

Associated Congregations (Amendment) Ordinance 2005

No 38, 2005

Long Title

An Ordinance to enable congregations to be associated with churches for the purposes of vestry meetings and for purposes incidental thereto.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Associated Congregations (Amendment) Ordinance 2005.

2. Amendment of the Church Administration Ordinance 1990

The Church Administration Ordinance 1990 is amended as follows –

- (a) insert in alphabetical order the following new definition in clause 2(1) –
 - “associated congregation’ means, in relation to a church, a group of persons –
 - (a) who meet together on a regular basis within the Diocese for public worship as part of the Anglican Church of Australia under the pastoral leadership of the minister of the church, and
 - (b) in relation to whom a notification made pursuant to clause 46(1) is in effect.”, and
- (b) in the definition of “parishioner” in clause 2(1) –
 - (i) insert the words “or as part of an associated congregation of such a church” at the end of subparagraph (a)(ii), and
 - (ii) insert the words “or as part of an associated congregation of that church” at the end of subparagraph (b)(ii), and
- (c) insert after the word “service” in clause 6(1)(b) the following –

“held at the church and of each associated congregation of the church”, and
- (d) in the declaration set out in clause 7(1) –

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- (i) delete the matter “I have usually during 3 months within the past 12 months attended divine service at the church of

” and insert instead the following –

“I have usually during 3 months within the past 12 months attended divine service at [insert name of church] or as part of an associated congregation of that church.”, and
- (ii) delete the matter “19 .” and insert instead the matter “20 .”, and
- (e) insert a new Part 7 as follows –

“Part 7 – Associated Congregations

Notification of associated congregations

46. (1) Subject to clause 46(2), the minister and churchwardens of a church may notify the Registrar in writing of a group of persons who meet together on a regular basis within the Diocese for public worship as part of the Anglican Church of Australia under the pastoral leadership of the minister if –

- (a) the building in which the group meets is not a church of the parish, and
- (b) a vestry meeting of the church has approved the group being associated with the church.

(2) Before the minister and churchwardens make a notification pursuant to clause 46(1) in relation to a group of persons who meet in a building situated outside the parish, the minister and churchwardens are to consult with the regional council and the parish council of the parish in which the building is situated.

(3) A notification made in relation to a group of persons pursuant to clause 46(1) is to include a brief description of the group and the address of the building in which the group meets.

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(4) A notification made in relation to a group of persons pursuant to clause 46(1) ceases to be in effect if –

- (a) the minister and churchwardens notify the Registrar in writing that the group has ceased to meet in the manner described in clause 46(1), or
- (b) the building in which the group meets is licensed or consecrated as a church of the parish, or
- (c) a vestry meeting of the church resolves that the group should no longer be associated with the church.

(5) The minister and churchwardens of a church are to notify the Registrar in writing as soon as practicable if a vestry meeting of the church passes a resolution referred to in clause 46(4)(c).

Movement of associated congregations

47. (1) If an associated congregation moves to a new building, the minister and churchwardens are to notify the Registrar in writing as soon as practicable of the address of the building.

(2) Before an associated congregation moves to a new building situated outside the parish, the minister and churchwardens are to consult with the regional council and the parish council of the parish in which the building is situated.

Minister's responsibilities

47A. The minister of a church is to exercise, so far as is relevant, his functions in relation to an associated congregation of the church and the building in which the associated congregation meets as if the associated

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congregation and the building were part of the church.

Functions of the churchwardens

47B. The churchwardens of a church are to exercise, so far as is relevant, their functions in relation to an associated congregation of the church and the building in which the associated congregation meets as if the associated congregation and the building were part of the church.

Functions of the parish council

47C. The parish council is to exercise, so far as is relevant, its functions in relation to an associated congregation of a church of the parish and the building in which the associated congregation meets as if the associated congregation and the building were a part of the church.”, and

- (f) in clause 54 –
 - (i) add the words “and Associated Congregations” to the end of the heading, and
 - (ii) insert a new clause 54(d) as follows –
 - “(d) as to whether a group of persons is an associated congregation of a church;”.

