

# Ministry Standards and Safe Ministry Amendment Ordinance 2022

No 37, 2022

## Long Title

An Ordinance to amend ordinances in relation to ministry standards and safe ministry.

The Synod of the Diocese of Sydney Ordains as follows.

## 1. Name

This Ordinance is the Ministry Standards and Safe Ministry Amendment Ordinance 2022.

## 2. Amendments to the *Ministry Standards Ordinance 2017*

The *Ministry Standards Ordinance 2017* is amended as follows –

- (a) substitute, where they appear throughout the Ordinance, the words or matter –
  - (i) “Director of Safe Ministry” for “Director of Professional Standards”,
  - (ii) “Ministry Standards Committee” for “Professional Standards Committee”,
  - (iii) “Ministry Standards Board” for “Professional Standards Board”,
  - (iv) “Office of the Director of Safe Ministry” for “Professional Standards Unit”, and
  - (v) “MSC” for “PSC”,
- (b) delete the definition of “Registrar” in subclause 4(1),
- (c) substitute the definition of “Safe Ministry Board” in subclause 4(1) with the following definition –

**“Safe Ministry Board”** means the body of that name constituted under the *Safe Ministry Board Ordinance 2001*,
- (d) substitute the definition of “Director” in subclause 4(1) with the following definition –

**“Director”** means the Director of Safe Ministry appointed under the *Safe Ministry Board Ordinance 2001*,
- (e) insert the following definition in subclause 4(1) –

**“Panel of experienced lawyers”** means the panel compiled under clause 27A’,
- (f) rearrange the definitions in subclause 4(1) so that they are in alphabetical order,
- (g) substitute the definition of ‘safe ministry training failure’ in clause 6(2) with the following –

**“safe ministry training failure**, which means a failure without a reasonable excuse to satisfactorily complete mandatory training approved for the purposes of the *Safe Ministry to Children Ordinance 2020*;”,
- (h) insert the matter “or 28(3)” immediately before the semi-colon in the definition of ‘Adjudicator’ in subclause 4(1),
- (i) insert a new clause 27A as follows –

**“27A Panel of Adjudicators**  
The Director is to compile a panel of experienced lawyers with the concurrence of the Chancellor who are to act as Adjudicators under this Part.”,
- (j) delete the words “Registrar to appoint an experienced lawyer” in subclause 28(1)(a) and insert instead the words “Chancellor to appoint a person from the Panel of experienced lawyers”,
- (k) substitute all instances of the word “Registrar” in clause 28 with the word “Chancellor”,
- (l) delete the words “an experienced lawyer” in each of subclauses 28(1)(a) and 28(2) and insert instead the words “a member of the Panel of experienced lawyers”,
- (m) delete the words “experienced lawyer” in subclause 28(3) and insert instead the words “member of the Panel of experienced lawyers”,
- (n) substitute each instance of the word “Registrar” with the word “Director” in Part 4C,
- (o) delete clauses 82 and 82A,
- (p) insert a new subclause 83(1)(j) as following (and consequentially renumber the existing subclause 83(1)(j) and remaining subclauses) –
  - (j) to appoint a Panel of experienced lawyers with the approval of the Chancellor”;
- (q) in clause 84 delete each instance of the words “is to” and insert instead the word “may”,

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- (r) insert the following words at the end of subclause 84(2) before the full-stop –  
“for the proper discharge of the Archbishop’s duties and responsibilities or as the Director deems necessary for that purpose”,
- (s) insert the following words at the end of subclause 84(3) before the full-stop –  
“for the proper discharge of the Director’s duties and responsibilities or as the Archbishop deems necessary for that purpose”,
- (t) in clause 86 –
  - (i) substitute each instance of the word “Director” with “Safe Ministry Board”, and
  - (ii) delete the words “and provide a copy of the report to the Safe Ministry Board”, and
- (u) Insert a new subclause 104(1)(e) as follows (and reletter the existing subclauses (e) and (f) as (f) and (g) respectively) –  
“(e) to the Safe Ministry Board (including any agent acting on its behalf) for the purpose of that body fulfilling its functions.”,
- (v) substitute the text in clause 107(3) with the following –  
“The MSC may, in respect of every complaint with which it is dealing under this Ordinance, report either orally or in writing to the Archbishop for the proper discharge of the MSC’s duties and responsibilities or as the MSC deems necessary for that purpose.”, and
- (w) insert a new clause 113 as follows (and consequentially renumber the existing clause 114 as clause 114) –  
**“113. Delegation of the Chancellor’s functions**  
The Chancellor may delegate any of his or her functions under this Ordinance to a Deputy Chancellor.”

### 3. Amendments to the *Safe Ministry to Children Ordinance 2020*

The *Safe Ministry to Children Ordinance 2020* is amended as follows –

- (a) substitute, where they appear throughout the Ordinance, the words -
  - (i) “Director of Safe Ministry” for “Director of Professional Standards”, and
  - (ii) “Office of the Director of Safe Ministry” for “Professional Standards Unit”,
- (b) the text in clause 15 is substituted with the following –  
“The Rector and Wardens of a parish or church must comply with the Persons of Concern Policy in respect to the churches and congregations for which they hold office or exercise functions.”, and
- (c) in the definition of “Person of Concern Policy” in Part 11 remove the capitalisation in the term “Policy for Safe Ministry”.

### 4. Amendments to the *Accounts, Audits and Annual Reports Ordinance 1995*

The *Accounts, Audits and Annual Reports Ordinance 1995* is amended as follows –

- (a) insert a new clause 14A as follows –  
**“14A. Reports on implementation and compliance with the Child Safe Standards**  
Any Organisation that is –
  - (a) required to report to a regulator concerning its implementation of or compliance with the Child Safe Standards, or
  - (b) is the subject of a report by a regulator in relation to that implementation or compliance,is to promptly provide a copy of any such report to the Safe Ministry Board, unless prevented from doing so by law.”, and
- (b) insert a new definition in clause 18 as follows after the definition of “Audit” –  
“Child Safe Standards” has the meaning given in the *Children’s Guardian Act 2019*.”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

P COLGAN  
Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 13 September 2022.

D GLYNN  
Secretary

I Assent to this Ordinance.

BISHOP CHRIS EDWARDS  
Commissary for Archbishop of Sydney

26/09/2022