

Archbishop of Sydney Appointment Amendment Ordinance 1997

Explanatory Statement

1. The Standing Committee on 22 March 1993, appointed a Committee consisting of Mr Justice K.R. Handley (Chairman), Mr N.M. Cameron, Mr Justice P.W. Young, Dr L.A. Scandrett, Canon R.C. Forsyth and Mr W.G.S. GOTLEY, to review the Archbishop of Sydney Appointment Ordinance 1982 (the "1982 Ordinance") and associated ordinances and to prepare a bill for an ordinance to give effect to any desirable changes.
2. The Committee considered the following documents and correspondence –
 - Archbishop of Sydney Appointment Ordinance 1982.
 - Flow charts of procedures in the current Ordinance.
 - Report of the Committee which reviewed the Ordinance in 1990.
 - Provincial Synod Ordinance for the Confirmation of Bishops' Elections (NSW) Assenting Ordinance 1965.
 - General Synod - See Finance and Information Canon 1966 Adopting Ordinance 1967.
 - General Synod - Consecration of Bishops Canon 1966-1969 Adopting Ordinance 1970.
 - Letter and Essay from Dr Russell Clark.
 - Letter from the Rev V.R. Cole.
3. There can be 6 stages to an Archbishop's appointment -
 - Preliminary
 - Nominations
 - Select List
 - Final List
 - Final Selection
 - Offer, Acceptance, Confirmation etc.
4. Standing Committee considered the Committee's Report on 19 September 1994. Standing Committee considered 10 suggested changes and adopted 6 of these and added 4 others. The complete list of changes proposed being -
 - (a) Nominations be invited before the Election Synod as at present but each nominee be notified in writing of the nomination and be able to withdraw within 14 days.
 - (b) To require that there be at least 20 nominations (for each candidate).
 - (c) A candidate cannot be the Chairman of the Appointment Synod.
 - (d) The opening address to be given by the Chairman of the Appointment Synod.
 - (e) Nominators to have the right to co-ordinate speakers for their candidate.
 - (f) All votes at the Election Synod on a nominee to be conducted by secret ballot.
 - (g) To the extent possible, voting to be on a single ballot paper at the end of each stage.
 - (h) An Archbishop of Sydney who is appointed Primate of the Anglican Church of Australia may remain Archbishop until he reaches the age of 70 years.
 - (i) The Assistant Bishops Ordinance 1947 be amended so that, within 12 months after the appointment of the Archbishop, an assistant bishop may be asked to vacate office on the recommendation of the Archbishop with the approval of the majority of the members of the Standing Committee, on 6 months notice.

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- (j) The General Synod - See Finance and Information Canon 1966 Adopting Ordinance 1967 be repealed as it serves no purpose.

5. In drafting the amending bill, it was considered that an amendment to clause 4 of the Administrator Ordinance 1996, which specifies who is to be the President of a Synod, could deal with proposed change (c).

6. Proposed change (g) was discussed with the Diocesan Secretary and Returning Officer and it is strongly suggested that a single ballot paper is impracticable. Counting and declaration of results is much faster with a separate ballot paper for each nominee whilst the announcement of the result of each ballot would be withheld until the end of balloting for that stage of the appointment procedure.

7. The bill is promoted "by request of the Standing Committee".

For and on behalf of the Standing Committee

KEN BOWDEN
Assistant Diocesan Secretary

14 July 1997

Caution

There are variations between this Explanatory Statement and the Ordinance as printed, for there were amendments in Committee.