
Bathurst Cathedral Ordinance 2005-2012

An Ordinance to provide for the governance of the Cathedral Church of All Saints, Bathurst.

CHAPTER 1 - PREAMBLE

- 1.1 The Parish of Bathurst was formed in 1842 and the first church building on the site, designed by Edmund Blacket, was built in 1848. In 1870, this church became a cathedral, when the Diocese of Bathurst was created.
- 1.2 As there were serious structural problems with the original building, in 1911 it was decided to construct a 'new' cathedral. The first phase of this new building was completed in 1927 to a design by Louis Williams, and is now the 'old' section (including the Warriors' Chapel), on the east end of the current Cathedral. The proposed building was never completed because of the Great Depression and the Second World War.
- 1.3 In the mid 1960's work began on the current building, to a modern design by Messrs McPherson, Harrison and Hassall of Sydney. The original Blacket building was demolished and the new building added to the Williams section. This new building was completed in 1970 in time for the centenary of the Diocese.

CHAPTER 2 - PRELIMINARY

Short Title

- 2.1 This Ordinance may be cited as the Bathurst Cathedral Ordinance 2005-2012.
Amended by Ordinance 4/2012

Interpretation

- 2.2 This Ordinance is to be read in conjunction with the Anglican Diocese of Bathurst Administration Ordinance 2003-2004 (Administration Ordinance), as amended from time to time. In the event of inconsistency between the provisions of the Administration Ordinance and this Ordinance, the provisions of this Ordinance shall prevail.

Definitions

- 2.3 The definitions as outlined in the Administration Ordinance apply to this Ordinance. In addition to these, the following definitions apply:

Assistant Clergy: A person in Deacon's or Priest's Orders licensed by the Bishop to the Cathedral Parish.

Associate Clergy: A person in Deacon's or Priest's Orders, either honorary or retired, received into the ministry of the Cathedral Parish by the Parish Council with the approval of the Bishop.

Cathedral:	The Cathedral comprises the property located in Church Street, Bathurst being the Cathedral Church vested in the name of the Anglican Property Trust Diocese of Bathurst for use as the Cathedral Church and the Principal Church of the Cathedral Parish and the Cathedral Hall, Walshaw Hall, Old School House, Scout Hall, Deanery and adjacent car parking area, vested in the name of the Anglican Property Trust Diocese of Bathurst for use of the Cathedral Parish.
Cathedral Chapter:	The body of clergy and lay people established by Chapter 6 of this Ordinance.
Clerical Canon:	A person in Deacon's or Priest's Orders appointed to the Cathedral Chapter in accordance with this Ordinance.
Honorary Canon:	means a clerical or lay person appointed as an Honorary Canon under this Ordinance. Added by Ordinance 4/2012
Lay Canon:	A lay person appointed to the Cathedral Chapter in accordance with this Ordinance.

Repeal

2.4 The All Saints' Cathedral Bathurst Ordinance 1971-82 (as amended) is hereby repealed.

CHAPTER 3 - THE CATHEDRAL

Role of the Cathedral

- 3.1 The Church of All Saints' Bathurst shall be the Cathedral Church of the Diocese of Bathurst, the principal church of the Diocese and the seat of the Bishop. It shall be known as 'The Cathedral Church of All Saints' Bathurst' (the Cathedral).
- 3.2 The Cathedral shall also be the principal Parish Church of the Parish of All Saints' Bathurst (the Cathedral Parish).
- 3.3 The role of the Cathedral as the principal church of the Diocese shall be as:
- a. a place for the support of the wider Church's mission both within and beyond the Diocese,
 - b. a setting within which to promote Christian unity and ecumenical endeavour,
 - c. a centre for Christian culture, theology and celebration of the arts,
 - d. a spiritual centre for the life of the Diocese and its staff, and
 - e. a venue for Diocesan worship.

The role of the Cathedral as the principal Parish Church shall be as:

- f. a place for reflection, prayer, private devotion and inspiration,
- g. a centre for ministry to the City of Bathurst and its region, and
- h. a centre for the ministry of the wider Parish, including its branch churches and chapels.

