

Parishes (COVID-19 and General Meetings No. 2) Ordinance 2020

(Reprinted under the Interpretation Ordinance 1985.)

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Long Title

An Ordinance to provide special arrangements for holding general meetings of parishioners in the context of the public health emergency caused by the COVID-19 pandemic.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Parishes (COVID-19 and General Meetings No. 2) Ordinance 2020.

2. Interpretation

(1) In this Ordinance –

“general meeting” includes an annual general meeting,

“online service of public worship” means a form of service of a church or parish that is transmitted via the internet as a livestream or pre-recorded video that is intended as a temporary substitute for services of public worship in the church building(s) while those services are suspended, and

“Prescribed Period” means the period starting on the commencement of this Ordinance and ending on 31 March 2021 or such later date as is determined by the Archbishop in writing.

Note: *The Prescribed Period was extended to 31 December 2021 by the Archbishop in writing on 28 July 2021.*

(2) Definitions in the *Parish Administration Ordinance 2008* as in force from time to time apply to this Ordinance, subject to the modifications set out in this Ordinance.

3. Conducting general meetings of parishioners by technology during the Prescribed Period

(1) Subject to subclause (2), during the Prescribed Period a general meeting of parishioners may be conducted remotely by the use of technology as an alternative to conducting the meeting at a physical location if the Parish Council so determines by resolution.

(2) For the purposes of subclause (1) –

(a) the meeting may be held using one or more technologies that give all participants in the meeting reasonable opportunity to participate without being physically present in the same place,

(b) all persons so participating in the meeting are taken for all purposes (for example, a quorum requirement) to be present at the meeting while so participating,

(c) the meeting is convened –

(a) by notice in writing –

- (i) placed in a prominent position at the main entrance to the church (if service are being held in the church) or published in any printed weekly church bulletin, and
 - (ii) in an electronic communication to parishioners (but only to the extent that the parish holds relevant contact information for its parishioners), and
 - (b) by announcement at –
 - (i) each Sunday service of public worship held at the church (if any) and for each associated congregation of the church (if any) on at least 2 Sundays before the day of the meeting, and
 - (ii) each online service of public worship (if any) of the church or parish on at least 2 Sundays before the day of the meeting,
- of the date, time and place of the meeting and in the case of a meeting which is not an annual general meeting of parishioners, the business to be considered at the meeting,
- (d) any nominations from parishioners must be given to the minister at least 5 days prior to the date of the meeting,
 - (e) a written agenda setting out the items of business and nominees for election at the meeting is to be circulated by electronic communication to parishioners (but only to the extent that the parish holds relevant contact information for its parishioners), 4 days prior to the date of the meeting,
 - (f) a vote taken at the meeting must be taken using one or more technologies that give each person entitled to vote the opportunity to participate in the vote in real time and for their vote to be recorded and counted by technological means rather than on the voices or a show of hands,
 - (g) the procedures in Chapter 8 of Schedules 1 and 2 of the *Parish Administration Ordinance 2008* apply with respect to questions and disputes, subject to the modifications for meetings and elections made by this Ordinance, and
 - (h) the *Meetings (Quorum, Attendance and Resolutions) Ordinance 2007* does not apply to the meeting.

4. General meetings of parishioners conducted in a physical location

- (1) The following additional requirements in this clause apply to convening a general meeting in a physical location.
- (2) The meeting may only be convened if –
 - (a) it is lawful for the gathering to be held (including with respect to the location and the number of parishioners expected to attend the meeting), and
 - (b) social distancing and any other public health directives or guidelines in effect at that time are followed.
- (3) The notice requirements in rules 4.1(4) and (5) of Schedules 1 and rules 4.1(3) and (4) of Schedule 2 the *Parish Administration Ordinance 2008* are deemed to be substituted with the following –
 - (4) A general meeting of parishioners is convened –
 - (a) by notice in writing –
 - (i) placed in a prominent position at the main entrance to the church (if services are being held in the church) or published in any printed weekly church bulletin, and
 - (ii) in an electronic communication to parishioners (but only to the extent that the parish holds relevant contact information for its parishioners), and
 - (b) by announcement at –
 - (i) each Sunday service of public worship held at the church (if any) and for each associated congregation of the church (if any) on at least 2 Sundays before the day of the meeting, and
 - (ii) each online service of public worship (if any) of the church or parish on at least 2 Sundays before the day of the meeting,

of the date, time and place of the meeting and in the case of a meeting which is not an annual general meeting of parishioners, the business to be considered at the meeting.’

(4) The notice requirements in rules 4.1(3) and (4) of Schedule 2 the *Parish Administration Ordinance 2008* are deemed to be substituted with the following –

- ‘(4) A general meeting of parishioners is convened –
- (a) by notice in writing in an electronic communication to parishioners (but only to the extent that the parish holds relevant contact information for its parishioners), and
 - (b) by announcement at –
 - (i) each Sunday service of public worship held (if any) for each congregation of the parish on at least 2 Sundays before the day of the meeting, and
 - (ii) each online service of public worship (if any) of each congregation of the parish on at least 2 Sundays before the day of the meeting,
- of the date, time and place of the meeting and in the case of a meeting which is not an annual general meeting of parishioners, the business to be considered at the meeting.’

5. Qualification criteria as a parishioner and communicant member

(1) If a person was a communicant member of the Anglican Church of Australia or a parishioner of a parish or church as at 18 March 2020, the person is deemed to continue to have that status for the purposes of –

- (a) participation in a general meeting undertaken or convened during the Prescribed Period, and
- (b) any qualification criteria for –
 - (i) election to an office or position at a meeting undertaken or convened during the Prescribed Period, or
 - (ii) appointment to an office or position by the minister in connection with such a meeting.

(2) The fourth clause of the declaration required by the *Parish Administration Ordinance 2008* to participate in a general meeting is deemed to be in the following form for a person who is a parishioner on the basis of subclause (1) –

“I have usually during 3 months within the 12 months prior to 18 March 2020 attended services of public worship at [name of church] or as part of an associated congregation of that church.”

6. Inconsistency

This Ordinance applies notwithstanding and to the exclusion of the provisions in the *Parish Administration Ordinance 2008*, but only to the extent of inconsistency.

7. Repeal

The *Parishes (COVID-19 and General Meetings) Ordinance 2020* is repealed without affecting the validity of any action taken pursuant to the provisions of that Ordinance.

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