

Cathedral, 1914.

CATHEDRAL ORDINANCE, 1914.

1914. No. 4.

Preamble.

Whereas the Cathedral Ordinance 1902 of the Diocese of Grafton and Armidale is still in force in the Diocese of Grafton, and it is desirable to repeal the same and make other provision in lieu thereof: Be it therefore ordained by the Synod of the Diocese of Grafton as follows:—

Repeal.

1. The Cathedral Ordinance 1902 of the Diocese of Grafton and Armidale is hereby repealed so far as it affects the Diocese of Grafton, except as to every operation already effected by, or act done under the said Ordinance, or as to any right, title,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.

Cathedral Trust Ordinance 1896.

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

Cathedral Church.

3. The church of Christ Church, Grafton, shall be the Cathedral Church of the Diocese of Grafton, and shall be used as such and as the parochial Church of the Parish of Christ Church, Grafton.

Right of Bishop.

4. The right of the Bishop of Grafton, 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.

Bishop to be Ordinary.

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

Cathedral Council.

6. The general management and government of the Cathedral Church and of the Parish hereinbefore mentioned and hereinafter called "The Cathedral Parish," shall be vested in a body to be called "The Council of the Cathedral Church of Grafton," constituted as hereinafter provided, and hereinafter called "The Council."

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Cathedral Chapter.

7. The general management and government of the Cathedral Church in all religious and ecclesiastical affairs shall be vested in a body to be called "The Chapter of Christ Church Cathedral, Grafton," constituted as hereinafter provided and hereinafter called "The Chapter."

Bishop to be Dean.

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

Constitution of Chapter.

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 Canon Residentiary shall be ex-officio members of the Chapter, which shall further consist of two Clerical Canons, who shall be at the time of appointment or election, licensed clergy of the Diocese and of not less than three years' standing in the Holy Order of Priesthood and resident within the Diocese, one of whom shall be appointed by the Bishop and one elected by the Synod, and of three Lay Canons who shall be communicants of the Church of England and resident within the Diocese. Upon the passing of this Ordinance one of the Lay Canons shall be appointed by the Bishop and two shall be elected by the Synod, and shall hold office until the appointment or election of their successors.

Disqualification of Clerical Canons.

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 inquiry, declare his office vacant.

Disqualification of Lay Canons.

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.

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Vacancy Among Canons.

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 Bishop by writing under his hand and seal, and when and as often as a vacancy shall occur by reason of any of the above-mentioned causes among the Clerical or Lay Canons elected by Synod, the vacancy shall be filled at the next Session of Synod.

Bishop to Instal.

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

Bishop to be President.

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

Bishop to Have Casting Vote.

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.

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

Declaration Required.

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

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

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

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Quorum.

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

Chapter to Make Rules, etc.

19. The Chapter may from time to time as occasion shall require make rules for the good government of the Cathedral Church, which shall come in force when assented to by the Bishop: Provided always, that no such rule 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 Rules made by the Chapter during the preceding year shall be laid before the Synod.

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

Vacancy in Cure—Presentation Board.

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 the Cathedral Parish, the Bishop, giving not less than fourteen days' notice, shall summon by writing, a meeting of the Presentation Board of the Cathedral Parish, to be composed of five members of the Chapter and five members of the Council, each member being chosen by ballot from each body respectively. The attendance of three members of each body shall be necessary to constitute a quorum.

Bishop to Nominate.

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 and Canon Residentiary.

Further Nomination if One Disapproved.

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.

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Rights of Vicar.

23. The Canon Residentiary, as Vicar of the Cathedral Parish, shall have the right to use the Cathedral Church for all ecclesiastical services commonly called "surplice duties," which properly belong to his office as Vicar.

Vicar to Have Fees.

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.

Cathedral Council—Constitution.

25. The Council of the 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 hereinafter provided. Provided that such appointments by the Vicar or Clerk-in-charge shall be subject to confirmation by the Bishop.

Qualifications.

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

Election of Cathedral Council.

27. Upon a day not later than the 14th August in each year after the passing of this Ordinance, 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 Vicar or 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.

Vicar to Preside.

28. The meeting to elect Cathedral Councillors in every year

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shall be presided over by the Vicar or Clerk-in-charge of the Cathedral Parish, or in his absence by a parishioner elected by the meeting.

Declaration by Electors.

29. Every elector before voting at any 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 Grafton during the last three months, and that I am an habitual attendant of the said Cathedral Church or of a Church within the Cathedral Parish.”

Validation of Misfeasances, etc.

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.

Bishop to Preside at 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. 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 by Councillors.

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 Ordinances, Rules, and Regulations of this Cathedral Church.”

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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.

Secretary and Treasurer.

34. At the first meeting after election the Council shall appoint from among its own members a Secretary and 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.

Duties of Council.

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.

Disqualification of Councillors.

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 of Councillor.

And he shall thereupon cease to hold office.

Power to Fill Vacancies.

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

Cathedral Officers Controlled by the Bishop.

39. All officers of the Cathedral Church 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 the Cathedral Church shall be appointed by and shall hold office at the pleasure of the Cathedral Council.

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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.

Agreement with Organist.

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 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.

Choristers.

42. The Choristers shall be appointed and may be dismissed by the Vicar or Clerk-in-charge of the Cathedral Church, 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.

Sittings in Cathedral.

43. It shall be the duty of the Council of the Cathedral Church 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 the Cathedral Church at such annual rental as the Council shall have determined. The remainder of the sittings shall be free and unappropriated.

Interest on Debt First Charge on Seat-rents.

44. If there be any debt upon the Cathedral Church, the annual interest thereon shall be the first charge upon the seat rents.

Rights of Seat-holders.

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, and 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 the Cathedral Church free and open.

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Seats to be Free.

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

Power to Make 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.

Revenue—How Applied.

48. Subject to the provision of clause forty-four, the total income received by the Council from offertory or other collections, except those by Synodal 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 shall 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) The Cathedral revenue shall likewise be chargeable with the repairs 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 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.

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Accounts to be Presented.

49. The Council shall, at least ten days before the holding of the annual meeting, provided for in clause twenty-seven, print and circulate an account of all receipts and expenditure for the preceding year to 30th June, duly audited by two auditors elected at the annual meeting, and shall lay such account or accounts before the Synod at its next session.

Title.

50. This Ordinance may be cited and known as the "Cathedral Ordinance, 1914."

I assent to above Ordinance

22nd June, 1914.

CECIL H. GRAFTON.