

Miscellaneous Amendments Ordinance 1993

Explanatory Statement

Introduction

1. The purpose of this bill is to carry out minor amendments to a number of ordinances.

Church Administration Ordinance 1990

2. Presently subclause 13(3) of the Church Administration Ordinance 1990 does not meet its intended purpose which is to provide that the functions under clause 29 of that Ordinance are to be conferred on the minister or churchwardens unless -

(a) the annual vestry meeting of a church in a multi-church parish decides there is to be a church committee; or

(b) unless the annual vestry meeting of the principal church decides those functions are to be conferred on the parish council.

3. New subclause 13(3) is to remedy this deficiency. If the Church Administration Ordinance 1990 Amendment Ordinance 1993 is passed before this bill, the leave of Synod will be obtained to delete clause 2(a) of this bill.

4. Currently, there is a lack of uniformity in requests made for elections to be held at a combined vestry meeting of parishioners of the whole parish in a multi-church parish. If a parish wants the parish representatives to be elected each year at a combined vestry meeting the parish council requests it under paragraph 11(3)(b) of the Presentation and Exchange Ordinance. If a parish wants the parish council to be elected each year by a combined vestry meeting, the churchwardens of each church must request it under subclause 30(4) of the Church Administration Ordinance. If a parish wants the synod representatives to be elected at the combined vestry meeting the minister and the churchwardens must request it under subclause 16(1) of the Church Administration Ordinance.

5. The effect of the amendments to subclauses 16(1) and 30(4) is to make the requests for elections uniform and, in each case, to provide that the request is to come from the parish council.

General Synod - Long Service Leave Canon 1992 Adopting Ordinance 1992

6. It is proposed to amend this ordinance so as to empower the Standing Committee to make regulations for the carrying into effect of the long service leave scheme under the General Synod Canon and of matters incidental thereto. The Standing Committee had such a power under the long service leave scheme under the former Canon.

Standing Orders Ordinance 1968

7. At Synod in 1992 the Chairman had to rule on whether a motion that an ordinance be deferred to the next Synod was a procedural motion. The proposed amendment, based on an opinion of the Legal Committee, makes it clear that if a motion to defer an ordinance is moved as a separate substantive motion then it is a procedural motion. If it is moved by way of amendment to a substantive motion the amendment is not a procedural motion. The consequence is that if the deferral motion is a procedural motion it must be dealt with prior to the substantive motion.

For and on behalf of the Standing Committee

MARK PAYNE
Legal Officer

19 August 1993