

Delegation of Powers (Provident Fund) Amendment Ordinance 2004

Explanatory Statement

Introduction

1. The purpose of the proposed ordinance is to delegate to the Standing Committee the powers of the Synod to make ordinances under the Anglican Church Provident Fund (Sydney) Act 1908 (the "Provident Fund Act") in pursuance of amendments recently made to the Provident Fund Act enabling the Synod to make such delegations.
2. By resolution 21/03, the Synod requested that the Board of the Anglican Provident Fund (Sydney) (the "Fund") consider seeking from the New South Wales Parliament an appropriate amendment or amendments to the Provident Fund Act to enable the Standing Committee to exercise delegated powers of the Synod in passing any ordinance in respect of the Fund.
3. Amending legislation giving effect to the Synod's request, the Statute Law (Miscellaneous Provisions) Act 2004, has been passed and assented to. As a consequence, the Synod is now able, by ordinance, to delegate to the Standing Committee its power to make ordinances under sections 3(2) and 8 of the Provident Fund Act.
4. The powers in sections 3(2) and 8 include the power to change, by ordinance, the name of the Board of Directors of the Fund, to amend or repeal any ordinance made under the Provident Fund Act (such as the Anglican Provident Fund Ordinance 1990 that is currently in force) and to provide for the admission to membership of the Fund of teachers at Anglican Schools, officials of Anglican diocesan registries and certain other laypersons engaged in the work of the Anglican Church or employed by any institution, school or organisation of the Church.

Recommendation

5. The Standing Committee recommends that Synod pass the bill as an ordinance.

For and on behalf of the Standing Committee.

ROBERT WICKS
Legal Officer

18 October 2004