

## **General Synod - Chancellors Canon 2001 Adopting Ordinance 2002**

### **Explanatory Statement**

1. The Chancellors Canon 2001 (the "canon") makes provision for the qualifications, appointment and tenure of chancellors. The canon also makes provision for the appointment of a deputy chancellor.

2. By clause 3 of the canon a person to be appointed as chancellor must be a communicant member of the Anglican Church of Australia and must be or must have been -

- (a) a Justice or Judge of the courts referred to in that clause; or
- (b) a barrister or solicitor of at least 7 years standing of the Supreme Court of a State or Territory; or
- (c) a graduate in law and a teacher of law of at least 7 years standing holding the position of Senior Lecturer or above in law at a University in Australia.

3. Clause 4(1) provides that the bishop of the diocese may appoint a chancellor under seal in the form contained in the Schedule or some other appropriate form.

4. Clause 4(2) extends the tenure of the chancellor to 6 months after a new bishop is appointed. In Sydney, the current convention is for a chancellor to offer his resignation each time a new Archbishop is appointed. To date the new Archbishop has reappointed the chancellor. It is considered that the provision in the canon relating to tenure will avoid unnecessary reliance on this convention in the future.

5. Clause 5 enables a bishop of the diocese to appoint a deputy chancellor either as a continuing office or to act in the absence of the chancellor or during a vacancy in the office of chancellor.

6. The canon repeals canons 127 and 128 of the Canons of 1603 to the extent that those canons continue to have or may have any force or operation in the diocese which adopts the canon. These canons have already ceased to have any force or operation in this Diocese by Ordinance No 30, 1993.

### **Recommendation**

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

For and on behalf of the Standing Committee

ROBERT WICKS  
*Legal Officer*

14 August 2002