Relationship with the Diocese

- 3.4 The Synod shall have a financial responsibility to assist with the maintenance of the Cathedral building and its fabric and to make a contribution to the Cathedral Chapter for the provision of ministry in the Cathedral as it relates to the Diocese.

CHAPTER 4 - THE BISHOP

- 4.1 The Bishop shall have chief place among the life of the Cathedral Chapter and the wider Cathedral community and is entitled, subject to this Ordinance, to use the Cathedral for those purposes connected with the office of Diocesan Bishop.
- 4.2 The Bishop shall be President of the Cathedral Chapter and may chair meetings of the Chapter when present.
- 4.3 The Bishop may, with at least eight days notice to the Dean:
- a. use the Cathedral and Cathedral Hall for Diocesan services, and control the arrangements for such services subject to the legal constraints and current use of such buildings,
 - b. take part in Cathedral worship at any time, and
 - c. preach or appoint a preacher in the Cathedral.

CHAPTER 5 - THE DEAN

- 5.1 The incumbent of the Cathedral shall have the next place after the Bishop in the life of the Cathedral Chapter and the wider Cathedral community and shall be known as 'The Dean of Bathurst'. He or she shall also be the Parish Priest of the Cathedral Parish.

Appointment of the Dean

- 5.2 The Dean shall be appointed by the Bishop in accordance with the procedure outlined in Chapter 5 of the Administration Ordinance subject to the following section.
- 5.3 In lieu of a Parish Appointment Board, there shall be a Cathedral Appointment Board, which shall consist of:
- a. The Bishop or Administrator,
 - b. Three lay persons elected by the Annual Parish Meeting, as set out in the Administration Ordinance, and
 - c. Three persons in priest's order appointed by the Cathedral Chapter at the time of the vacancy occurring.
- 5.4 At the request of the Bishop, the Dean shall be installed by the most senior canon during an act of public worship in the Cathedral.

Rights and Responsibilities of the Dean

- 5.5 Subject to the rights of the Bishop and the provisions of this Ordinance, the Dean shall have responsibility for the oversight of the Cathedral and all rights and responsibilities as a Parish Priest as described in the Administration Ordinance.
- 5.6 Without limiting the provisions made in Chapter 4, the Dean shall have the following specific duties;
- a. to order the administrative, liturgical and pastoral life of the Cathedral and its Parish,
 - b. to engage with the wider community in pursuance of the aims and objectives of the Cathedral as set out in this Ordinance,
 - c. to recommend to the Bishop for the licensing of:
 - (1) assistant and associate clergy and licensed lay ministers to the Cathedral Parish, with the concurrence of the Parish Council,
 - (2) a Precentor, with the concurrence of the Cathedral Chapter and Parish Council, and
 - (3) Cathedral Chaplains, with the concurrence of the Cathedral Chapter and Parish Council,
 - d. to appoint the following with the concurrence of the Parish Council:
 - (1) the Cathedral Administrator,
 - (2) the Dean's Secretary,
 - (3) other clerical staff, and
 - (4) organists, music leaders, choristers, sacristans, servers and vergers,
 - e. to act as chair of the Cathedral Chapter, and
 - f. to perform other duties relating to the office of Dean as described in any Diocesan ordinance including membership of All Saints' College Council and Bishop in Council.

Vacancy of the Position of Dean

- 5.7 The office of Dean becomes vacant if the Dean:
- a. dies or is permanently incapacitated,
 - b. submits a written resignation to the Bishop in accordance with the provisions of Chapter 7 of the Administration Ordinance,
 - c. is absent from the Cathedral for three or more months without permission of the Bishop,
 - d. has his or her licence revoked by the Bishop in accordance with the provisions of Chapter 7 of the Administration Ordinance,
 - e. retires in accordance with the provisions of Chapter 8 of the Administration Ordinance,

- f. is subject to a recommendation of the Professional Standards Board under section 85 of the Professional Standards Ordinance or is found guilty of professional misconduct in accordance with the provisions of the Clergy Discipline Ordinance,
 - g. is subject to a Suspension Order under section 44 of the Professional Standards Ordinance, but such vacancy shall only be for the life of the Order, or
 - h. relinquishes his or her orders or is deposed from Holy Orders in accordance with the Holy Orders Relinquishment and Deposition Canon 2004.
- 5.8 During a period of vacancy in the office of Dean, the Bishop may hold the office and may appoint a priest to perform the duties of Parish Priest. The Bishop may also appoint a priest as 'Acting Dean', who will have all the powers and functions of the Dean.

