

Archbishop of Sydney Election Ordinance 1982 Amendment Ordinance 2024

No 23, 2024

Long Title

An Ordinance to amend the *Archbishop of Sydney Election Ordinance 1982*.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name of ordinance

This Ordinance is the Archbishop of Sydney Election Ordinance 1982 Amendment Ordinance 2024.

2. Amendment

The *Archbishop of Sydney Election Ordinance 1982* is amended as follows –

- (a) in clause 1A –
 - (i) delete the definition of “Director of Professional Standards” and insert the following matter –

“Director of Safe Ministry” means the person appointed for the time being under clause 9 of the *Safe Ministry Board Ordinance 2001*”, and
 - (ii) substitute the definition of “President” with the following –

“President means –

 - (a) during a meeting of the Synod, the person presiding at that meeting, and
 - (b) in any other case, the person who would preside at a meeting of the Synod for which a summons is issued under this Ordinance if all persons who are nominees are excluded.”
 - (iii) insert three new definitions with the following matters –

“*Faithfulness in Service*” means the code for personal behaviour and the practice of pastoral ministry by clergy and church workers adopted by the Synod in October 2004, as amended from time to time;”, and

“Nomination Contact Person” means a member of Synod who is chosen by a nominee to act as a conduit for communications between the nominators of the nominee and the Nomination Officer;”, and

“Synod Governance Policy” means the Governance Policy for Diocesan Organisations made by the Synod on 20 October 2014, as amended from time to time.”, and
- (b) in clause 7, after the heading, insert the following matter –

“For the purposes of this clause 7 –

“a duly qualified person” means a person who is a presbyter in the Diocese, or a person who would be eligible to be a presbyter in the Diocese.”
- (c) delete the entire matter in subclause 7(2)(c), and insert instead the following matter –

“(c) specify an email address for service of notices on the nominator(s) and –

 - (i) if the nominee is licensed in the Diocese – specify an email address for the service of notices on the nominee; or
 - (ii) if the nominee is not licensed in the Diocese – specify an email address and postal address for the service of notices on the nominee; and”, and
- (d) insert a new subclause 7(4), with the following matter –

“*Publication of unnamed nominee*

(4) Upon a person being nominated to the office of the Archbishop in accordance with subclause 7(3), the Nomination Officer shall publish on the SDS website that there is a nominee, without identifying the nominee.”, and

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- (e) in clause 7A –
- (i) replace each of the matters in the subheading and in subclause 7A(1) of “ten” with the matter “five”, and
 - (ii) in subclause 7A(1)(c), delete the matter “.”, and insert instead the matter “and”, and
 - (iii) insert additional subclauses 7A(1)(d) and (e), with the following matters –
 - “(d) is willing to sign any “Statement of Faith” set out in the Synod Governance Policy, and
 - (e) is willing to adhere to the standards and guidelines of *Faithfulness in Service.*”, and
 - (iv) in subclauses 7A(2)(a) and 7A(3), delete the matter “Professional Standards” and insert instead the matter “Safe Ministry”, and
 - (v) in subclause 7A(4)(b), delete the matter “Professional Standards” and insert instead the matter “Safe Ministry” and delete the matter “and”, and
 - (vi) in subclause 7A(4)(c), delete the matter “,”, and insert instead the matter “; and”, and
 - (vii) insert an additional subclause 7A(4)(d), with the following matter –
 - “(d) of the request for the nominee to provide the name and email address of the nominee’s choice of Nomination Contact Person in writing to the Nomination Officer.”, and
 - (viii) delete the entirety of the matter in subclause 7A(6), and replace instead with the following matter –
 - “(6) Following the notice referred to in subclause (4), and after the Director of Safe Ministry has completed a Safe Ministry Check on the nominee, the Nomination Officer shall publish the name of the nominee at the earlier of –
 - (a) two business days after completion of the check; or
 - (b) immediately, if the nominee exercises the right to waive the two-business day period.”, and
 - (ix) insert a new subclause 7A(7), with the following matter –
 - “*Disclosure of names of nominators*
 - (7) The names of each nominator of a nominee shall not be disclosed to the nominee until his name is published in accordance with subclause (6).”, and
- (f) insert a new subclause 7B(2), and consequently renumber the following subclause, with the following matter –
- “(2) At any time after the date that is 21 days before the day on which the meeting of the Synod shall commence until immediately prior to a declaration that a person is elected Archbishop, a nominee may give notice in writing to the President that he does not wish to be a nominee for the office of the Archbishop. If the President accepts the notice –
 - (a) that person shall be deemed, for the purposes of the remaining clauses of this Ordinance, not to have been nominated for the office the Archbishop; and
 - (b) Synod is to be advised of that person’s withdrawal from the nomination process as soon as practicable.
- For the avoidance of doubt, the President may, at his discretion, determine any processes for the withdrawal of the nominee where the rules of Synod are unclear or otherwise silent on the matter.”, and
- (g) insert a new subclause 7B(4), with the following matter –
- “(4) A nominee who –
 - (a) receives nominations in accordance with subclause 7(2) from five or more members of Synod, and who declines nomination for the office of Archbishop; or
 - (b) is not validly nominated in accordance with subclause 7(3) at the conclusion of the nomination period,
- may provide a written message for the Nomination Officer to circulate to each of his nominators.”, and

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- (h) in subclause 8(b), delete the matter “and”; and
- (i) in subclause 8(c) –
 - (i) delete the matter “Professional Standards” and insert instead the matter “Safe Ministry”, and
 - (ii) delete the matter “,”, and insert instead the matter “; and”, and
- (j) insert a new subclause 8(d), with the following matter –
 - “(d) up to one URL, supplied by the Nomination Contact Person, to either a website or a document provided by the nominators of each nominee.”, and
- (k) insert a new clause 10A with the following matter –
 - “**10A. Calling of speakers to a nomination**
 - (1) Prior to each sitting day of the session, the Nomination Contact Person of each nominee on the list of nominations may provide the President with a list of members who have prepared speeches that the nominators of the nominee wish to have heard.
 - (2) Notwithstanding subclause (1), the President may call upon any member to speak in respect of the nomination at his discretion.”, and
- (l) in clause 14, omit the word “Announcement” in the heading and insert instead “Procedures”, and
- (m) insert additional subclauses 14(3) and (4), with the following matter –
 - “(3) For the purposes of determining a majority of those present and voting, an abstention is not an informal vote, and neither an abstention nor an informal vote shall be counted as a vote.
 - (4) An electronic ballot system may be used as a replacement for the paper ballot system if it is adopted by resolution of the Synod at the election Synod or at any prior session of the Synod.”

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

P COLGAN
Chair of Committee

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 18 September 2024.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

25/09/2024