

2017 Ordinary Session of Synod

Daily Papers

9 October 2017

Amendments to the Business Paper

Amendment Sheet

Standing Committee of the Synod
Anglican Church Diocese of Sydney

Amendments to the business paper for Monday 9 October 2017

1. Before item 1

After the italicised text insert –

“Wi-Fi access details are available from the SDS staff in the foyer or at the front of the theatre.”

2. Item 7.6

Delete “Dr Bryan Cowling”.

3. Item 11.6

Omit the matter at 11.6 and replace with the following –

“11.6 Arrangements for the review of the Ministry Standards Ordinance 2017

Synod agrees that, at the appropriate time under the business rules, the motion to pass the Ministry Standards Ordinance 2017 as an ordinance of the Synod be put in the following form –

‘That the Ministry Standards Ordinance 2017 pass as an ordinance of the Synod and that the Standing Committee be requested to undertake a review of the operation of the Ordinance prior to the 2018 session of the Synod.’

(Mr Robert Wicks / Mr Michael Easton)”

4. Insert a new item 11.8 –

“11.8 Arrangements for the Consideration of the Gender Identity Report

Synod –

- (a) suspends so many of the business rules as would prevent Dr Megan Best speaking to the motions at items 16.1 and 16.2 on today’s business paper, if called on by the President to do so, and
- (b) agrees that if the motion at item 16.1 on today’s business paper is passed as a resolution, the Initial Principles of Engagement at 9.1 of the Gender Identity Report are to be consequentially amended to reflect amendments incorporated into the final form of the resolution.

(Mr Robert Wicks / Dr Claire Smith)”

5. Insert a new item 11.9 –

“11.9 Supplementary report in relation to coordinating the planting of churches

Synod agrees that if the motion at item 16.11 on today’s business paper is not passed today –

- (a) to a supplementary report prepared by the mover in relation to the motion at item 16.11 being provided to members as part of tomorrow’s Daily Papers, and
- (b) to consider a motion to receive this report during the time for considering procedural motions tomorrow.

(Mr Robert Wicks / Dr Rob Mackay)”

6. Insert a new item 11.10 –

“11.10 Arrangements for consideration in Committee of the General Synod – Safe Ministry to Children Canon 2017 Adopting Ordinance 2017

Synod agrees to the following arrangements for considering in committee the proposed amendment to the text of the *General Synod – Safe Ministry to Children Canon 2017 Adopting Ordinance 2017* at item 15.1 on today’s business paper that the Ordinance commence on a date to be determined by the Standing Committee –

- (a) Dr Robert Tong AM to have up to 10 minutes to make a presentation in support of the amendment, and
- (b) Mr Garth Blake SC to have up to 10 minutes to make a presentation in opposition to the amendment,

and suspends so many of the business rules as would prevent these arrangements.

(Mr Garth Blake SC / The Rev Dr Andrew Ford)”

7. Item 14.1

After (20) insert –

“(20A) King’s School, The Council of The”

8. Item 14.3

Omit the matter at item 14.3 and insert instead “...”

9. Item 15.2

Delete “(Mr Michael Meek)” and insert –

“(Mr Michael Meek / Mr Robert Wicks)”

10. Item 15.3

Delete “(Dr Robert Tong AM)” and insert –

“(Dr Robert Tong AM / Bishop Michael Stead)”

11. Item 15.4

Delete “(Dr Robert Tong AM)” and insert –

“(Dr Robert Tong AM / Bishop Michael Stead)”

12. Item 15.5

Delete “(Bishop Michael Stead)” and insert –

“(Bishop Michael Stead / Mr Doug Marr)”

13. Item 15.6

Delete “(Mr Michael Easton)” and insert –

“(Mr Michael Easton / Mr Garth Blake SC)”

14. Item 15.7

Delete “(Mr Michael Easton)” and insert –

“(Mr Michael Easton / Mr Garth Blake SC)”

15. Item 15.8

Delete “(Mr Michael Easton)” and insert –

“(Mr Michael Easton / Mr Garth Blake SC)”

16. Item 15.11

Delete “(Bishop Chris Edwards)” and insert –

“(Bishop Chris Edwards / The Rev Bruce Stanley)”

17. Item 16.1

In paragraph (b)(ii) delete “even if their” and insert instead –

“including those whose”

