

Synod Membership Ordinance 1995

(Reprinted under the Interpretation Ordinance 1985.)

The Synod Membership Ordinance 1995 as amended by the Miscellaneous Amendments Ordinance 1997, the Assisted Provisional Parishes (Reclassification) Ordinance 1997, the Synod Membership Ordinance 1995 Amendment Ordinance 2003, the Synod and Standing Committee (Membership) Amendment Ordinance 2003, the Synod Membership (Election of Parochial Representatives) Amendment Ordinance 2004, the Synod Membership (Indigenous Representation) Amendment Ordinance 2006 and the Synod Membership (Nominated Indigenous Representatives) Ordinance 2009.

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Long Title

An Ordinance to provide for the election, appointment and summoning of Synod members and for matters incidental thereto.

Now the Synod of the Diocese of Sydney Ordains as follows –

Part 1 – Preliminary

1. Citation

This Ordinance may be cited as the “Synod Membership Ordinance 1995”.

2. Definitions

A word or expression used in this Ordinance and which is defined in the Dictionary at the end of this Ordinance has the meaning set out in the Dictionary.

Part 2 – Frequency and Proceedings of Synod

3. Frequency

A new Synod must be elected and convened at least once in every 3 years.

4. Rules for Conduct of Business of Synod

The rules for the conduct of all business coming before the Synod shall be those set out in the Schedule to the Standing Orders Ordinance 1968.

Part 3 – Membership of Synod

5. Membership

Subject to this Ordinance, the members of a Synod comprise –

- (a) Parochial Ministers (see Part 4);
- (b) Parochial Representatives for that Synod (see Part 5);
- (c) Chief Executive Officers of Nominated Organisations for that Synod (see Part 6);
- (d) Nominated Ministers for that Synod (see Part 7);
- (e) Nominated Laypersons for that Synod (see Part 8); and
- (f) Nominated Indigenous Representatives for that Synod (see Part 8A); and
- (g) Other members (see Part 9).

6. Declaration

Each Parochial Representative, alternate for a Parochial Representative, Nominated Layperson and lay Nominated Indigenous Representative must, before taking part in or voting at any session of the Synod, sign and deliver to the President the following declaration –

“I, the undersigned A.B., do declare that I am a communicant member of the Anglican Church of Australia and not a member of any other Church.”

Part 4 – Parochial Ministers

Division 1 – Parochial Ministers

7. Each Parochial Minister must be summoned to Synod

Each Parochial Minister is a member of the Synod and must be summoned to each session of the Synod convened after that person becomes a Parochial Minister.

8. What if a person ceases to be a Parochial Minister after a summons has issued?

If a person is summoned to a session of Synod as a Parochial Minister and before the first day of that session the person ceases to be a Parochial Minister, the person ceases to be a member of the Synod and the summons is void.

Division 2 – Alternate for a Parochial Minister

8A. Parochial Minister may appoint an alternate

(1) A Parochial Minister may appoint an Associate Minister licensed to the same Parochial Unit to be the alternate for the Parochial Minister for a session of the Synod if the Parochial Minister expects that during all or part of that session –

- (a) the Parochial Minister will be outside the Diocese; or
- (b) the Parochial Minister will be on annual leave or long service leave; or
- (c) the Parochial Minister will be unable to perform normal ministry duties due to sickness or accident for which the Parochial Unit will be in receipt of benefits from the Sydney Diocesan Sickness and Accident Fund; or
- (d) the Parochial Minister, with the consent of the Archbishop, will for any other reason be unable to attend all or part of that session.

(2) The appointment of an alternate can only be made by the Parochial Minister giving to the Registrar, at least 14 days prior to the first day of the session, a written notice –

- (a) certifying that the Parochial Minister expects that during all or part of that session

the Parochial Minister will be outside the Diocese or will be on annual leave or long service leave or will be unable to perform normal ministry duties in terms of subclause (1)(c) or, with the consent of the Archbishop, will for another reason be unable to attend all or part of that session; and

- (b) specifying the name and address of the Associate Minister appointed as the alternate and the session of the Synod for which the alternate has been appointed.
- (3) An appointment made under this clause may only be revoked –
- (a) by the Parochial Minister; and
 - (b) if written notice of the revocation is given to the Registrar at least 14 days prior to the first day of the session.

