

THE CATHEDRAL ORDINANCE 2012

AN ORDINANCE to provide for a constitution for the governance and management of Christ Church Cathedral and for the Parish of Christ Church Newcastle.

BE IT ORDAINED and ruled by the Bishop, Clergy, and Laity of the Diocese of Newcastle in Synod assembled as follows:

BACKGROUND

- A. The See of Newcastle was established on the 25 June 1847, by Royal Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, Christ Church in the City of Newcastle constituted the Cathedral.
- B. In 1868, work commenced on building a new Cathedral to stand in place of the first Christ Church Cathedral.
- C. The second Cathedral has been extended refurbished, repaired and renovated to become the current iconic building.
- D. Throughout that time a congregation has worshipped in and ministered from the Cathedral.
- E. The life of the Cathedral and the work of the congregation have been governed by various ordinances.

VISION AND MISSION

Christ Church Cathedral will be a sustainable and vibrant centre of God’s work and worship, and welcoming and serving all people.

Within the context of prayer, worship and service, Christ Church Cathedral will seek to embody the five Marks of Mission of the Anglican Communion:

- to proclaim the Good News of the Kingdom;
- to teach, baptise and nurture new believers;
- to respond to human need by loving service;
- to seek to transform unjust structures of society; and
- to strive to safeguard the integrity of creation and sustain and renew the life of the earth.

PART 1 – PRELIMINARY

Short Title

1. This Ordinance may be cited as the *Cathedral Ordinance 2012*.

Repeal

2. The *Cathedral Ordinance 1995* is repealed.

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Definitions

3. In this Ordinance, unless there is something in the subject or context which is inconsistent:

Cathedral Foundation	means the Christ Church Cathedral Foundation incorporated under the Anglican Church of <i>Australia (Bodies Corporate) Act 1938</i> in the Diocese of Newcastle.
Clergy Housing	means the accommodation provided to Clergy serving in the Cathedral Parish.
Nett Income	means the Nett Income calculated in accordance with Part 9 of the <i>Administration of Parishes Ordinance 2010</i> .
Parish	means the Parish of Christ Church Cathedral Newcastle.

PART 2 – OPERATIVE PART

Overriding Duty

4. Every person or body having functions under the Ordinance shall, in exercising those functions, have due regard to the fact that the Cathedral is the seat of the Bishop and a centre of worship and mission.

The Bishop

5. The Bishop shall:
- (a) be the Ordinary of the Cathedral;
 - (b) take such part in Divine Service and shall likewise preach at such times as the Bishop shall see fit giving due notice to the Dean;
 - (c) when holding ordinations, visitations or the like in the Cathedral and, at any other services of a Diocesan character, have the ordering and control of the service and shall appoint the preacher;
 - (d) determine the order of procession at any service of a Diocesan character or when the Bishop or a representative of the Bishop is present; and
 - (e) hear and determine any question in relation to this Ordinance.
6. The Bishop shall settle and determine any doubt or dispute arising in reference to any matter subject to this Ordinance and may from time to time make directions for remedying any breach error or omission related to the administration of the Cathedral. Any determination or direction from the Bishop shall be final.

Cathedral Parish

7. Unless this Ordinance shall provide otherwise, the Parish shall be administered in accordance with the *Administration of Parishes Ordinance 2010*.
8. The Parish shall not be responsible for the:
- (a) building and contents insurance of the Cathedral building which shall be the responsibility of the Cathedral Board; and
 - (b) major maintenance on the Cathedral building which shall be the responsibility of the Cathedral Board.

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9. The Parish shall pay to the Cathedral Board such amount as shall be determined by the Cathedral Board towards the costs of insuring, maintaining and managing the Cathedral building provided that such amount shall not exceed ten percent (10%) of the Nett Income of the Parish.

The Dean

10. The Dean shall be the Incumbent of the Parish and subject to the rights belonging to the Bishop shall lead the mission and ministry of the Cathedral and shall:
- (a) be the principle dignitary of the Cathedral;
 - (b) have all the rights and responsibilities belonging to an Incumbent of a parish;
 - (c) be the Executive Officer of the Cathedral Board;
 - (d) serve as a senior religious leader to the City of Newcastle;
 - (e) work to maintain and enhance the historic link between the Diocese, the Cathedral; and Newcastle Grammar School;
 - (f) ensure that Divine Service, which will include the Daily Office of Morning and Evening Prayer, is duly performed in the Cathedral;
 - (g) ensure that good order and proper reverence is maintained in the Cathedral;
 - (h) secure the pastoral care of all members of the Parish;
 - (i) take all decisions necessary to deal with any emergency affecting the Cathedral pending consideration of the matter by the Council or Cathedral Board;
 - (j) have the ordering of Divine Service in the Cathedral;
 - (k) direct and oversee the duties of the officers of the Cathedral;
 - (l) have the control and superintendence of the fabric and furniture of the Cathedral subject to any direction by the Cathedral Board;
 - (m) subject to any directions of the Bishop may approve the use of the Cathedral for ecumenical or secular purposes; and
 - (n) allot and reserve seats within the Cathedral as required in connection with special services.
11. The Dean shall be elected in accordance with the *Clerical Ministry Ordinance 2009*.
12. In the case of a vacancy in the office of Dean the Bishop shall have the rights of Dean during such vacancy and until a Dean is appointed may appoint a Sub-Dean and may give the Sub-Dean such control and direction of the Services of the Cathedral and for so long a period as the Bishop may think fit.

