

Delegation of Powers and Ordinance Procedure Ordinance 1973 Amendment Ordinance 1993

No 37, 1993

An Ordinance to amend the Delegation of Powers and Ordinance Procedure Ordinance 1973 and to make consequential changes to other ordinances.

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

Citation

1. This Ordinance may be cited as "Delegation of Powers and Ordinance Procedure Ordinance 1973 Amendment Ordinance 1993".

Amendment of the Delegation of Powers and Ordinance Procedure Ordinance 1973

2. The Delegation of Powers and Ordinance Procedure Ordinance 1973 is amended as follows -

- (a) Clause 11 is deleted and is replaced with the following clause -

"11. An application may be made for an ordinance by lodging with the Secretary -

 - (a) a written application containing the names and addresses of the applicants and signed by them or on their behalf;
 - (b) a copy of the proposed ordinance;
 - (c) the consent of the majority of the Parish Council and/or the consent of the donor of the property if such consent is required by section 26 of the 1917 Act;
 - (d) if notice of the ordinance is required to be posted by any other provision of this ordinance, satisfactory evidence of the posting of the notice of the ordinance in accordance with those requirements;
 - (e) an adequate written statement of evidence in support of the application;
 - (f) if the ordinance is promoted for or on behalf of a parochial unit or relates to church trust property held for the purposes of a parochial unit, the written comments of the Archdeacon of the area in which the parochial unit is situated; and
 - (g) payment of such sum as the Standing Committee may have last decided by resolution towards the costs attendant on an ordinance.";
- (b) Clause 12 is deleted;
- (c) Subclause 16(1) is deleted and is replaced with the following -

"(1) Any person may object to a proposed ordinance by lodging a notice of objection with the Secretary at any time within 3 weeks after the date when notice in respect of an ordinance is first posted.";
- (d) In clause 17 the words "or a committee appointed under clause 18 hereof" are deleted and are replaced with the following -

"a person or committee appointed under clause 18 or a regional council (or subcommittee thereof) to which a proposed ordinance is referred under clause 19".
- (e) The proviso to clause 17 is deleted and is replaced with the following -

"Provided that where -

 - (f) no notice is required by clause 14 or 15; or
 - (g) no objections have been lodged and a person appointed under clause 18 is able to report on the matters in paragraphs (a), (b), (d) and (e); or
 - (h) the Standing Committee determines in any particular case that the circumstances do not require such a hearing,

the Standing Committee may consider and pass the ordinance without any such hearing."
- (f) Clause 19 is deleted and is replaced with the following clause -

"19. If a proposed ordinance relates to church trust property and by reason of -

 - (a) money which may be received if the course of action authorised by the proposed ordinance is implemented; or
 - (b) any other matter or thing,

Standing Committee considers it appropriate (either generally or in any particular case) that the regional council (or a subcommittee of the regional council) of the region in which the property is situated consider and advise the Standing Committee as to the proposed ordinance, the first reading of the proposed ordinance is to be postponed until the Standing Committee receives that advice."; and
- (g) Clause 20 is deleted.

Amendment of the Inner City Ordinance 1972

3. The Inner City Ordinance 1972 is amended by deleting paragraph (a) of clause 9.

Amendment of the Marrickville Area Deanery Committee Ordinance 1984

4. The Marrickville Area Deanery Committee Ordinance 1984 is amended by deleting paragraph (a) of clause 9.

Transitional

5. This ordinance does not apply to -

- (a) a proposed ordinance of which notice was commenced to be given under clause 13 of the Delegation of Powers and Ordinance Procedure Ordinance 1973; or
- (b) a proposed ordinance for which application was made in accordance with clause 11 of that ordinance,

before the date of assent to this Ordinance.

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 11 October 1993.

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

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
12/10/1993