

# Annual Leave Amendment Ordinance 2005

No 45, 2005

## Long Title

An Ordinance to amend the Annual Leave Ordinance 1983.

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

### 1. Name

This Ordinance is the Annual Leave Amendment Ordinance 2005.

### 2. Amendment of Ordinance

The Annual Leave Ordinance 1983 is amended as follows -

- (a) in clause 1(2) -
  - (i) the definition of "churchwardens" is deleted and the following is inserted -
    - "Churchwardens' means -
      - (a) in the case of a parochial unit to which the provisions of the schedule to the Parishes (Special Administration) Ordinance 2004 applies - the parish wardens of that parochial unit, and
      - (b) in the case of a parochial unit to which paragraph (a) does not apply - the churchwardens of the principal church or only church in the parochial unit, and
      - (c) in the case of St Andrew's Cathedral - the St Andrew's Cathedral Chapter'., and
    - (ii) the definition of "ecclesiastical district" is deleted, and
    - (iii) in paragraph (e) of the definition of "minister" the words "ecclesiastical district" are deleted and the words "parochial unit" are inserted instead, and
    - (iv) after the definition of "minister" the following new definitions are inserted -
      - "parochial unit' means a parish, provisional parish or recognised church.
      - 'regional archdeacon' means -
        - (a) the archdeacon of the region in which is situated the parochial unit to which the minister is licensed, and
        - (b) in the case of the Dean and any minister referred to in paragraph (e) of the definition of 'minister' - the Archbishop.", and
    - (v) the definition of "Registrar" is deleted, and
  - (b) in clause 3(1) the matter "ecclesiastical district" where twice appearing is deleted and "parochial unit" is inserted in each place instead, and
  - (c) clause 4 is deleted and the following is inserted instead -
    - "Taking annual leave**
    - 4. (1) Usually, a minister should take any annual leave to which he or she is entitled within 2 years of the date upon which the leave entitlement accrued. A minister should not delay taking annual leave beyond 2 years of the date upon which the leave entitlement accrued without prior consultation with the churchwardens. If the minister delays taking leave beyond that date, the regional archdeacon, at the request of the churchwardens and by written notice to the minister, may direct that such leave be taken during the period specified in the notice. During such period, the minister will be taken to be on annual leave.
    - (2) A minister may only take annual leave-
      - (a) after consultation with the churchwardens, and

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- (b) if suitable arrangements have been made for another person to perform the minister's duties in his or her absence.
- (3) The regional archdeacon may waive or amend the application of subclause (2) to the taking of leave by a particular minister.", and
- (d) in clause 5 the word "Archbishop" is deleted and the words "regional archdeacon" are inserted instead, and
- (e) after clause 6 the following new clause is inserted -
  - "6A. Records and provision for annual leave**
  - (1) The churchwardens are to maintain records of the annual leave entitlement accrued, and the annual leave taken, by each minister licensed to their parochial unit, or St Andrew's Cathedral, as the case may be.
  - (2) The churchwardens are also to ensure that sufficient provision is maintained in their accounts for any annual leave entitlement of a minister which has accrued, but has not been taken.", and
- (f) clauses 7(1) and 7(3) are deleted.

### 3. Transitional

The amendments to the Annual Leave Ordinance 1983 made by clause 2 do not apply to any annual leave entitlement which accrued prior to the date of assent to this Ordinance. The rules for such entitlements are the provisions of the Annual Leave Ordinance 1983 in force immediately prior to the date of assent to this Ordinance.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

PG KELL  
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 November 2005.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
15/11/2005