CHAPTER 6 - THE CATHEDRAL CHAPTER

- 6.1 The role of the Greater Chapter of the Cathedral Church of All Saints' Bathurst, (the Cathedral Chapter) is to provide a link between the Cathedral community and the wider Diocese and to administer the Cathedral with respect to its Diocesan responsibilities.

Membership

- 6.2 The Cathedral Chapter shall be composed of:
- a. The Bishop,
 - b. The Dean,
 - c. The Assistant Bishop,
 - d. The Diocesan Archdeacon,
 - e. The Chancellor,
 - f. The Bishop's Registrar,
 - g. The Chapter Treasurer
Amended by Ordinance 12/2012
 - h. Eight Diocesan Canons, appointed in accordance with this Ordinance,
Amended by Ordinance 8/2007
 - i. Two Canons Residentiary, and
 - j. The Churchwardens of the Cathedral Parish.
Amended by Ordinance 4/2007
- 6.3 A person ceases to be a member of the Cathedral Chapter upon ceasing to hold their qualifying office.

President and Chair of the Cathedral Chapter

- 6.4 The Bishop shall be the President of the Chapter and shall have the right to chair meetings if present.
- 6.5 The Dean shall be the Chair of the Chapter.
- 6.6 If both the Bishop and the Dean are absent from a meeting of the Chapter, the next most senior canon in order of appointment, who is present, chairs the meeting.
- 6.7 The chair of any meeting shall have both a deliberative and a casting vote.

Meetings of the Cathedral Chapter

- 6.8 Meetings of the Cathedral Chapter must be held at least twice each year and shall be convened by the Dean in consultation with the Bishop.
- 6.9 The Cathedral Chapter shall receive at each meeting reports from:
 - a. The Dean on the activities of the Cathedral Parish, including financial statements prepared by the Parish Treasurer,
 - b. Financial statements from the Cathedral Treasurer, and
 - c. Any other committees or working groups established by the Chapter and bodies associated with the life of the Cathedral.
- 6.10 A quorum for a meeting of the Cathedral Chapter is eight members, including at least one churchwarden.

Duties of the Cathedral Chapter

- 6.11 The duties of the Cathedral Chapter shall be:
 - a. to be available to the Bishop for consultation and advice,
 - b. to develop and foster the ministry of the Cathedral to the Diocese and the City of Bathurst,
 - c. to facilitate the role of the Cathedral as a place of gathering and as a resource centre for the parishes and people of the Diocese,
 - d. to manage the financial assets of the Cathedral Chapter,
 - e. to promote and safeguard the function of the Cathedral as the parish church of All Saints' Bathurst,
 - f. to liaise with organisations or groups established or associated with the life of the Cathedral,
 - g. to consult with the Cathedral Parish Council in respect of:
 - (1) any alterations or additions to the Cathedral building or of other buildings ancillary to the Cathedral,
 - (2) the erection of new buildings for the purposes of the Cathedral,

- (3) the development of the grounds of the Cathedral and of any land held in trust for the use and benefit of the Cathedral, and
 - (4) the state of the fabric of the Cathedral or of other buildings ancillary to the Cathedral, and
- h. to provide Bishop in Council, for presentation to the each session of the Synod, an annual report of the activities of the Cathedral Chapter, its working groups and associated bodies, including financial statements in accordance with the Diocesan Accounts and Reporting (Organisations and Corporations) Ordinance.

Powers of the Cathedral Chapter

6.12 The Cathedral Chapter may;

- a. appoint the officers of the Cathedral Chapter,
- b. invite such other persons who may provide expertise to the Cathedral Chapter to attend meetings and assist the Chapter in the discharge of its responsibilities, but who shall not be members of the Chapter,
- c. make regulations for the functioning of the Cathedral Chapter,
- d. create committees and working groups for the discharge of particular responsibilities of the Cathedral Chapter, and
- e. establish protocols for the functioning of Diocesan activities in the Cathedral.

