

Administrator Ordinance 2002

Explanatory Statement

1. The bill for the Administrator Ordinance 2002 is to enable the appointment of a person known as the "Administrator" who acts in the place of the Archbishop in the following instances -

Under 11th Article of the 1902 Constitution

- (a) If the Archbishop is absent from the Province and he has not appointed a commissary, or if the See be vacant. (These powers include summoning the Synod to meet, assenting to rules or ordinances, suspending or revoking the licences of clergymen, and further functions under section 8 of the Anglican Church of Australia Constitution Act 1961).

Under Section 39 of 1917 Act

- (b) If the Archbishop is absent from NSW and he has not appointed a commissary, or if the Archbishop is incapacitated and has not appointed a commissary, or if the See is vacant. (These functions including giving of consents to the vesting of property and the giving of certificates relating to church trust property.)
- (c) If the Archbishop is absent from NSW and he has made partial delegation of his powers to a commissary, in respect of the powers which have not been delegated.

2. If the Synod does not appoint an Administrator, in the circumstances listed above, the functions of the Archbishop are exercised by the person being next in rank or ecclesiastical degree, and being resident in the Diocese.

3. The bill provides that the senior assistant bishop in the Diocese is to be the Administrator. If he is unable to act or unwilling to act the next most senior assistant bishop who is able and willing to act is the Administrator. For these purposes "seniority" is generally determined by date of first appointment as an assistant bishop in the Diocese (see clause 5 of the bill).

4. Clause 4 of the bill is to cover the situation if the Administrator happens to be a nominee in an Archbishop's election Synod.

112 Report of Standing Committee & Other Reports & Papers

5. By clause 6 of the bill an Ordinance passed by the Synod in 1921 to provide for the appointment of an Administrator will be repealed. Its provisions are superseded by the other provisions of the bill.

For and on behalf of the Standing Committee

MARK PAYNE
Diocesan Secretary

19 August 2002