8B. Alternate to attend in place of the Parochial Minister

(1) At the session of the Synod for which an Associate Minister is appointed as the alternate for a Parochial Minister, the alternate –

- (a) may exercise all the rights which a Parochial Minister may exercise as a member of the Synod; and
- (b) shall be taken to be a Parochial Minister in determining any quorum at the session,

but is not entitled to be elected to any office or committee of the Synod for which membership of the Synod is a qualification.

(2) If –

- (a) a Parochial Minister has appointed an alternate under clause 8A; and
- (b) the appointment has not ended under clause 8C,

the Parochial Minister is not to attend the session of the Synod for which the alternate has been appointed.

8C. When does an appointment of an alternate end?

The appointment of an Associate Minister as the alternate for a Parochial Minister under clause 8A ends on the first to occur of –

- (a) the person making the appointment ceasing to be the Parochial Minister of the Parochial Unit to which the person was licensed at the time the appointment was made; or
- (b) the person appointed as alternate ceasing to be an Associate Minister licensed to the Parochial Unit to which the person was licensed at the time the appointment was made; or
- (c) the Parochial Minister revoking the appointment under clause 8A(3); or
- (d) the end of the last day of the session of the Synod for which that person was appointed as an alternate.

Part 5 – Parochial Representatives

Division 1 – Parochial Representatives

9. Who is a Parochial Representative?

A person is a Parochial Representative for a Synod if –

- (a) that person has been elected to be a Parochial Representative for that Synod; and
- (b) notice of the election has been given to the Registrar under clause 17; and
- (c) that person has not retired as a Parochial Representative under clause 18.

Division 2 – Election of Parochial Representatives

10. How many Parochial Representatives can a Parish elect?

A Parish may elect 1 or 2 Qualified Persons to be Parochial Representatives.

11. How many Parochial Representatives can a Provisional Parish elect?

A Provisional Parish may elect 1 Qualified Person to be a Parochial Representative.

12. What if a Parish is reclassified as a Provisional Parish?

(1) If a Parish is reclassified as a Provisional Parish, the persons elected (if any) to be Parochial Representatives for that Parish retire as Parochial Representatives on the date the reclassification takes effect.

(2) A Parochial Representative for the Provisional Parish may be elected at a Vestry Meeting held at any time after the date of reclassification.

(3) For the purposes of this clause –

- (a) “reclassified” does not include provisionally reclassified; and
- (b) where the date of reclassification occurs within 2 months before the first day of a session of Synod or occurs during a session of Synod, the date of reclassification is taken to be the day after the last day of that session of Synod.

13. What if a Provisional Parish is reclassified as a Parish?

(1) If a Provisional Parish is reclassified as a Parish an additional Parochial Representative for that Parochial Unit may be elected at a Vestry Meeting held at any time after the date of reclassification.

(2) If a Provisional Parish is reclassified as a Parish within 2 months before the first day of a session of Synod or during a session of Synod, the date of reclassification is taken to be, for the purpose of this clause, the day after the last day of that session of Synod.

14. What if 2 or more Parochial Units Amalgamate?

(1) Where 2 or more Parochial Units are amalgamated, the persons elected (if any) to be Parochial Representatives for each of those Parochial Units retire as Parish Representatives on the date of amalgamation.

(2) A Parish Representative or Representatives for the new Parochial Unit may be elected at a Vestry Meeting held at any time after the date of amalgamation.

(3) If 2 or more Parochial Units are amalgamated within 2 months before the first day of a session of Synod or during a session of Synod the date of amalgamation is taken to be, for the purposes of this clause, the day after the last day of that session of Synod.

15. When may persons be elected to be Parochial Representatives?

A person may be elected to be a Parochial Representative of a Parochial Unit for a Synod at a Vestry Meeting held at any time during the calendar year in which the first ordinary session of that Synod is to be convened or at any time thereafter.