6.13 The Cathedral Chapter shall, subject to this Ordinance, have such other powers as are necessary or incidental to the performance of its duties and responsibilities.

Officers of the Chapter

6.14 The Officers of the Cathedral Chapter shall be:

- a. **The Chapter Clerk:** who shall prepare for and keep the minutes of meetings and maintain the current records of the Cathedral Chapter,
- b. **The Chapter Treasurer:** who may also be the Bishop's Registrar, or some other suitably qualified person, and who shall maintain the Cathedral Chapter accounts and provide financial reports for its regular meetings and annual report,
- c. **The Chapter Theologian:** who may also be the Diocesan Theologian, or some other suitably qualified person, and who shall advise the Chapter on theological matters,
- d. **The Chapter Advocate:** who may also be the Chancellor, or some other suitably qualified legal officer, who shall advise the Chapter on legal matters, and
- e. **The Chapter Archivist:** who may also be the Diocesan Archivist, or some other suitably qualified person, who shall advise the Chapter on matters relating to the maintenance and storage of records and other historical items.

6.15 Officers shall be appointed by the Cathedral Chapter for a period of three years or until they cease to be a member of the Cathedral Chapter. Officers may be reappointed by the Cathedral Chapter for further terms of three years.

6.16 Officers of the Cathedral Chapter, if not otherwise a member of Chapter, are entitled to attend its meetings and to speak, but may not vote on any issue.

Cathedral Chapter Executive Committee

6.17 The Cathedral Chapter may appoint from its members an Executive Committee composed of:

- a. The Dean (who shall chair the Committee),
- b. The Chapter Clerk,
- c. The Chapter Treasurer,
- d. The Cathedral Churchwardens, and
- e. One Cathedral Canon (lay or ordained) who is not one of the above.

6.18 The Executive Committee shall undertake such duties and functions assigned to it by the Cathedral Chapter and may consult with such persons as it considers necessary to provide assistance and expertise to the Committee.

Financial Management

6.19 The Cathedral Chapter Finances shall be managed in accordance with the provisions of the Accounts and Reporting (Organisations and Corporations) Ordinance 2004.

CHAPTER 7 – CATHEDRAL CANONS

7.1 Cathedral Canons may be appointed only in accordance with the provisions of this Chapter.

7.2 Members of the Cathedral Chapter shall be installed by the Dean during a public liturgy in the Cathedral, after taking the customary oaths and declarations.

Ex Officio Canons

7.3 The following persons shall be respectively clerical or lay Canons *Ex Officio* of the Cathedral:

- a. The Dean,
- b. The Assistant Bishop,
- c. The Diocesan Archdeacon,
- d. The Chancellor,
- e. The Bishop's Registrar, and
- f. The Cathedral Parish Churchwardens.

Diocesan Canons

- 7.4 There shall be eight Diocesan Canons of the Cathedral, comprising four clerical and four lay Canons including, where the Bishop considers appropriate:
Amended by Ordinance 8/2007
- a. The Regional Ministry Co-ordinators,
 - b. The Head of All Saints' College,
 - c. A Civic Representative,
Inserted by Ordinance 8/2007
 - d. The Chair of the Cathedral Foundation, and
 - e. clerical or lay persons appointed by the Bishop in consultation with the Dean and Chapter to ensure the number and composition of Canons as provided in this section.
- 7.5 Diocesan Canons shall be appointed by the Bishop in consultation with the Dean and Cathedral Chapter.
- 7.6 A deacon or priest is eligible to be appointed a Canon if he or she:
- a. has been in deacons or priests orders for not less than 5 years, and
 - b. is licensed by the Bishop to an appointment in the Diocese.
- 7.7 A lay person is eligible to be appointed a Canon if he or she is a communicant and confirmed member of the Anglican Church of Australia.
- 7.8 The Civic Representative shall be appointed by the Bishop on recommendation of the Dean.
- a. such representative may be the Mayor of Bathurst or the Mayor's nominee, who is a member of the Bathurst Regional Council.
 - b. the Chapter membership requirement to be a communicant and confirmed member of the Anglican Church of Australia is waived with respect to the Civic Representative.
Inserted by Ordinance 8/2007
- 7.9 Canons appointed under section 7.4 a, b, c and d hold office while they remain in office. Canons appointed under section 7.4 d hold office for a period of three years and may be reappointed for a further period of three years.
Amended by Ordinance 8/2007