Cathedral Canons

13. The Dean may create one or more offices of Residentiary Canon or Minor Canon and the appointment to such offices shall be in accordance with the *Clerical Ministry Ordinance 2009*.
14. There shall be eight Honorary Clerical Canons appointed in accordance with the *Clerical Ministry Ordinance 2009* who shall:
- (a) provide a continuing link between the Parishes of the Diocese and the Cathedral;

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- (b) be available to the Bishop and the Dean for consultation on matters relating to the Cathedral;
 - (c) by arrangement with the Dean provide the equivalent of one week of ministry each calendar year to the Cathedral parish; and
 - (d) at the Dean's invitation and under the Dean's direction participate in the presentation of Divine Service and preach in the Cathedral.
15. Any vacancy in the office of Honorary Clerical Canon shall be filled in accordance with the *Clerical Ministry Ordinance 2009*.
16. There shall be eight (8) Lay Canons:
- (a) three (3) of whom shall be the Churchwardens of the Cathedral;
 - (b) two (2) shall be appointed by the Bishop for such terms as the Bishop shall determine; and
 - (c) three (3) elected at the first session of each Synod.
17. A Lay Canon shall provide a continuing link between the wider Diocese and the Cathedral and shall, in consultation with the Dean, provide assistance to the Cathedral parish.
18. Any vacancy in the office of Lay Canon elected by the Synod, however caused, shall be filled by the Diocesan Council.
19. Each Clerical Canon shall be assigned a stall in the Cathedral. It shall be the right of the Dean to install a Clerical Canon upon receiving a mandate from the Bishop.

Cathedral Chapter

20. The Honorary Clerical Canons and the Lay Canons shall comprise the Cathedral Chapter for:
- (a) liturgical purposes;
 - (b) to elect the Dean in accordance with the *Clerical Ministry Ordinance 2009*; and
 - (c) to undertake the responsibilities of the Canons as spelt out in this Ordinance.

The Cathedral Board

21. The Cathedral Board shall comprise:
- (a) a Chairperson appointed by the Bishop;
 - (b) the Dean;
 - (c) two (2) two members of the clergy elected by the Honorary Clerical Canons to hold office for the term of Synod;
 - (d) two (2) two lay persons elected by the Lay Canons to hold office for the term of Synod;
 - (e) two (2) members appointed by the Board for a twelve-month term; and
 - (f) two (2) members appointed by the Diocesan Council for such terms as the Diocesan Council might determine not exceeding three years.
22. The Board by resolution may with the concurrence of the Dean delegate the appointment of Board members in accordance with clause 21(e) to the ensuing Annual

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General Meeting of the Parish. Where the Annual General Meeting fails or is unable to exercise this delegation the appointment shall revert to the Board.

23. The election by the Clerical Canons and Lay Canons of members of the Cathedral Board shall be conducted by the Diocesan Chief Executive immediately following the first session of each Synod in such manner as the Diocesan Chief Executive determines.
24. The office of member of the Cathedral Board shall become vacant in the event that the person:
 - (a) resigns by notice in writing to the Bishop;
 - (b) dies;
 - (c) becomes an insolvent under administration;
 - (d) ceases to hold any qualification which was necessary for election to office;
 - (e) is absent from two (2) consecutive ordinary meetings of the Cathedral Board without the leave of the Cathedral Board and the Cathedral Board by resolution declares the office to be vacant;
 - (f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the laws relating to mental health or becomes otherwise incapable of acting;
 - (g) ceases to reside within the Diocese;
 - (h) is removed from office in accordance with any Ordinance of this Diocese; or
 - (i) becomes or is a Prohibited Person within the meaning of the *Child Protection (Prohibited Employment) Act 1998*.
25. Where a vacancy occurs in the office of member of the Cathedral Board the persons or bodies responsible for appointing the member shall appoint a person to hold office for the remainder of the existing term.
26. The Cathedral Board shall following consultation with the Cathedral Parish Council:
 - (a) recommend to the Diocesan Council and the Trustees the acquisition, sale, lease, or other disposal of property vested in the Cathedral parish;
 - (b) authorise any development of land or buildings held for the purposes of the Cathedral parish;
 - (c) secure from the Diocese and Foundation support for the costs of operating and maintaining the Cathedral land and buildings;
 - (d) meet from the funds within its management the costs of insuring and maintaining the Cathedral building;
 - (e) determine the contribution that the Parish shall make to assist in defraying the costs of insuring and maintaining the Cathedral provided that such amount shall not exceed 10% of the Nett Income of the Parish;
 - (f) manage all property vested in the Cathedral and the income accruing from it and, in particular, ensure that necessary repairs and maintenance in respect of the Cathedral and its contents and other buildings and monuments are carried out;
 - (g) advise the Bishop on any application to introduce, alter, change or remove any ornament, memorial or article of furniture in the Cathedral;

