

Assistant Ministers Ordinance 1990 Amendment Ordinance 2000

No 26, 2000

An Ordinance to amend the Assistant Ministers Ordinance 1990.
The Synod of the Diocese of Sydney Ordains -

1. Name of Ordinance

This Ordinance is the Assistant Ministers Ordinance 1990
Amendment Ordinance 2000.

2. Amendment

The Assistant Ministers Ordinance 1990 is amended as follows-

- (a) clause 2(2) is deleted and the following is inserted instead -

“(2) In this Ordinance -

“assistant minister” means a deacon or priest licensed or authorised by the Archbishop to the office of assistant minister in a parish and does not include a senior assistant minister;

“senior assistant minister” means -

- (a) a deacon or priest who has served-
- (i) as an assistant minister in the Diocese; or

- (ii) in an equivalent office in another Diocese,

for a period of at least 4 years or periods, which in aggregate, total at least 4 years and who is licensed or authorised by the Archbishop, at the request of the minister and the parish council of the parish, to the office of senior assistant minister in the parish; or

- (b) a deacon or priest who has served-
- (i) as a minister in the Diocese; or

- (ii) in an equivalent office in another Diocese,

who is licensed or authorised by the Archbishop, at the request of the minister and the parish council of the parish, to the office of senior assistant minister in the parish.”;

(b) clause 3 is deleted and the following is inserted instead -

"Tenure

3. (1) An assistant minister or a senior assistant minister holds office subject to -

- (a) the terms of his or her licence or authority; and
- (b) where the assistant minister or the senior assistant minister is entitled to or is paid a stipend or is entitled to any other emolument or perquisite - due notice of the termination of the payment of such stipend or entitlement to such emolument or perquisite given by or on behalf of the person or persons who pay or provide the same.

(2) For the purposes of clause 3(1)(b) notice is due notice if -

- (a) in the case of an assistant minister, the period of notice is at least 3 months; and
- (b) in the case of a senior assistant minister, the period of notice is the longest of-
 - (i) 3 months; or
 - (ii) the period of notice, to a maximum period of 9 months, calculated at the rate of one month's notice for each year (or part thereof) of continuous service as assistant minister or senior assistant minister, or both, in that parish; or
 - (iii) such other period of notice, if any, (not being less than 3 months), which, at the time the senior assistant minister was licensed or authorised as senior assistant minister, was agreed for the purposes of this clause between the senior assistant minister and -
 - (A) the Archbishop; and

- (B) the minister of the parish; and
- (C) the parish council of the parish; and
- (D) if the person or persons who pay or provide the stipend or other emolument or perquisite is not or are not the minister of the parish or the parish council of the parish - the person or persons who pay or provide the same.

(3) Notice must not be given to a senior assistant minister under clause 3(1)(b)

- (a) without prior consultation with the parish council of the parish to which the senior assistant minister is licensed or authorised; or
 - (b) during the period of 3 months after the date on which a new minister is licensed or appointed to the parish.”
- (c) in clause 4, after the matter “assistant minister” wherever appearing the matter “or senior assistant minister” is inserted;
- (d) in clause 5 -
- (i) after the matter “assistant minister” where first appearing, the matter “or senior assistant minister” is inserted; and
 - (ii) after the matter “assistant minister” where secondly and thirdly appearing the matter “or senior assistant minister, as the case may be,” is inserted;
- (e) in clause 6 -
- (i) the matter (1) is inserted before the word “Should”; and
 - (ii) at the end of the clause the following is inserted -
 - “(2) Subject to clause 3, the term of office of a senior assistant minister does not cease by reason only of a vacancy occurring in the parish or upon a new minister being licensed or appointed to the parish and, in accepting a licence or appointment to the parish, the new minister is taken to have -

- (a) adopted any obligation on the part of a former minister of the parish expressed in the senior assistant minister's licence or authority as if the new minister was named in the licence or authority as the person subject to that obligation; and
- (b) adopted any agreement in relation to the office of the senior assistant minister made between the former minister and the senior assistant minister with the approval of -
 - (i) the Archbishop; and
 - (ii) the parish council of the parish; and
 - (iii) if the senior assistant minister is entitled to or is paid a stipend or is entitled to any other perquisite and the person or persons who pay or provide the same is not or are not the minister of the parish or the parish council of the parish - the person or persons who pay or provide the same."

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

P G KELL
Deputy Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 16 October 2000.

C J MORONEY
M A PAYNE
Secretaries of Synod

I Assent to this Ordinance.

R H GOODHEW
Archbishop of Sydney
23/10/2000