

# Sydney Anglican Use of Church Property Ordinance 2018

No 33, 2018

## Long Title

An Ordinance to clarify the doctrines, tenets and beliefs of the Diocese for the use of church property.

The Synod of the Diocese of Sydney ordains as follows.

### 1. Name

This Ordinance is the *Sydney Anglican Use of Church Property Ordinance 2018*.

### 2. Interpretation

"Diocesan body" means –

- (a) a parish, and
- (b) any body corporate, organisation, school or association that exercises ministry within or on behalf of the Anglican Church of Australia in the Diocese of Sydney –
  - (i) which is constituted by ordinance or resolution of the Synod,
  - (ii) in respect of whose organisation or property the Synod may make ordinances, or
  - (iii) which is a trustee of Church trust property.

"Church property" means property that is under the control or management of a Diocesan body.

"Church trust property" has the meaning set out in section 4 of the *Anglican Church of Australia Trust Property Act 1917*.

"Diocese" means the Anglican Church of Australia in the Diocese of Sydney.

"Doctrines, tenets and beliefs" has the meaning set out in clause 3.

"Policy" means the policy known as the Property Use Policy approved by the Synod, as amended from time to time in accordance with clause 5.

"Synod" includes the Standing Committee of the Synod.

### 3. Doctrines, tenets and beliefs

The doctrines, tenets and beliefs of the Diocese include, but are not limited to, the doctrines, tenets and beliefs set out in the Policy.

### 4. Use of Church Property

- (1) A Diocesan body must only use or allow the use of Church property for acts or practices which conform to the doctrines, tenets and beliefs of the Diocese.
- (2) A Diocesan body conforms to the doctrines, tenets and beliefs of the Diocese if it undertakes or authorises acts or practices which –
  - (a) are consistent with the Policy, or
  - (b) involve not allowing Church property to be used for an activity that is inconsistent with the Policy.
- (3) Any dispute about whether a use or proposed use of Church property conforms to the doctrines, tenets and beliefs of the Diocese is to be determined by the Archbishop.

### 5. Amendment of the Policy

The Policy may be amended –

- (a) by resolution of the Synod, or
- (b) by resolution of the Standing Committee unless before such amendment is made, any 3 members of the Standing Committee request in writing that the amendment be referred to the Synod and provided any amendment made by the Standing Committee is reported to the next ordinary session of the Synod.

## **Sydney Anglican Use of Church Property Ordinance 2018**

### **6. Application**

Notwithstanding any other provision of this Ordinance,

- (a) this Ordinance does not apply to an act or practice on Church property which is permitted or authorised under a lease or licence (or other legally binding agreement) that is in effect at the date of commencement of this Ordinance, and
- (b) this Ordinance does not prevent an act or practice on Church property that is necessary for a body or person to comply with the law.

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 22 October 2018.

D GLYNN  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
25/10/2018