

General Synod Constitution Alteration.

8/19/16

AN ORDINANCE for accepting and adopting a certain Determination of the General Synod, Session 1916 (No. II.), intituled, "Rule to make certain alterations of the Constitution," and for accepting and adopting a certain other Determination referred to in the said firstmentioned Determination.

WHEREAS a certain Determination being Determination (No. II.) was made by the General Synod of the Dioceses in Australia and Tasmania on the seventeenth day of October 1916 intituled "Rule to make certain alterations of the Constitution" a copy of which is contained in the first schedule annexed to this Ordinance AND WHEREAS a certain other Determination being the Determination referred to in the said firstmentioned Determination was made by the General Synod of the said Dioceses on the twelfth day of October One thousand nine hundred and five intituled "Rules to make certain alterations of the Constitution" a copy of which is contained in the second schedule annexed to this Ordinance AND WHEREAS it is expedient that the said Determinations shall be accepted in the manner hereinafter provided by the Church in this Diocese. THE SYNOD OF THE DIOCESE OF SYDNEY in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales ordains and rules as follows:—

1. That the Determination a copy of which is contained in the said first schedule and the Rule therein contained and each and every of them shall be and the same are and is hereby accepted and adopted and shall so far as the same are applicable be applied to the management and government of the Church in this Diocese in like manner as if the said Determination and the Rule therein contained and each and every of them had been ordained and ruled by the Synod of this Diocese.

2. That subject to section 3 hereof the Determination a copy of which is contained in the said second schedule, and the Rules therein contained and each and every of them shall be and the same are and is hereby accepted and adopted and shall so far as the same are applicable be applied to the management and

General Synod Constitution Alteration.

government of the Church in this¹ Diocese in like manner as if the said Determination and the Rules therein contained and each and every of them had been ordained and ruled by the Synod of this Diocese.

3. That section 2 hereof shall come into operation when and not before the proviso recited in the Determination referred to in section 1 hereof has been repealed. Such part or parts of the Determination and Rules referred to in section 2 hereof as relate to the said proviso shall be excluded from the operation of the said section.

FIRST SCHEDULE.

GENERAL SYNOD OF THE DIOCESES IN AUSTRALIA AND
TASMANIA.

DETERMINATION II., GENERAL SYNOD, SESSION 1916.

(Made 17th October, 1916.)

RULE to provide for the approval of the Synod being given to certain alterations of the Constitution.

The approval of the Synod is hereby given to the Determination in the Schedule hereto, which shall be communicated to the several Diocesan Synods, and if assented to by at least two-thirds of such Dioceses as shall have accepted the Constitution, shall be brought before the Synod at its next Session, with a view to its being finally passed.

SCHEDULE.

DETERMINATION , SESSION

RULE to make certain alterations of the Constitution.

The Constitution of this General Synod of the Dioceses of the Church of England in Australia and Tasmania shall be and is hereby altered in manner following:—

1. The proviso added at the end of the eighth Section by Determination XI., Session 1905, and finally passed by

General Synod Constitution Alteration.

Determination III., Session 1910, viz.: "Provided also that every Determination which the General Synod has repealed shall cease to be binding upon the Church in any Diocese" shall be and is hereby repealed.

We hereby certify that the foregoing Determination was made by the General Synod of the Dioceses in Australia and Tasmania this seventeenth day of October, 1916,

F. W. SAMWELL } *Secretaries*
W. R. BEAVER. } *of the Synod.*

SECOND SCHEDULE.

GENERAL SYNOD OF THE DIOCESES IN AUSTRALIA AND
TASMANIA.

DETERMINATION XI., SESSION 1905.

(Made 12th October, 1905.)

RULE to provide for the approval of the Synod being given to certain alterations of the Constitution.

The approval of the Synod is hereby given to the Determination in the Schedule hereto, which shall be communicated to the several Diocesan Synods, and if assented to by at least two-thirds of such Dioceses as shall have adopted the Constitution, shall be brought before the Synod at its next Session, with a view to its being finally passed.

SCHEDULE.

GENERAL SYNOD OF THE DIOCESES IN AUSTRALIA AND
TASMANIA.

DETERMINATION , SESSION

RULES to make certain alterations of the Constitution.

The Constitution of this General Synod of the Dioceses of the Church of England in Australia and Tasmania shall be and is hereby altered in manner following:—

General Synod Constitution Alteration.

1. The following clause shall be substituted for the sixth section of the Constitution and shall become the sixth section thereof.

"The Primate or in his absence the Senior Archbishop present, or if there be no Archbishop present, the Senior Bishop present shall be President of the House of Bishops and of the General Synod; seniority in every case being seniority of Consecration. And the President may with the concurrence of the General Synod prorogue and dissolve the same. And the President may take part in any discussion and vote on any question or matter arising therein."

2. The following proviso shall be added at the end of the eighth Section:—

"Provided also that every Determination which the General Synod has repealed shall cease to be binding upon the Church in any Diocese."

3. The following clause shall be substituted for the tenth section of the Constitution, and shall become the tenth section thereof:—

"Every Determination of the General Synod shall be made by a majority of each House thereof, and in every division, whether upon a Determination or a Resolution, of the House of Representatives, in Synod but not in Committee; unless demanded by at least ten Representatives, the voting shall be by Orders, and a majority of the votes of each Order shall be necessary to secure the resolution of a question in the affirmative. And the presence of at least five of the Bishops forming the House of Bishops, and of not less than fifteen Clerical and fifteen Lay Representatives, representing not less than seven Dioceses, shall be necessary to constitute a meeting of the General Synod."

4. The following clause shall be substituted for the thirteenth section of the Constitution, and shall become the thirteenth section thereof:—

"In case of the death, absence, or incapacity of any Primate, the functions of such Primate, under this Constitution, and under every Resolution and Determination of the General Synod, shall be exercised by the Senior Archbishop being at the time resident

General Synod Constitution Alteration.

in his Diocese, and able and willing to act; and in case of the absence or incapacity, or unwillingness to act, of any such Archbishop, by the Senior Bishop having a seat in the House of Bishops and being at the time resident in his Diocese and able and willing to act; seniority in every case being seniority of Consecration. And in case of the absence of any Bishop, his functions under this Constitution shall, in all cases of a formal or purely administrative character, subject to any provisions made in that behalf by the Church in the Diocese, be exercised by a Commissary appointed by him; and in case no such Commissary shall have been appointed, or the See be vacant, or the Bishop incapable, such functions shall be exercised by the Administrator of the Diocese, if any, or by the person who shall then be the next in ecclesiastical rank or degree in the Diocese and resident therein. Provided that it shall not be competent for any one to sit in the House of Bishops in the stead of a Bishop."

We hereby certify that the foregoing Determination was made by the General Synod of the Dioceses in Australia and Tasmania, this twelfth day of October, 1905.

ROBERT M. WALKER } *Secretaries*
 F. B. WILKINSON } *of the Synod.*

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

E. W. MOLESWORTH,
Chairman of Committees.

We certify that this Ordinance was passed on 6th December, 1916.

E. CLAYDON } *Secretaries of*
 W. R. BEAVER } *the Synod.*

I assent to this Ordinance.

JOHN CHARLES SYDNEY.

14th December, 1916.