16. How are elections to be conducted?

The provisions of clause 14 of the Church Administration Ordinance 1990 apply in relation to the nomination of a person as a Parochial Representative and to the conduct of contested elections as if those provisions were set out in full in this ordinance.

17. Notice to be given to the Registrar when a person is elected to be a Parochial Representative

Upon the election of a person to be a Parochial Representative, the chairman of the Vestry Meeting at which the election took place must give, or cause to be given, to the Registrar a written notice specifying –

- (a) the name, address and date of election of the person elected to be a Parochial Representative; and
- (b) the Synod for which the person has been elected to be a Parochial Representative.

Division 3 – Retirement of Parochial Representatives

18. When does a person retire as a Parochial Representative?

A person retires as a Parochial Representative if –

- (a) a Disqualifying Event occurs in respect of that person;
- (aa) the person ceases to be a Qualified Person;
- (b) the person resigns by written notice given to the Parochial Minister or, if there is no Parochial Minister, to the churchwardens of the church of the Parochial Unit or

if there is more than one church in the Parochial Unit, to the churchwardens of the principal church; or

- (c) the person retires as a Parochial Representative by reason of clause 12 or 14.

19. Notice to be given to the Registrar when a person retires as a Parochial Representative

If a person retires as a Parochial Representative otherwise than by reason of clause 12 or 14, the Parochial Minister or, if there is no Parochial Minister, the churchwardens of the church of the Parochial Unit or if there is more than one church in the Parochial Unit, the churchwardens of the principal church must give, or cause to be given, to the Registrar a written notice specifying –

- (a) the name of the person and the date on which the person retired as a Parochial Representative; and
- (b) the Synod for which the person had been a Parochial Representative.

20. A vacancy in the office of a Parochial Representative may be filled

A person may be elected to fill a vacancy in the office of a Parochial Representative at a Vestry Meeting of the Parochial Unit.

Division 4 – Summoning of Parochial Representatives to Synod

21. Parochial Representatives must be summoned to Synod

Each person who is a Parochial Representative for a Synod is a member of that Synod and must be summoned to each session of that Synod convened after that person becomes a Parochial Representative.

22. What if a person retires as a Parochial Representative after a summons has issued?

If a person is summoned to a session of Synod as a Parochial Representative and before the first day of that session that person retires as a Parochial Representative, the summons is void.

Division 5 – Alternate for a Parochial Representative

22A. Parochial Representative may appoint an alternate

(1) With the consent of the parish council, a Parochial Representative may appoint a Qualified Person to be the alternate for the Parochial Representative for a session of the Synod if the Parochial Representative expects that during all or part of the session –

- (a) the Parochial Representative will be outside the Diocese; or
- (b) the Parochial Representative will be on annual leave or long service leave or sick leave; or
- (c) the Parochial Representative will be for any other reason unable to attend all or part of that session.

(2) The appointment of an alternate can only be made by the Parochial Representative giving to the Registrar, at least 14 days prior to the first day of the session, a written notice –

- (a) certifying that the Parochial Representative expects that during all or part of that session the Parochial Representative will be outside the Diocese or will be on annual leave or long service leave or sick leave or for another specified reason will be unable to attend all or part of that session; and
- (b) specifying the name and address of the Qualified Person appointed as the alternate and the session of the Synod for which the alternate has been appointed; and
- (c) certifying that the appointment of the alternate has been approved by the parish council.

(3) An appointment made under this clause may be revoked if written notice of the revocation is given to the Registrar at least 14 days prior to the first day of the session –

- (a) by the parish council; or
- (b) by the Parochial Representative if he or she has become available to attend the session of Synod.

22B. Alternate to attend in place of the Parochial Representative

(1) At the session of the Synod for which a Qualified Person is appointed as the alternate for a Parochial Representative, the alternate –

- (a) may exercise all the rights which a Parochial Representative may exercise as a member of the Synod; and
- (b) shall be taken to be a Parish Representative in determining any quorum at the session,

but is not entitled to be elected to any office or committee of the Synod for which membership of the Synod is a qualification.

