

General Synod – Canon Concerning Services Amendment Canon 2017 Adopting Ordinance 2017

Explanatory Report

Key Points

- The Bill will provide a mechanism where services may be authorized without the need for a Canon of the General Synod.
- Services will only be able to be approved with the agreement of all metropolitans. This includes the Archbishop of Sydney.

Purpose of the bill

1. The purpose of the bill for the *General Synod – Canon Concerning Services Amendment Canon 2017 Adopting Ordinance 2017* (“the Bill”) is to amend the *Canon Concerning Services 1992* to provide a mechanism where services may be authorised without the need for a Canon of the General Synod.

Recommendations

2. That Synod receive this report.
3. That Synod pass the Bill as an ordinance of the Synod.

Evidence Given

4. The evidence for this Bill is set out in the explanatory memorandum that was provided to the General Synod. The Explanatory Memorandum is included as an Appendix to this report. The “Liturgy Commission” and “Doctrine Commission” referred to in the Appendix are commissions of the General Synod, not bodies of our Diocese.

5. There was concern among Sydney representatives on the General Synod, that the Canon could allow the authorisation of services for use throughout the Anglican Church of Australia without the approval of our Diocese. The Bill was amended ‘on the floor’ to require that a decision to approve a form of service must include the agreement of all Metropolitans. On this basis no form of service can be approved for use in a diocese without the agreement of the Archbishop of Sydney.

6. The Canon affects ritual and ceremonial, and would have been a special bill for the purposes of section 28 of the 1961 Constitution, except that at least three-quarters of the members of each House of General Synod otherwise determined. It has therefore taken effect as a canon of the General Synod. However the Canon is deemed by paragraph (a) of s 30 of the Constitution to affect the order and good government of the Church and therefore does not come into force in a diocese unless and until that diocese by ordinance adopts it.

For and on behalf of the Standing Committee

ROBERT WICKS
Diocesan Secretary

18 September 2017

*Canon Concerning Services Amendment Canon 2017**Explanatory Memorandum**General Background*

1. The Canon Concerning Services 1992 includes provisions relating to the forms of service authorised for use within the Anglican Church of Australia.
2. Section 4(2) of that canon provides that every minister must use only the authorised forms of service, except so far as the minister may exercise the discretion allowed by section 5. (Section 5 in turn provides for a limited range of variations which are either not of substantial importance for particular occasions for which no provision is made in the authorised forms of service.)
3. Section 4(1) provides for two forms only of authorised service, those in the Book of Common Prayer, and those authorised, as regards a parish, pursuant to the Constitution or a canon of the General Synod in force in that parish's diocese.
4. The church, through the leadership and insight of the Liturgy Commission, will continue to develop fresh language, metaphors and forms for services used in public worship, and some diocese and ministers will want to use them. It is improbable that these will be published in the form of a new prayer book, and even if a new prayer book were being considered (which it is not) there is a category of liturgical resource that falls between what needs to be authorised by canon and what is covered by section 5 of the Canon Concerning Services.
5. The amendment is directed to materials in that space. The ambition is to find a mechanism that retains the principle of church authority over liturgy and the authentication of properly considered and high quality materials, while at the same time allowing for such materials to be disseminated and used within the church without the need for a canon of General Synod in every case.
6. The proposed amendments require five forms of approval before any form of service can be used in reliance on this section of the canon: recommendation by the Liturgy Commission, concurrence in that recommendation by the Doctrine Commission, approval by two-thirds of diocesan bishops (including all Metropolitans), and approval for use within any diocese by the diocesan council of that diocese.

Status of this Bill and Canon

7. As this bill affects ritual and ceremonial, it will be a special bill for the purposes of section 28 of the Constitution unless three-quarters of the members of each House otherwise determine. In addition, it is deemed by paragraph (a) of s 30 of the Constitution to affect the order and good government of the Church and therefore not to come into force in a diocese unless and until that diocese by ordinance adopts it.

Notes on Clauses

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| Clause 1 | provides for the short title of the canon. |
| Clause 2 | provides that the term "principal canon" means the Canon Concerning Services 1992. |
| Clause 3 | <p>amends clause 4 of the Canon Concerning Services 1992 by authorising additional forms of service for use by Anglican ministers in Australia. To be used in a parish, a form must satisfy five criteria:</p> <ol style="list-style-type: none"> a. it has been recommended by the Liturgy Commission; b. the Doctrine Commission has concurred in that recommendation; c. it has been approved by a decision of at least two-thirds of the Diocesan bishops; d. it has been approved by a majority of Metropolitans; e. it has been approved for use within that parish's diocese by its diocesan council. |

It is noted that the first, second and fifth criteria recognize lay as well as clerical involvement in the approval process.

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| Clause 4 | provides that the canon affects the ritual, ceremonial or discipline of this Church. |
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