Delete “(Dr Claire Smith / Dr Karin Sowada)” and insert instead –

“(Dr Claire Smith / The Very Rev Kanishka Raffel)”

18. Item 16.2

Delete “(Dr Karin Sowada / Dr Claire Smith)” and insert –

“(Dr Karin Sowada / Dr David Nockles)”

19. Item 16.3

Delete “The Rev Phillip Wheeler” and insert –

“The Rev Philip Wheeler”

20. Item 16.4

Delete “(The Rev Phillip Wheeler)” and insert –

“(The Rev Philip Wheeler / The Rev Gavin Poole)”

21. Item 16.6

Delete “(The Rev Craig Roberts / Bishop Michael Stead)” and insert –

“(The Rev Craig Roberts / Mr Geoff Kyngdon)”

22. Item 16.10

Delete “(Bishop Peter Hayward)” and insert –

“(Bishop Peter Hayward / Mr John Pascoe)”

23. Item 16.11

Delete “(Dr Robert Mackay)” and insert –

“(Dr Robert Mackay / Mr Clive Ellis)”

24. Item 16.12

Delete “(Dr Karin Sowada)” and insert –

“(Dr Karin Sowada / The Rev Dr Andrew Ford)”

25. Item 18.1

In paragraph (d) insert “alleviate or prevent” prior to “burnout”.

26. Item 18.2

Delete the words “from our Synod” in the last sentence of the second paragraph.

Proposed Amendments: Monday 9 October 2017

(Listed in the order of the business paper for 9 October 2017. Page references are to the sequential pages in Synod Books 1, 2, 3 and 4.)

15.1 General Synod – Safe Ministry to Children Canon 2017 Adopting Ordinance 2017: Committee stage		
1.	Book 3 Page 312 After line 6	<p>Insert a new clause 3 as follows –</p> <p>‘3. Commencement</p> <p>Except for this clause, this Ordinance commences on a date determined by resolution of the Standing Committee.’</p> <p>[Accepted by the mover] (Dr Robert Tong AM)</p>

15.3 General Synod – Offences Amendment Canon 2017 Adopting Ordinance 2017: Committee stage		
1.	Book 3 Page 340 After line 6	<p>Insert a new clause 3 as follows –</p> <p>‘3. Amendments to the Offences Ordinance 1962</p> <p>(1) The Offences Ordinance 1962 is amended by –</p> <p>(a) deleting the words “a copy of which is contained in the Schedule to this ordinance” in the Preamble,</p> <p>(b) inserting a new clause 2A as follows –</p> <p>“Text of the Canon</p> <p>2A. The text of the said Canon incorporating amendments adopted by the Church in this Diocese is set out in the Schedule.”</p> <p>(c) substituting the following for clause 4 –</p> <p>“Notes</p> <p>4.(1) Notes in this Ordinance are for explanatory purposes only and do not form part of the Ordinance.</p> <p>(2) The Diocesan Secretary is authorised to update the notes when reprinting this Ordinance under clause 8 of the Interpretation Ordinance 1985.”, and</p> <p>(d) amending the text of the Schedule to incorporate the amendments made to the <i>Offences Canon 1962</i> by the <i>Offences Amendment Canon 2017</i>.</p> <p>(2) Subject to subclauses (3) and (4), the <i>Offences Ordinance 1962</i> is further amended by –</p> <p>(a) deleting paragraph 3(1)(b) and the matter ““child abuse”,’ in subclause 3(3) ,</p> <p>(b) deleting the second and third dot points in note (1) immediately after subclause 3(1),</p>

		<p>(c) deleting subclause 3(2) and the accompanying note (and renumbering subclause 3(3) as 3(2)),</p> <p>(d) in the renumbered subclause 3(2) –</p> <p>(i) substituting the matter “subclause (1)” for the matter “subclauses (1) and (2)”, and</p> <p>(ii) deleting the matter ““Disciplinary Tribunal”,’, and</p> <p>(iii) substituting the matter “<i>Ministry Standards Ordinance 2017</i>” for the matter “Discipline Ordinance 2006”,</p> <p>(3) The amendments in subclause (2) are taken not have been made in respect of complaints made under the <i>Discipline Ordinance 2006</i> prior to the commencement of the <i>Ministry Standards Ordinance 2017</i>.</p> <p>(4) Despite the amendments in subclause (2), a charge for the offence of child abuse under clause 3(1)(b) of the form of the <i>Offences Ordinance 1962</i> immediately before the commencement of this Ordinance may be heard and determined by the Diocesan Tribunal but only –</p> <p>(a) in respect of complaints made under the <i>Discipline Ordinance 2006</i> prior to the commencement of the <i>Ministry Standards Ordinance 2017</i>, or</p> <p>(b) where the conduct alleged to constitute child abuse was committed before 5 September 2017.’.</p> <p style="text-align: right;">(Mr Robert Wicks)</p>
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15.6 *Ministry Standards Ordinance 2017: Committee stage*

