

# Church Administration Ordinance 1990 Amending Ordinance 1994

No 7, 1994

An Ordinance to amend the Church Administration Ordinance 1990 and related legislation.

Now the Synod of the Diocese of Sydney Ordains as follows.

## Citation

1. This ordinance may be cited as the "Church Administration Ordinance 1990 Amending Ordinance 1994".

## Transitional

2. (1) A church committee constituted under the Church Administration Ordinance 1990 retains all the powers, authorities, duties and functions conferred on it by that ordinance until the annual vestry meeting of the church to which it relates next following 15 April 1994.

(2) Where, by operation of the Church Administration Ordinance 1990 the powers, authorities, duties and functions of a church committee are conferred on a parish council or in the minister and churchwardens, the powers, authorities, duties and functions remain so conferred until the annual vestry meeting of the church concerned next following 15 April 1994.

## Abolition of Church Committees

3. (1) The Church Administration Ordinance 1990 is amended in accordance with Schedule 1.
- (2) The Church Grounds and Buildings Ordinance 1990 is amended in accordance with Schedule 2.

## Recommendations to Minister

4. The Church Administration Ordinance 1990 is amended in accordance with Schedule 3.

### Schedule 1

1. Paragraph (l) of subclause 11(1) is deleted.
2. In clause 12 -
  - (a) paragraphs (k) and (l) of subclause (1) are deleted;
  - (b) in paragraph (q) of subclause (1), the matter ", church committee" is deleted; and
  - (c) subclause (2) is amended as follows -
    - (i) the words "church committee" where twice appearing are deleted and the words "parish council" are inserted instead; and
    - (ii) the matter "resolved under subclause (1)(k)(i)" is deleted and the matter "as determined by subclause (1)(m) and (1)(n)" is inserted instead.
3. In clause 13 -
  - (a) subclauses (2) and (3) are deleted; and
  - (b) subclause (4) is amended as follows -
    - (i) after the word "amalgamated" the words "or a new parochial unit is created" are inserted; and
    - (ii) after the words "this Ordinance" the words "unless the instrument amalgamating the parishes or creating the new parochial unit specifies some other arrangement for the interim parish council" are inserted.
4. In clause 15 -
  - (a) the matter "11(h), 12(h)" is deleted from subclause (1) and the matter "11(1)(h), 12(1)(h)" is inserted instead.
  - (b) the matter "and, if appropriate, one qualified person to be a member of a church committee" is deleted from subclause (2); and
  - (c) the words "or church committee" are also deleted from subclause (2).
5. In clause 18 the following subclause is inserted after subclause (5) -

"(6) The church must not be used for any purpose not sanctioned by the minister. The rectory must not be used for any purpose not sanctioned by the minister. A church hall must not be used for any purpose not sanctioned by the minister and churchwardens acting together. In any decision about the use of a church hall the minister has a deliberative as well as a casting vote."
6. In clause 20 -
  - (a) the matter ", control" is inserted after the word "charge" in paragraph (a) of subclause (1);
  - (b) the matter ", members of church committees" is deleted from paragraph (i) of subclause (1);
  - (c) at the end of paragraph (o) of subclause (1) the matter "." is deleted and the matter ";" is inserted instead;
  - (d) after paragraph (o) of subclause (1) the following is inserted -