(2) If –

- (a) a Parochial Representative has appointed an alternate under clause 22A; and
- (b) the appointment has not ended under clause 22C,

the Parochial Representative is not to attend the session of the Synod for which the alternate has been appointed.

22C. When does an appointment of an alternate end?

The appointment of a Qualified Person as the alternate for a Parochial Representative under clause 22A ends on the first to occur of –

- (a) the retirement of the Parochial Representative under clause 18; or
- (b) the person appointed as the alternate ceasing to be a Qualified Person; or
- (c) the revocation of the appointment under clause 22A(3); or
- (d) the end of the last day of the session of the Synod for which that person was appointed as an alternate.

Part 6 – Chief Executive Officers of Nominated Organisations

Division 1 – Nominated Organisations

23. What is a Nominated Organisation?

Subject to clause 25, a diocesan board, department or organisation is a Nominated Organisation for a Synod if –

- (a) the board, department or organisation has been declared by the Standing Committee under clause 24 to be a Nominated Organisation for that Synod; and
- (b) notice of the declaration has been given to the Registrar under clause 26.

Division 2 - Declaration of boards etc to be Nominated Organisations

24. How does a board etc become a Nominated Organisation?

The Standing Committee may, by resolution, declare a diocesan board, department or organisation to be a Nominated Organisation for a Synod.

25. How many Nominated Organisations may exist at one time?

(1) The Standing Committee must not make a declaration under clause 24 if, at the time the declaration is made, similar declarations are in force for 7 other diocesan boards, departments or organisations for the same Synod in respect of which the Standing Committee proposes making the declaration.

(2) A declaration made in breach of subclause 25(1) is void.

26. Notice must be given to the Registrar when a board etc is declared to be a Nominated Organisation

Upon the making of a declaration under clause 24, the Standing Committee must give, or cause to be given, to the Registrar and to the governing body of the relevant board, department or organisation a written notice specifying –

- (a) the name of the board, department or organisation and the date on which the declaration was made; and
- (b) the Synod for which the board, department or organisation has been declared to be a Nominated Organisation.

Division 3 – Chief Executive Officers of Nominated Organisations

27. Nominated Organisation to give notice re Chief Executive Officer

At any time after receiving notice under clause 26, the governing body of a Nominated Organisation may give to the Registrar written notice of the name and address of its Chief Executive Officer.

28. Notice must be given to the Registrar when a person ceases to be Chief Executive Officer

(1) If –

- (a) the governing body of a Nominated Organisation has given notice of the name and address of its Chief Executive Officer under clause 27; and
- (b) the person referred to in that notice ceases to be the Chief Executive Officer,

the governing body of the Nominated Organisation must give to the Registrar written notice specifying the name of that person and the date on which that person ceased to be the Chief Executive Officer.

(2) The governing body of the Nominated Organisation may then give a notice under clause 27 in respect of its new Chief Executive Officer.

Division 4 – Summoning of Chief Executive Officers to Synod

29. Chief Executive Officers of Nominated Organisations must be summoned to Synod

If –

- (a) a diocesan board, department or organisation is a Nominated Organisation; and
- (b) notice of the name and address of the person who is the Chief Executive Officer that board, department or organisation has been given under clause 27; and
- (c) the person referred to in paragraph (b) has not ceased to be Chief Executive Officer; and
- (d) that person is not entitled to be summoned to the Synod under Part 4, 5 or 9 of this ordinance,

that person is a member of the Synod and must be summoned to each session of the Synod held after the date on which the person became the Chief Executive Officer.

30. What if a person ceases to be Chief Executive Officer of a Nominated Organisation after a summons has issued?

If a person is summoned to a session of Synod as the Chief Executive Officer of a Nominated Organisation, and before the first day of that session that person ceases to be the Chief Executive Officer of a Nominated Organisation, the summons is void.