1.	Book 3 Page 368	<p>Insert the diagram appearing on page 362 immediately before the Long Title, subject to the words “Alleged misconduct” being substituted for the word “Misconduct” in the first box of the diagram.</p> <p>[Accepted by the mover] (Dr Claire Smith)</p>
2.	Book 3 Page 371 Line 15	<p>In paragraph (3) –</p> <p>(a) omit the word “Notes” and insert instead “The diagram appearing before the Long Title and the notes”, and</p> <p>(b) omit the word “notes” and insert instead “the diagram and the notes”.</p> <p>[Accepted by the mover] (Dr Claire Smith)</p>
3.	Book 3 Page 374 Line 41	<p>In paragraph 6(2)(k), insert the words “or a direction or order given by” after the words “undertaking given to”.</p> <p>[Accepted by the mover] (The Hon Peter Young AO QC)</p>

4.	<p>Book 3</p> <p>Page 377</p> <p>After line 26</p>	<p>Insert new subclauses in clause 16 as follows –</p> <p>‘(2) The Director, with the concurrence of the PSC, must decline to deal with a complaint if the misconduct the subject of the complaint is not materially different from conduct already dealt with under:</p> <ul style="list-style-type: none"> (a) this Ordinance, or (b) the Discipline Ordinance 2006, or (c) the Church Discipline Ordinance 2002, or (d) the Church Discipline Ordinance 1996, or (e) the Tribunal Ordinance 1962, or (f) a formal investigation or inquiry with the authority of the Archbishop which was commenced prior to the date of assent to the Church Discipline Ordinance 2002, <p>unless,</p> <ul style="list-style-type: none"> (g) in the opinion of the Director, the complaint is supported by apparently credible evidence of fresh facts likely to lead to a different result; or (h) the complaint alleges reportable conduct and the Director decides to deal with the complaint under this Ordinance in order to make a finding that the respondent has or has not engaged in the alleged reportable conduct in connection with: <ul style="list-style-type: none"> (i) any requirement by law to notify a person or authority that a finding has been made that the respondent engaged in conduct the subject of any such requirement to notify; and (ii) entering on the National Register the details of information required by the provisions of the National Register Canon 2007. <p>(3) In dealing with a complaint for the purposes of clause 2(h) above, any prior findings of fact made by a body exercising functions under any of the ordinances (or a formal investigation or inquiry with the authority of the Archbishop) listed in subclause Notwithstanding subclause (2) are conclusive.</p> <p>[Accepted by the mover] (Dr Claire Smith)</p>
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5.	Book 3 Page 391 After line 1	<p>Insert a new clause 79A as follows –</p> <p>‘79A. Non-publication orders</p> <p>(1) The Board may, on the application of a party or the Director, order that a party by himself or herself or through his or her agents and associates not publish verbally, in writing or by electronic means:</p> <p style="padding-left: 40px;">(a) any matter relevant to a fact or circumstance likely to be considered when the Director or Board is dealing with the complaint; or</p> <p style="padding-left: 40px;">(b) any aspersion on the character of a person who may be a material witness to such fact or circumstance.</p> <p>(2) Such an order may be made ex parte, but may be discharged on the application of the person against whom it is made on at least five days’ notice to the person on whose application it was made.’.</p> <p>[Accepted by the mover] (The Hon Peter Young AO QC)</p>
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15.11 *Assistant Ministers Ordinance 2017: Committee stage*