Canons Residentiary

- 7.9 A maximum of 2 persons in priests orders may be appointed as Canons Residentiary to be senior associate priests in the Cathedral Parish.
- 7.10 A Canon Residentiary shall be appointed by the Bishop on the recommendation of the Dean and Cathedral Parish Council.
- 7.11 The conditions of service for Canons Residentiary shall be as negotiated between the Dean, the Cathedral Parish Council and the said Canon, subject to the provisions of the Administration Ordinance.

Responsibilities of the Canons

7.12 All Canons shall have the following responsibilities:

- a. to attend meetings of the Cathedral Chapter,
- b. to attend Diocesan services in the Cathedral, unless granted leave of absence by the Bishop,
- c. to abide by the regulations of the Cathedral Chapter,
- d. if appointed as officer of the Chapter, to carry out their duties with due diligence and in accordance with this and other Ordinances of the Diocese, and
- e. to preach, lecture or perform other ministries in the Cathedral at the invitation of the Dean.

Vacancies in the office of Canon

7.13 The office of a canon becomes vacant when that canon:

- a. dies or is permanently incapacitated,
- b. submits a written resignation to the Bishop, which is subsequently accepted,
- c. ceases to hold an office in the Diocese that entitles him or her to be a member of the Cathedral Chapter,
- d. is no longer actively involved in the life and ministry of the Diocese or the Cathedral,
- e. in the case of a clerical canon, has his or her licence revoked by the Bishop in accordance with the Chapter 7 of the Administration Ordinance or is subject to a recommendation of the Professional Standards Board under section 85 of the Professional Standards Ordinance, or
- f. attains the statutory retirement age.

7.14 Vacancies shall be filled in accordance with the provisions of this chapter.

Honorary and Emeritus Canons

7.15 Emeritus Canons shall not be appointed to the Cathedral.

Amended by Ordinance 4/2012

7.16 Emeritus Canons who currently hold such titles, retain them until, according to the conditions of their appointment, they cease to be eligible to hold that title.

Amended by Ordinance 4/2012

7.17 The Bishop may appoint as Honorary Canons of the Cathedral

- (a) members of the laity; and/or
- (b) clergy who hold a current licence for the Diocese of Bathurst or an Authority to Officiate in the Diocese of Bathurst.

An Honorary Canon shall not be assigned a stall, shall not have designated duties, nor be a member of the Cathedral Chapter and shall hold the appointment at the Bishop's pleasure.

Added by Ordinance 4/2012

CHAPTER 8 - CATHEDRAL STAFF

- 8.1 The following Cathedral Staff may be appointed by the Bishop on the recommendation of the Dean and the Cathedral Parish Council:
- a. Canons Residentiary,
 - b. Assistant and Associate Clergy,
 - c. Cathedral Chaplains, and
 - d. Licensed Lay Ministers.
- 8.2 A Precentor may be appointed by the Bishop on the recommendation of the Dean, the Cathedral Chapter and the Cathedral Parish Council:
- 8.3 The following Cathedral staff may be appointed by the Dean with the approval of the Cathedral Parish Council:
- a. The Cathedral Administrator,
 - b. Secretary to the Dean,
 - c. The Director of Music, who may or may not be Cathedral Organist,
 - d. Organists,
 - e. Music Leaders, including leaders of the Cathedral Choir and Music Group,
 - f. Vergers, to provide security and care for the fabric of the Cathedral (one of whom may be appointed as Head Verger), and
 - g. Servers and Sacristans.