Part 7 – Nominated Ministers

Division 1 – Nominated Ministers

31. Who is a Nominated Minister?

A person is a Nominated Minister for a Synod if –

- (a) that person has been appointed by the Archbishop to be a Nominated Minister for that Synod;
- (b) notice of the appointment has been given to the Registrar and to the Standing Committee under clause 34; and
- (c) that person has not retired as a Nominated Minister under clause 35.

32. Number of Nominated Ministers

(1) As soon as is practicable in the calendar year in which the first ordinary session of a Synod is to be convened, and in any event not less than 2 months before the first day of that session, the Archbishop shall advise the Standing Committee of the number of persons the Archbishop intends to appoint as Nominated Ministers for that Synod.

(2) The number of Nominated Ministers for a Synod must not, at any time, exceed that number which is equal to 10% of the total number of Parochial Ministers determined on 1 January in the calendar year in which the first session of that Synod is to be or was held.

(3) The Archbishop may, at any time, by advice to the Standing Committee increase the number of persons to be appointed as Nominated Ministers for a Synod provided that the total number of Nominated Ministers for that Synod must not exceed the number calculated in accordance with subclause (2).

(4) If the Archbishop increases the number of Nominated Ministers under subclause (3) within 2 months before the first day of a session of Synod, such increase does not take effect until the day after the last day of that session.

Division 2 – Appointment of Persons to be Nominated Ministers

33. Who may be appointed to be a Nominated Minister?

The Archbishop may only appoint a person to be a Nominated Minister if –

- (a) that person is a Qualified Minister; and
- (b) that person is not entitled to be summoned to a session of Synod under Part 4, 6 or 9 of this ordinance.

34. Notice must be given on the appointment of a person to be a Nominated Minister

(1) The Archbishop must give written notice to the Registrar and the Standing Committee of the name of each person appointed by the Archbishop to be a Nominated Minister for a Synod.

(2) The Archbishop must not appoint a person to be a Nominated Minister for a Synod if such appointment would result in the number of Nominated Ministers for that Synod exceeding the number advised by the Archbishop to the Standing Committee under subclauses 32(1) or (3).

Division 3 – Retirement of Nominated Ministers

35. When does a person retire as a Nominated Minister?

A person retires as a Nominated Minister if –

- (a) a Disqualifying Event occurs in respect of that person; or
- (b) the person resigns by written notice given to the Archbishop; or
- (c) the person ceases to be a Qualified Minister; or
- (d) the person becomes entitled to be summoned to a session of Synod under Part 4, 6 or 9 of this ordinance.

36. Notice must be given when a person retires as a Nominated Minister

Upon a person retiring as a Nominated Minister the Archbishop must give, or cause to be given, to the Registrar a written notice specifying –

- (a) the name, address and date on which the person retired as a Nominated Minister; and
- (b) the Synod for which that person had been a Nominated Minister.

37. Filling of Casual Vacancies

The Archbishop may appoint a person to fill a vacancy in the office of a Nominated Minister.

Division 4 - Summoning of Nominated Ministers to Synod

38. Nominated Ministers must be summoned to Synod

Each Nominated Minister is a member of the Synod for which that person has been appointed and must be summoned to each session of that Synod convened after that person becomes a Nominated Minister.

39. What if a person retires as a Nominated Minister after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Minister and before the first day of that session the person retires as a Nominated Minister, the summons is void.

Part 8 – Nominated Laypersons

Division 1 – Nominated Laypersons

40. Who is a Nominated Layperson?

A person is a Nominated Layperson for a Synod if –

- (a) that person has been elected to be a Nominated Layperson for that Synod; and
- (b) notice of the election has been given to the Registrar under clause 45; and
- (c) the person has not retired as a Nominated Layperson under clause 46.

41. Number of Nominated Laypersons

(1) The number of Nominated Laypersons for a Synod is the same as the number of Nominated Ministers for that Synod which the Archbishop has advised the Standing Committee under subclause 32(1) or (3).

(2) The retirement of a Nominated Minister under clause 35 does not reduce the number of Nominated Laypersons for a Synod.

