

General Synod - Canon Law Repeal Canon 1989 Adopting Ordinance 1993

No 30, 1993

An Ordinance to adopt General Synod Canon No 11, 1992.

Whereas -

A. The Canon Law Repeal Canon 1989 (the "Canon") was made by the General Synod of the Anglican Church of Australia in 1992.

B. The text of the Canon is set out in the Schedule.

C. It is expedient that the Canon be adopted by the Synod of the Diocese on the terms set out in this ordinance.

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

Citation

1. This ordinance may be cited as the "General Synod - Canon Law Repeal Canon 1989 Adopting Ordinance 1993."

Adoption of the Canon

2. The Canon is adopted.

Canons of 1603

3. Canons 9, 10, 13, 48, 59, 71, 75 and 80 to 84 inclusive of the Canons of 1603 will apply in this Diocese.

Interpretation

4. The Interpretation Ordinance 1985 is amended by the insertion of the following new clause after clause 11 -

"Canons of 1603

12. A reference in this ordinance or in any other ordinance to the Canons of 1603 is a reference to the Constitutions and Canons Ecclesiastical agreed upon by the bishops and clergy of the Province of Canterbury in the year of Our Lord 1603 and known as the Canons of 1603 and includes any amendments thereto having force or effect in any part of This Church in this Diocese."

Schedule

A canon concerning authority on certain matters.

The General Synod prescribes as follows -

1. This canon may be cited as "Canon Law Repeal Canon 1989".

2. A reference in this or in any other canon to the Canons of 1603 is a reference to the Constitutions and Canons Ecclesiastical agreed upon by the bishops and clergy of the Province of Canterbury in the year of Our Lord 1603 and known as the Canons of 1603 and includes any amendments thereto having force or effect in any part of this Church.

3. (1) Subject to the provisions of the Constitution and the operation of any other canon of the General Synod, all canon law of the Church of England made prior to the Canons of 1603, in so far as the same may have any force, shall have no operation or effect in a diocese which adopts this canon.

(2) Nothing in subsection (1) deprives a bishop holding office as a metropolitan and bishop of a diocese, or as the bishop of a diocese, of any inherent power or prerogative, or limit any inherent power or prerogative, that was vested in the metropolitan and bishop of that diocese, or the bishop of that diocese, as the case may be, as holder of those offices or of that office immediately before this canon came into force in that diocese.

4. (1) Subject to this section, the canons numbered 1 to 13 inclusive, 15, 16, 38 to 42 inclusive, 44, 48, 59, 65, 66, 71, 73, 75, 77 to 98 inclusive, 105 to 112 inclusive, 113 (other than the proviso thereto) and 114 to 141 inclusive of the Canons of 1603, in so far as the same may have any force, shall have no operation or effect in a diocese which adopts this canon.

(2) The Synod of a diocese which adopts this canon may elect, but only in the ordinance by which this canon is adopted, that the provisions of one or more canons of the Canons of 1603, being canons listed in section 4(1), will apply in the diocese.

(3) When the synod of a diocese makes an election under section 4(2) -

- (a) the provisions of the relevant canon or canons apply in the diocese until repealed by the synod of the diocese; and
 - (b) the synod may determine, at any time thereafter, by ordinance, that the relevant canon or any one or more of the relevant canons specified in such ordinance are not to apply in the diocese and, on such ordinance being duly made, the relevant canon does not or relevant canons so specified do not apply in the diocese.
5. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this canon by ordinance of the synod of the diocese.

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