Determination made on the 17th day of October 1910 respectively accepted by the Synod of the Diocese of Grafton and Armidale on the 10th day of May 1906 and the first day of May 1912 or with such other Determination or Determinations for the like purpose as shall be made by any such General Synod and shall be accepted by the Synod of the Diocese of Grafton and Armidale and shall remain in force for the time being within the said Diocese.

Transfer of Territory.

6. Upon the confirmation of the election of a duly qualified person in Episcopal orders or of the confirmation and consecration of a duly qualified person in the Holy Order of Priesthood as the case may be to be Bishop of the proposed Diocese of Grafton the Bishop of Grafton and Armidale shall with the consent of the Metropolitan transfer to such person the portion of the Diocese of Grafton and Armidale described in the Schedule hereto such transfer being so made that it shall become operative only upon such person being installed as Bishop of the said Diocese of Grafton.

Constitution of New Diocese.

7. Upon the installation of such person as Bishop of the said Diocese of Grafton as aforesaid the Territory described in the Schedule hereto shall become a separate Diocese and shall for all purposes be deemed to have been created and constituted a Diocese of the Church of England within the State of New South Wales, and such Diocese shall be called the Diocese of Grafton and the person so installed as aforesaid and his successors shall be called Bishops of Grafton and in all matters connected with the Diocese of Grafton shall be deemed to be successors of the Bishop of Grafton and Armidale. From and after such installation as aforesaid the Diocese of Grafton and Armidale shall be called the Diocese of Armidale and the Bishop of Grafton and Armidale and his successors shall be called Bishops of Armidale.

Title of Diocese and of Bishop.

New Title of Bishop and Diocese of Grafton and Armidale.

8. If the election of any person elected under the provisions of this Ordinance shall not be confirmed in accordance with the Determinations aforesaid or if the election of any person elected under the provisions of this Ordinance shall be confirmed in accordance with the said Determinations but the person elected shall for any reason or reasons whatsoever not be installed as aforesaid within one month after the confirmation of his election or within such further time or times as the Bishop of Grafton and Armidale shall from time to time determine then notwithstanding the provisions hereinbefore contained shall again become operative and be acted upon as if the Metropolitan had certified as provided for in the Fourth Section hereof at the expiration of the material time provided for in this section and no meeting had theretofore been convened under the said fourth section.

9. For the purposes aforesaid the provisions of the Bishop's Appointment Ordinance 1887 shall be deemed to be incorporated herein and shall be read as if amended so far as may be necessary to make the same consistent with and applicable to the provisions of this Ordinance.

10. All Ordinances of Synod which shall be in force in the Diocese of Grafton and Armidale at the time of the installation of the Bishop of Grafton shall be binding upon the Bishop Clergy and Laity in the Diocese of Grafton and shall have full force and effect as Ordinances of the said Diocese of Grafton so far as the same may be applicable to or be capable of being carried out within such Diocese until the same shall be revoked or altered by any Synod convened by the Bishop of the Diocese of Grafton under the Constitutions contained in the Schedule to the "Church of England Constitutions Act Amendment Act of 1902" and the said Act or any Constitutions or Act amending or taking the place of same. And for the purposes aforesaid the members of the Committee appointed under the "Grafton Diocese Ordinance 1910" representative of the Territory in the said Ordinance described shall be deemed to be the Council for the Diocese of Grafton under the Ordinance known as "The Diocesan Council Ordinance 1898" in lieu of the Council for the time being for the Diocese of Grafton and Armidale under the said Ordinance.

11. It is hereby declared that by reason of circumstances which have occurred since the creation of the trusts of the moneys and investments representing the funds administered by the Bishop-in-Council under the provisions of "The Diocesan Council Ordinance 1898" it has become inexpedient that the particular purpose or purposes to which the same are by such trusts respectively devoted should be carried out or observed after the installation of the Bishop of Grafton as aforesaid.

12. Upon the installation of the Bishop of Grafton as aforesaid and upon the Committee appointed under the "Grafton Diocese Ordinance 1910" determining the allocation of the said moneys and investments such portions thereof as are allocated to the said Diocese of Grafton shall be held upon express trusts respectively similar to those to which the same are now devoted but for the benefit of the Church of England within the said Territory described in the Schedule hereto that is to say within

the Territory of Grafton and Armidale under the said Ordinance 1898. And for the purposes aforesaid the members of the Committee appointed under the "Grafton Diocese Ordinance 1910" shall be deemed to be the Council for the Diocese of Grafton under the Ordinance known as "The Diocesan Council Ordinance 1898" in lieu of the Council for the time being for the Diocese of Grafton and Armidale under the said Ordinance.

Procedure if certain estates not installed within a certain time.

Amendment of Bishop's Appointment.

Grafton and Armidale Ordinance in force till revoked or altered.

Expedient to vary trusts.

Moneys and investments allocated to Diocese of Grafton to be held on similar trusts to those now devoted but for benefit of Diocese of Grafton.

Remainder for benefit of the Diocese of Grafton and Armidale exclusive of territory scheduled.

Payment and transfer of property allocated to Diocese of Grafton.

the said new Diocese and the remaining portions of the said money and investments shall be held upon express trusts respectively similar to the trusts to which the same are now devoted but for the benefit of the Church of England within the Diocese of Grafton and Armidale exclusive of the said Territory described in the Schedule hereto.

13. As soon as may be after the installation of the Bishop of Grafton and the determination of the said allocation as aforesaid the said portions allocated to the said Diocese of Grafton shall be paid transferred or assigned to the Trustees or respective Trustees to be provided for the same by or under an Ordinance or Ordinances of the Synod of the said Diocese of Grafton hereinafter mentioned.

SCHEDULE.

Commencing at Tweeds Heads along the Queensland Border to the junction of Counties Buller and Clive, thence along the southern boundary of the parishes of Boonoo-Boonoo and Colongon and south-western boundary of Girard to its junction with the parish of Cavendish, thence along the western boundary of the said parish of Cavendish to Macted's Creek, thence by the said creek to the Bulldog Range, thence along the said range in a south-easterly direction to the parish of Hong-Kong, thence along the northern boundary of that parish to its north-east corner, thence by the eastern boundary of the parishes of Hong-Kong, Millera, and Plevna, thence by the southern boundary of the parish of Plevna westerly to the Main Range, thence along the Main Range southerly by the westerly boundaries of the parishes of Albert, Richmond, Cooralcooral, and Rodgers; thence along the western boundary of County Gresham to the southern boundary of the parish of Brothers, along the southern boundary of the parishes of Brothers, Newton-Boyd, and Henry; thence along the western boundaries of the parishes of Broadmeadows, Marengo, Chaelundi, Never Never, Marengo and Falls, along the northern and western boundaries of the parish of Doughboy, the western boundary of the parishes of Serpentine and Gunnawarra; thence along the southern boundary of the Parish of Gunnawarra to the western boundary of County Dudley, thence along the western boundary of the said County to its junction with County Macquarie, thence along the western boundary of the said County Macquarie to the northern boundary of the County of Hawes, thence along the said boundary of the County of Hawes to its junction with the northern boundary of the Diocese of Newcastle, thence along the said boundary of the Diocese of Newcastle to the South Pacific Ocean, thence northwards by that Ocean to the Tweed Heads.

Assented to

H. B. Grafton & Armidale

December 10th 1913