Division 2 – Election of Nominated Laypersons

42. Who elects persons to be Nominated Laypersons?

The Standing Committee may elect persons to be Nominated Laypersons.

43. Who may be elected to be a Nominated Layperson

The Standing Committee may only elect a person to be a Nominated Layperson if –

- (a) that person is a Qualified Person; and
- (b) that person is not entitled to be summoned to a session of Synod under Part 5, 6 or 9 of this ordinance.

44. When may persons be elected to be Nominated Laypersons?

On receipt of advice from the Archbishop under clause 32 or at any time thereafter, the Standing Committee may, by resolution, elect Qualified Persons to be Nominated Laypersons.

45. Notice must be given on the election of a Nominated Layperson

Upon the election of a person to be a Nominated Layperson, the Standing Committee must give, or cause to be given, to the Registrar written notice specifying –

- (a) the name and address of that person and the date of election; and
- (b) the Synod for which that person has been elected to be a Nominated Layperson.

Division 3 – Retirement of Nominated Laypersons

46. When does a person retire as a Nominated Layperson?

A person retires as a Nominated Layperson if –

- (a) a Disqualifying Event occurs in respect of that person; or
- (b) that person resigns by written notice given to the Diocesan Secretary; or
- (c) the person becomes entitled to be summoned to Synod under Part 5, 6 or 9 of this ordinance.

47. Notice must be given when a person retires as a Nominated Layperson

When a person retires as a Nominated Layperson, the Standing Committee must give, or cause to be given, to the Registrar written notice specifying the name of that person and the date on which that person retired as a Nominated Layperson.

48. A new Nominated Layperson may be elected to fill a vacancy

A person may be elected by the Standing Committee to fill a vacancy in the office of a Nominated Layperson.

Division 4 – Summoning of Nominated Laypersons to Synod

49. Nominated Laypersons must be summoned to Synod

Each Nominated Layperson is a member of the Synod for which that person has been elected and must be summoned to each session of that Synod convened after the date on which that person becomes a Nominated Layperson.

50. What if a person retires as a Nominated Layperson after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Layperson and before the first day of that session the person retires as a Nominated Layperson, the summons is void.

Part 8A – Nominated Indigenous Representatives

Division 1 – Election of Nominated Indigenous Representatives

50A. Who is a Nominated Indigenous Representative?

A person is a Nominated Indigenous Representative for a Synod if –

- (a) that person has been elected to be a Nominated Indigenous Representative for that Synod; and
- (b) notice of the election has been given to the Registrar under clause 50C; and
- (c) the person has not retired as a Nominated Indigenous Representative under clause 50D.

50B. Election of Nominated Indigenous Representatives

(1) The Sydney Anglican Indigenous Peoples' Ministry Committee may elect up to 2 persons to be Nominated Indigenous Representatives.

(2) A person may be elected to be a Nominated Indigenous Representative if the person is –

- (a) an Indigenous Person,
- (b) a Qualified Person or Qualified Minister, and
- (c) not entitled to be summoned to a session of the Synod under any Part of this Ordinance other than Part 8A.

50C. Notice must be given on the election of a Nominated Indigenous Representative

Upon the election of a person to be a Nominated Indigenous Representative, the Sydney Anglican Indigenous Peoples' Ministry Committee must give, or cause to be given, to the Registrar written notice specifying –

- (a) the name and address of that person and the date of election, and
- (b) the Synod for which that person has been elected to be a Nominated Indigenous Representative.

Division 2 – Retirement of Nominated Indigenous Representatives

50D. When does a person retire as a Nominated Indigenous Representative?

A person retires as a Nominated Indigenous Representative if –

- (a) a Disqualifying Event occurs in respect of that person, or
- (b) that person resigns by written notice given to the Chairman of the Sydney Anglican Indigenous Peoples' Ministry Committee, or
- (c) the person becomes entitled to be summoned to Synod under any Part of this Ordinance other than Part 8A.

50E. Notice must be given when the person retires as a Nominated Indigenous Representative

When a person retires as a Nominated Indigenous Representative, the Sydney Anglican Indigenous Peoples' Ministry Committee must give, or cause to be given, to the Registrar written notice specifying the name of that person and the date on which that person retired as a Nominated Indigenous Representative.