1.	Book 3 Page 425 After line 22	<p>Insert a new paragraph 3(3)(g) as follows –</p> <p>‘(g) the written statement specified in clause 3(3)(c), any response given under clause 3(3)(d) and a record of the consideration specified in clause 3(3)(e), has been lodged with the Registrar of the Diocese.’</p> <p style="text-align: right;">(The Rev Dr David Höhne)</p>
2.	Book 3 Page 425 After line 22	<p>Insert a new subclause 3(4) as follows –</p> <p>‘(4) After the issue of the statement in clause 3(3)(c),</p> <p style="padding-left: 40px;">(a) no licences will be issued for new assistant ministers in the parish until the process at clause 3(3) is complete; and</p> <p style="padding-left: 40px;">(b) where notice has been given under clause 3(3)(b)(ii), no licences will be issued for new assistant ministers in the parish within the same budgetary cycle.’</p> <p style="text-align: right;">(The Rev Dr David Höhne)</p>
3.	Book 3 Page 425 Line 23	<p>Omit clause 4 (with subsequent re-numbering of existing clauses).</p> <p style="text-align: right;">(Bishop Chris Edwards)</p>

4.	Book 3 Page 425 Line 33	<p>Omit clause 6 and replace with the following –</p> <p>‘6. Vacancy in office of rector and appointment of new rector</p> <p>Subject to clause 3, the term of office of an assistant minister or a senior assistant minister does not cease by reason of a vacancy occurring in the office of rector of the parish or upon a new rector being appointed to the parish and, in accepting an appointment to the parish, the new rector is taken to have:</p> <ul style="list-style-type: none"> (a) adopted any obligation on the part of a former rector of the parish expressed in the assistant minister’s or senior assistant minister’s licence as if the new rector was named in the licence as the person subject to that obligation; and (b) adopted any agreement in relation to the office of the assistant minister or senior assistant minister made between the former rector and the assistant minister or senior assistant minister with the approval of: <ul style="list-style-type: none"> (i) the Archbishop; and (ii) the parish council.’. <p>[Accepted by the mover] (Mr Robert Wicks)</p>
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16.2 Anglican agencies which care for people with gender identity issues

1.	Business Paper	<p>Omit the matter in paragraph (a) and replace with the following (with subsequent re-lettering of existing paragraphs) –</p> <ul style="list-style-type: none"> “(a) provide comments and feedback to Standing Committee on the Initial Principles of Engagement approved in principle as a policy of the Synod at its session in 2017 by 30 April 2018, and (b) ensure any policies, guidelines and procedures which they draft to address this issue are consistent with those Initial Principles of Engagement 2017, and,” <p style="text-align: right;">(Mr Greg Hammond)</p>
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16.3 Licensing of incumbents interim report

1.	Business Paper	<p>Omit the matter in paragraph (b) and replace with the following –</p> <p>“(b) requests MT&D to develop and distribute a resource to assist nominators who are involved in interviewing prospective rectors, that includes recommendations to discuss the prospective rector’s involvement in professional development,”</p> <p style="text-align: right;">(The Rev Craig Schafer)</p>
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16.5 Lifelong Ministry Development Guidelines

1.	Business Paper	<p>Omit the matter in paragraph (d) and replace with the following –</p> <p>“(d) asks the diocesan members of the Nomination Board, when considering a prospective rector, to discuss with the parish nominators the prospective rector’s involvement in professional development,”</p> <p>(The Rev Craig Schafer)</p>
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16.6 Proposal for a Property Receipts levy

1.	Business Paper	<p>In paragraph (c)(ii), insert the word “all” before the word “buildings” and delete the word “commercial” and insert instead the word “all”.</p> <p>(Mr Peter M G Young)</p>
2.	Business Paper	<p>In paragraph (d), after the matter “schedule,” insert the following matter –</p> <p>‘subject to –</p> <p>(i) a deduction being provided for bank and financial statutory charges, taxes and assessments on finance income, and</p> <p>(ii) the Standing Committee being restricted from increasing any percentage or modifying any monetary thresholds without authorisation from the Synod.’.</p> <p>[Accepted by the mover] (Mr Peter M G Young)</p>
3.	Business Paper	<p>In paragraph (d), after the word “schedule,” insert the following matter –</p> <p>‘, with provision for sinking funds both in respect of this levy as well as the net operating receipts for calculating Parish Costs Recoveries and Greenfields Land levies on parishes,’.</p> <p>(Mr Peter M G Young)</p>

16.12 NSW Bill on Euthanasia and Assisted Dying

1.	Business Paper	<p>Omit the matter in paragraph (e)(ii) and replace with the following –</p> <p>‘(ii) to continue to prioritise the improvement of palliative care services.’.</p> <p>[Accepted by the mover] (Mr Graham Isbister)</p>
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