

Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2016

Explanatory Report

Key Points

- Currently, after a time for questions on a motion that an ordinance be approved in principle, the President is only required to give an opportunity for speeches against the motion
- The proposed motion will allow speeches for, or against a motion that an ordinance be approved in principle

Purpose of the bill

1. The purpose of the bill for the *Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2016* (the “bill”) is to amend the *Conduct of the Business of Sydney Ordinance 2000* concerning speeches with respect to motions that an ordinance be approved in principle.

Recommendation

2. The Synod pass the bill as an ordinance of the Synod.

Background

3. Currently, by virtue of rules 5.5(7) and 5.5(8) of the Schedule of the *Conduct of the Business of Synod Ordinance 2000*, when considering a proposed ordinance, there is no mechanism that enables members (with the exception of the mover and seconder) to speak in favour of a motion to pass an ordinance in principle, unless there is a speaker in opposition.

4. The Ordinance replaced the *Standing Orders Amendment and Consolidation Ordinance 1968* (which was repealed). The rules of debate according to the 1969 Ordinance did not preclude members speaking for the motion.

Discussion

5. It is assumed that the intention of the current rule is to avoid unnecessary debate on a matter upon which Synod has formed an affirmative view. However, in the situation where a Synod member is broadly in support of an ordinance, but feels that the text of the proposed ordinance requires amendment, the following two consequences arise –

- (a) in such a circumstance it is hard to make the case to move into Committee for such debate without opposing the motion itself, and
- (b) where several amendments are contemplated for the ordinance which speak to a matter of larger principle, the speaker is then relegated to the shorter speaking time ‘in committee,’ which does not lend itself to explaining the larger issue in the same way that a speech on the motion to pass would.

6. Under the current rules, a procedural motion may be moved to allow speeches in favour of the proposed ordinance. However, in order to provide some flexibility in this matter without resorting to procedural motions (which themselves take the time of Synod) it is recommended that the following amendments be made to the *Conduct of the Business of Synod Ordinance 2000* –

- (a) amend rule 5.5(7) such that the amended question put to the Synod by the President would be, “Does any member wish to speak for, or against the motion, or to move an amendment to it?”, and
- (b) amend rule 5.5(8) to read, ‘If a member indicates that he or she wishes to speak for, or against the motion, or to move an amendment, the President is to allow debate on the motion to proceed.

For and on behalf of the Standing Committee.

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