50F. A new Nominated Indigenous Representative may be elected to fill a vacancy

A person may be elected by the Sydney Anglican Indigenous Peoples' Ministry Committee to fill a vacancy in the office of a Nominated Indigenous Representative.

Division 3 – Summoning of Nominated Indigenous Representative to Synod

50G. Nominated Indigenous Representatives must be summoned to the Synod

Each Nominated Indigenous Representative is a member of the Synod for which that person has been elected and must be summoned to each session of that Synod convened after the date on which that person becomes a Nominated Indigenous Representative.

50H. What if a person retires as a Nominated Indigenous Representative after a summons has issued?

If a person is summoned to a session of Synod as a Nominated Indigenous Representative and before the first day of that session the person retires as a Nominated Indigenous Representative, the summons is void.

Part 9 – Other Members of Synod

51. The Chancellor

The Chancellor is a member of the Synod and must be summoned to each session of the Synod.

52. The Registrar

The Registrar is a member of the Synod and must be summoned to each session of the Synod.

52A. Diocesan Secretary

The Diocesan Secretary is a member of the Synod and must be summoned to each session of the Synod.

53. Warden of St Paul's College and College Representatives

(1) The Warden of St Paul's College is a member of the Synod and must be summoned to each session of the Synod.

(2) Two Qualified Persons, elected by the council of St Paul's College from among themselves, must be summoned to the Synod. The Warden must cause a certificate of election to be delivered to each member of the council so elected and to the Registrar.

Part 10 – Transitional

54. Commencement and Transitional

(1) Parts 2 to 8 inclusive and Part 9 and clause 55 commence on the last to occur of -

- (a) the date on which the Constitution Ordinance 1994 of the Provincial Synod is adopted by the Synod of each diocese in the Province of New South Wales; and
- (b) the passing of a canon of the General Synod ratifying the Constitution Ordinance 1994 of the Provincial Synod.

(2) With effect on and from the date of commencement of Parts 2 to 8 inclusive and Part 9 -

- (a) persons who, immediately before that date, were representatives of a Parochial Unit elected for a Synod under the Former Legislation are taken to be Parochial Representatives duly elected for that Synod under Part 5;
- (b) persons who, immediately before that date, were nominated chief executive officers for a Synod under clause 2A of the Synod Representative and Membership Ordinance 1945 are taken to be duly appointed Chief Executive Officers of a Nominated Organisation for that Synod under Part 6;
- (c) clergymen who, immediately before that date, were eligible to be summoned to a session of Synod under the 14th Constitution Ordinance 1988 are taken to be duly appointed Nominated Ministers for that Synod under Part 7; and
- (d) laypersons who, immediately before that date, were eligible to be summoned to a session of Synod under the Regulations made by the Synod on 23 September 1903 under the 14th Constitution in the Schedule to the Anglican Church of Australia Constitutions Act 1902 are taken to be duly appointed Nominated Laypersons for that Synod under Part 8.

(3) A declaration made by a person under the 17th Constitution in the Schedule to the Anglican Church of Australia Constitutions Act 1902 for the purposes of the Synod which is current on the date on which 2 to 8 inclusive and Part 9 commence are taken to have been made under clause 6.

55. Repeal of Former Legislation

The Former Legislation is repealed but without invalidating anything done under or pursuant to it before the commencement of this clause.

Dictionary

In this ordinance unless the context otherwise requires –

“Associate Minister” means an assistant minister or a senior assistant minister within the meaning of the Assistant Ministers Ordinance 1990.

“Chief Executive Officer” of a diocesan board, department or organisation means the person who is responsible to the governing body of the board, department or organisation for the work of the organisation.