- "(p) to repair the church and its fittings, fixtures and furniture and the rectory, hall and all other buildings and so much of their contents and appurtenances as are the property of the church; and
  - (q) to provide the minister with sufficient means for the safe custody of all church registers and records.";
  - (e) in subclause (2) the matter "and (p)" is inserted after the matter "paragraphs (a) to (j)" and the words "and the church committee" are deleted; and
  - (f) at the end of subclause (2) the following sentence is inserted -  
"The functions referred to in subclause 20(1) are also to be exercised subject to the powers of the annual vestry meeting as set out in clauses 11 and 12".
7. In clause 28 -
    - (a) the word "and" at the end of paragraph (e) of subclause (1) is deleted;
    - (b) the matter "." is deleted at the end of paragraph (f) of subclause (1) and the matter ";" is inserted instead; and
    - (c) the following is inserted after paragraph (f) of subclause (1) -  
"(g) to direct the expenditure or investment policy of any surplus funds including the allocation of general funds of the church (not being the subject of any trust) for the general or any special work of the Anglican Church of Australia in the Diocese of Sydney;
    - (h) to fill any vacancy in the office of auditor; and
    - (i) to make donations for patriotic or charitable purposes or for the purposes of a christian missionary society, whether local or foreign, Anglican or non-Anglican."
  8. Clause 29 is deleted.
  9. Clause 31 is deleted.
  10. In clause 32 -
    - (a) the words "or Church Committee" are deleted from the heading;
    - (b) the matter "-(a)" is deleted;
    - (c) the matter "; and" is deleted and the matter "." is inserted instead; and
    - (d) paragraph (b) is deleted.
  11. In clause 33 -
    - (a) the words "or Church Committee" are deleted from the heading; and
    - (b) the matter "or (2) or clause 12(1)(k) or (2)" is deleted and the matter ",11(2), 12(1)(m), 12(1)(n) or 12(2)" is inserted instead.
  12. In clause 34 the words "or church committee" are deleted from subclause (1).
  13. In clause 35 -
    - (a) the words "and Church Committee" are deleted from the heading and the words "and church committee" are deleted from subclause (1); and
    - (b) the words "or church committee" are deleted from subclause (3) wherever appearing.
  14. In clause 36 -
    - (a) the words "and Church Committee" are deleted from the heading;
    - (b) subclause (2) is deleted;
    - (c) the matter "or church committee, respectively," is deleted from subclause (3);
    - (d) the matter "or church committee, respectively," is deleted from subclause (4); and
    - (e) the words "or committee" where appearing are also deleted from subclause (4).
  15. In clause 37 the words "or a church committee" and "or committee" are deleted.
  16. In clause 38 -
    - (a) the words "or Church Committee" are deleted from the heading; and
    - (b) the words "or church committee" are deleted from subclauses (1), (4) and (8); and
    - (c) the matter "or committee, respectively," is deleted from subclause (4).
  17. In clause 40 -
    - (a) the words "Church Committee or" are deleted from the heading;
    - (b) the words "church committee and a" are deleted; and
    - (c) the matter ", respectively," is deleted.
  18. In clause 43 the words "church committee" are deleted from paragraph (d) of subclause (3) and the matter "parish council" is inserted instead.

19. In subclause 46(1) -
  - (a) the words "or a church committee" are deleted in paragraph (a); and
  - (b) the words "or church committee" are deleted in paragraph (c).
20. In clause 47 -
  - (a) the words "Interim Church Committee" are deleted from the heading and the words "Interim Parish Council" are inserted instead;
  - (b) the matter ", churchwardens or church committee" is deleted from subclause (1) and the words "or churchwardens" are inserted instead;
  - (c) the words "interim church committee" are deleted from subclause (1) and the words "interim parish council" are inserted instead; and
  - (d) the words "church committee" are deleted from subclauses (2), (3) and (4) and the words "parish council" are inserted instead.
21. In clause 54 the words "or a church committee" are deleted from paragraph (a).
22. In clause 61 the words "under this Ordinance" are deleted.

### **Schedule 2**

1. In clause 2 the definition of church committee is deleted from subclause (2).
2. In clause 5 -
  - (a) the words "church committee or" are deleted from paragraphs (a) and (b) of subclause (2); and
  - (b) the words "or church committee" are deleted from subclause (8).
3. In subclause 10(1) -
  - (a) the matter "-(a) in the case of a parish having only one church," is deleted;
  - (b) the matter "; or" is deleted and the matter "." is inserted instead; and
  - (c) paragraph (b) is deleted.
4. In clause 11 -
  - (a) the words "and with any church committee of the church" are deleted from paragraph (a) of subclause (1); and
  - (b) the words "or a church committee of a church" are deleted from subclause (4).
5. In clause 12 -
  - (a) the matter ", parish council or church committee" is deleted from subclause (1) and the words "or parish council" are inserted instead; and
  - (b) the matter ", a parish council or a church committee" is deleted from subclause (2) and the words "or a parish council" are inserted instead.

### **Schedule 3**

1. The following is inserted at the end of paragraph (d) of subclause 28(1) -  
"and to make recommendations to the minister on ministry within the parish".
2. In the heading to part 5 the words "and Church Committees" are deleted.

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

N.M. Cameron  
Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 8th March 1994.

C.J. Moroney  
W.G.S. Gotley  
Secretaries of Synod

I Assent to this Ordinance.

R.H. Goodhew  
Archbishop of Sydney  
8/3/1994