CHAPTER 9 - THE CATHEDRAL FOUNDATION

- 9.1 The Cathedral Chapter shall promote a foundation to support the ministry of the Cathedral. The All Saints' Cathedral Bathurst Foundation (referred to herein as the Cathedral Foundation) shall be established under ordinance of the Diocese.
- 9.2 The Cathedral Foundation shall be a not-for-profit organisation with the objective of ensuring the ongoing preservation, maintenance and enhancement of the Cathedral plant and its ministries.
- 9.3 The Chair of the Foundation shall be an ex-officio member of the Cathedral Chapter and a Diocesan Canon.

CHAPTER 10 - CATHEDRAL CUSTOMARY

- 10.1 The Cathedral Chapter shall establish a Customary to order the usage and practices of the Cathedral. The Customary will be administered by the Dean and will include:
- a. General information about the Cathedral,
 - b. Statements on the duties of the Cathedral staff,
 - c. Guidelines for the conduct of services and the use of music,
 - d. Policy on the use of the Cathedral by external groups,
 - e. Information and policy on the management of historical records and items, and
 - f. Records of arrangements made with various agencies for the use of Cathedral plant and/or property.

CHAPTER 11 - THE CATHEDRAL PARISH COUNCIL

- 11.1 Except as otherwise provided in this Ordinance, the provisions of the Administration Ordinance apply to the Cathedral Parish.
- 11.2 The Cathedral Parish shall be administered by a Parish Council consisting of the Dean, the Canons Residentiary, Precentor, three churchwardens (two elected by the Parish and one appointed by the Dean), and nine other members, (six elected by the Parish and three appointed by the Dean), in accordance with the Diocesan Administration Ordinance.

CHAPTER 12 – ALL SAINTS’ COLLEGE

- 12.1 All Saints’ College, Bathurst is located within the Cathedral Parish and has a unique relationship with the Cathedral. In 1873, Canon Thomas Smith of All Saints' Cathedral, enthused Bishop Marsden with the idea of opening an Anglican school in the city. The following year, on January 27th, the Bathurst Church of England College opened its doors to seven students. It was renamed All Saints’ College, when the school was officially established in 1875.
- 12.2 The Dean is an ex officio member of the All Saints’ College Council in accordance with the provisions of the All Saints’ College Bathurst Ordinance.

The Head of College

- 12.3 The Head of All Saints’ College may, upon appointment to that position, also be licensed by the Bishop as a Diocesan Canon of the Cathedral.

The College Chaplain

- 12.4 The Chaplain of All Saints’ College shall, upon appointment to that position, also be licensed as a Cathedral Chaplain. The College Chaplain may perform ministry duties within the Cathedral Parish at the invitation of the Dean.

The College Chapel

12.5 The College Chapel shall operate according to the directions of the Bishop as a *chapel of ease* within the Cathedral Parish.

12.6 Nothing in this Ordinance shall affect the rights or responsibilities of All Saints' College with respect to the property, customary or maintenance of the Chapel or impose upon the Cathedral any responsibility for the Chapel.

CHAPTER 13 – SPECIAL MINISTRIES IN THE CATHEDRAL PARISH

13.1 The Bishop may, upon the recommendation of the Dean, appoint clergy and lay persons appointed to special ministries within the geographical limits of the Parish as Cathedral Chaplains. These Chaplains may, at the invitation of the Dean, preach, lecture or perform other ministry duties in the Cathedral.

I CERTIFY that the above Ordinance is in accordance with the Ordinance as reported.

(Sgd)

Chair of Committees

WE CERTIFY that this Ordinance was passed by Bishop-in-Council of the Diocese of Bathurst this 14th day of December, 2005.

R. Norman

Robert Howell

Secretaries of Synod

I ASSENT to this Ordinance

✠ *Richard: Bathurst*

Bishop of Bathurst

Dated: 14th December, 2005

Note: The above Ordinance is printed as amended by:

Miscellaneous Amendments (Second Series) Ordinance 2007 (Ordinance 2/2007)

Bathurst Cathedral Ordinance Amendment Ordinance 2007 (Ordinance 12/2007)

Bathurst Cathedral Ordinance 2005-2007 Amending Ordinance 2012 (Ordinance 4/2012)