“Disqualifying Event” in relation to a person means any of the following –

- (a) the death of that person;
- (b) becoming an insolvent under administration;
- (c) becoming a mentally incapacitated person;

“Former Legislation” means each of the following (as amended) –

- (a) Synod Representative and Membership Ordinance 1945;
- (b) 14th Constitution Ordinance 1988; and
- (c) regulations made by the Synod on 23 September 1903 under the 14th of the Constitutions contained in the Schedule to the Anglican Church Constitutions Act Amendment Act of 1902.

“Indigenous Person” means a person of the Aboriginal race of Australia or who is a descendant of the Indigenous inhabitants of the Torres Strait Islands.

“Minister” means a person in holy orders.

“Nominated Indigenous Representative” for a Synod means a person to whom clause 50A applies.

“Nominated Layperson” for a Synod means a person to whom clause 40 applies.

“Nominated Minister” for a synod means a person to whom clause 31 applies.

“Nominated Organisation” for a Synod means a diocesan board, department or organisation that, in accordance with clause 23, is a nominated organisation for the Synod.

“Parish” means a parish constituted under or recognised as such under the Parishes Ordinance 1979.

“Parochial Minister” means a Minister who –

- (a) is licensed as the rector of a Parish;
- (b) is licensed as the curate-in-charge of a Parochial Unit; or
- (c) is licensed as the acting rector of a Parish if the license expressly states that the person is entitled to receive a summons to Synod.

“Parochial Representative” for a Synod means a person to whom clause 9 applies.

“Parochial Unit” means a Parish and a Provisional Parish.

“Provisional Parish” means a provisional parish constituted under or recognised as such under the Parishes Ordinance 1979.

“Qualified Minister” means a Minister who is authorised or licensed to officiate by the Archbishop and –

- (a) has previously been summoned to a session of a Synod as a Parochial Minister; or
- (b) is engaged in teaching or ministry within the Diocese on a full-time basis under the direction of the Archbishop or of a committee or corporation whose members are elected or appointed by the Synod or the Standing Committee.

“Qualified Person” means a layperson who –

- (a) is 18 years of age or older; and
- (b) is a communicant member of the Anglican Church of Australia.

“session of the Synod” means all meetings of the Synod to which a summons issued to members of the Synod applies.

“Vestry Meeting” means –

- (a) in relation to a Parochial Unit having only one church – a vestry meeting of the church convened under the Church Administration Ordinance 1990; and
- (b) in relation to a Parochial Unit having more than one church – a vestry meeting of the Parochial Unit as referred to in clause 3 the Church Administration Ordinance 1990.

Table of Amendments

Clause 5	Amended by Ordinance No 26, 2006.
Clause 6	Amended by Ordinances Nos 46, 2003; 26, 2006 and 32, 2009.
Clause 8A	Inserted by Ordinance No 46, 2003.
Clause 8B	Inserted by Ordinance No 46, 2003.
Clause 8C	Inserted by Ordinance No 46, 2003.
Clause 11	Amended by Ordinance No 35, 1997.
Clause 18	Amended by Ordinance No 29, 1997.
Clause 22A	Inserted by Ordinance No 46, 2003.
Clause 22B	Inserted by Ordinance No 46, 2003.
Clause 22C	Inserted by Ordinance No 46, 2003.
Clause 25	Amended by Ordinance No 47, 2003.
Clause 50A	Inserted by Ordinance 26, 2006 and amended by Ordinance No 32, 2009.
Clause 50B	Inserted by Ordinance 26, 2006. Omitted and new clause inserted by Ordinance No 32, 2009.
Clause 50C	Inserted by Ordinance 26, 2006.
Clause 50D	Inserted by Ordinance 26, 2006 and amended by Ordinance No 32, 2009.
Clause 50E	Inserted by Ordinance 26, 2006.
Clause 50F	Inserted by Ordinance 26, 2006.
Clause 50G	Inserted by Ordinance 26, 2006.
Clause 50H	Inserted by Ordinance 26, 2006.
Clause 52A	Inserted by Ordinance No 47, 2003.
Clause 54	Amended by Ordinance No 26, 2006.
Dictionary	Amended by Ordinances Nos 35, 1997; 46, 2003; 39, 2004; 26, 2006 and 32, 2009.

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13 November 2009