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- (h) liaise with the Cathedral Foundation;
 - (i) appoint such officers as it determines who need not be members of the Board and determine the duties of those officers;
 - (j) may make regulations relating to the use of the Cathedral or for the management of
 - (k) Cathedral fabric or fittings; and
 - (l) undertake such other functions as necessary to discharge its responsibilities.
27. The Cathedral Board shall meet at least once each two (2) months. All regular meetings of the Cathedral Board shall be convened by the Bishop. Special meetings of the Cathedral Board may be convened at the discretion of the Bishop or may be convened at the request of the Dean or of a majority of the members of the Cathedral Board.
28. The Board shall be presided over by the Chairperson except where the Bishop or a delegate of the Bishop is present and chooses to preside. In the absence of the Bishop, Bishop's Delegate or Chairperson, the senior Clerical Canon who is present shall preside.
29. A quorum of the Cathedral Board shall be formed by the presence of the Chairperson together with not less than three (3) members of the Cathedral Board. The Chairperson shall have a deliberative as well as casting vote.
30. For the purposes of any Ordinance of Synod any reference to the Cathedral Chapter shall be construed as a reference to the Cathedral Board.

Diocesan Assistance

31. The Diocesan Council shall meet one hundred per cent (100%) of the cost of the building and contents insurance premiums for the Cathedral Building in each calendar year.

Reporting

32. The Dean and the Cathedral Board shall submit a report on the life and work of the Cathedral together with a financial report for the Cathedral Board to:
- (a) the Diocesan Council in July each year and at such other times as the Diocesan Council may determine; and
 - (b) each ordinary session of Synod.

Integration with Instruments

33. For the purposes of the *Clerical Ministry Ordinance 2009*, all references to:
- (a) the Chapter in Part 7 shall be references to the Cathedral Chapter; and
 - (b) the Deploying Body shall in relation to the Dean mean the Cathedral Board and in relation to all other clergy shall mean the Parish Council of the Cathedral Parish.
34. Any reference to the Parish Council in any Ordinance of Synod shall, in relation to the Cathedral Parish, be construed as a reference to the Parish Council of the Cathedral Parish, except where this Ordinance determines that the relevant function is to be undertaken by the Cathedral Board.
35. Where any bequest, testamentary disposition or gift is made for the purposes of the Cathedral Parish, any function normally undertaken by a Parish Council or by the Cathedral Chapter is delegated to and conferred on the Cathedral Board.

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36. The Cathedral Board and the Parish Council shall undertake their banking in accordance with any determination made in accordance with the *Designated Fund Ordinance 2015* and in the absence of such determination through a bank, building society or credit union approved by the Diocesan Chief Executive.

Transitional

37. The obligations on the Diocese in accordance with section 30 shall come into effect on 1 January 2013.
38. The Cathedral Board may determine by resolution affirmed by 2/3rd majority of its members affirmed by the Dean that a Parish Council be established and constituted in accordance with the Administration of Parishes Ordinance 2010 and this Ordinance.
39. Notwithstanding the provisions of the *Responsible Person (Diocese of Newcastle) Ordinance 2015* no person who has been removed from office in accordance with the *Responsible Person (Diocese of Newcastle) Ordinance 2015* shall be eligible for election or appointment to the Board, the Cathedral Parish Council, as a Churchwarden or to a committee of the Board or Cathedral Parish Council until such time as the Cathedral Board, with the concurrence of the Dean, has confirmed the suitability of that person for election or appointment. That confirmation once given does not need to be sought for subsequent elections or appointments.
40. Section 88 of the *Administration of Parishes Ordinance 2010* is repealed.

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PART 3 – ORDINANCE ADMINISTRATION

Table of Amending Instruments

Date	Current Section	Amending Instrument	Section Amended
30 July 2015	35	<i>Designated Fund Ordinance 2015</i>	34A
11 May 2017	21(a)	<i>Cathedral Ordinance Amendment Ordinance 2017</i>	21(a)
	28	<i>Cathedral Ordinance Amendment Ordinance 2017</i>	27
	38	<i>Cathedral Ordinance Amendment Ordinance 2017</i>	36
	39	<i>Cathedral Ordinance Amendment Ordinance 2017</i>	36A
13 April 2020	23	<i>Clarification by the President of Synod following the Cathedral Ordinance Amendment Ordinance 2018</i>	23
	29	<i>Clarification by the President of Synod following the Cathedral Ordinance Amendment Ordinance 2017</i>	29

This document is current at the date of last review and is maintained electronically by the Anglican Diocese of Newcastle. Users should refer to the Newcastle Anglican website to confirm the currency of the instrument.

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