3. Amendment of the Church Grounds and Buildings Ordinance 1990

The Church Grounds and Buildings Ordinance 1990 is amended by inserting a new clause 6(1A) as follows -

“(1A) Subclause (1) does not apply to a building by reason of its use by an associated congregation of a church.”.

4. Amendment of the Parishes (Special Administration) Ordinance 2004

(1) The Parishes (Special Administration) Ordinance 2004 is amended as follows –

- (a) insert at the end of clause 5(1)(c) the following –
 - “and
 - (d) the minister and churchwardens of the principal or only church of the

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parish may exercise the functions of the minister and parish wardens under clauses 17 and 17A of the Schedule.”, and

- (b) insert a new clause 5(1A) as follows –

“(1A) From the date the regional council gives an approval under clause 4(1), any associated congregation within the meaning of the Church Administration Ordinance 1990 of a church of the parish is taken to be a congregation of the parish.”, and

- (c) insert after the word “Schedule” in clause 6(1)(a) the following matter –

“(except the function under clause 17(1) of the Schedule)”, and

- (d) insert a new clause 6(1A) as follows –

“(1A) From the date the regional council gives an approval under clause 4(2), any congregation which does not meet in a church is taken to be an associated congregation within the meaning of the Church Administration Ordinance 1990 of the principal or only church of the parish or such other church of the parish as the regional council may in its approval direct.”.

- (2) The Schedule to the Parishes (Special Administration) Ordinance 2004 is amended as follows –

- (a) delete the definition of “congregation” in clause 1(1) and insert instead the following –

“‘congregation’ means, in relation to a parish, a group of persons –

- (a) who meet together on a regular basis within the Diocese for public worship as part of the Anglican Church of Australia under the pastoral leadership of the minister of the parish, and

- (b) in relation to whom a notification made pursuant to clause 17(1) of this Schedule is in effect.”, and

- (b) delete clause 1(3) and insert instead the following –

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“(3) A group of persons who meet together on a regular basis within the Diocese –

- (a) for public worship as part of the Anglican Church of Australia, and
- (b) under the pastoral leadership of the minister of the parish, and
- (c) in a building (or part) which is licensed or consecrated by the Archbishop as a church of the parish,

is taken to be subject to a notification made pursuant to clause 17(1) of this Schedule.”, and

- (c) delete the words “use of buildings by” in the heading to Part 6, and
- (d) delete clause 17 and insert the following instead –

“17. Notification of congregations

(1) Subject to subclause (2), the minister and parish wardens of the parish are to notify the Registrar in writing of any group of persons who meet together on a regular basis within the Diocese –

- (a) for public worship as part of the Anglican Church of Australia, and
- (b) under the pastoral leadership of the minister of the parish.

(2) Before the minister and parish wardens make a notification pursuant to subclause (1) in relation to a group of persons who meet in a building (or part) situated outside the boundaries of the parish, the minister and parish wardens are to consult with the regional council and the parish council of the parish in which the building (or part) is situated.

(3) A notification made in relation to a group of persons pursuant to subclause (1) is to include a brief description of the group and the address of the building in which the group meets.

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(4) A notification made in relation to a group of persons pursuant to subclause (1) ceases to be in effect if the minister and parish wardens notify the Registrar in writing that the group has ceased to meet in the manner described in subclause (1).

17A. Movement of congregations

(1) If a congregation moves to a new building, the minister and parish wardens are to notify the Registrar in writing as soon as practicable of the address of the building.

(2) Before a congregation moves to a new building situated outside the parish, the minister and parish wardens are to consult with the regional council and the parish council of the parish in which the building is situated”.

5. Transition

A notification of a building pursuant to clause 17(1) of the Schedule to the Parishes (Special Administration) Ordinance 2004 made prior to the date of assent to this ordinance is taken to be a notification of a group of persons for the purposes of clause 17(1) of the Parishes (Special Administration) Ordinance 2004 following the date of assent.

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

PG KELL
Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 18 October 2005.

R WICKS
CJ MORONEY
Secretaries of Synod

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
21/10/2005