

General Synod – Constitution Amendment (Diocesan Council) Canon 2010 Assenting Ordinance 2015

Explanatory Statement

Key points

- The bill enables the Synod to assent to a new constitutional definition of “Diocesan Council”.
- The new definition will facilitate the passing of General Synod canons by circulation to dioceses.

Purpose of the bill

1. The purpose of the bill is to enable the Synod to assent to a Canon of the General Synod which amends the definition of “Diocesan Council” in the Constitution of the Anglican Church of Australia (the “Constitution”).

Recommendation

2. Synod pass the bill as an ordinance.

Background

3. The *Constitution Amendment (Diocesan Council) Canon 2010* proposes the insertion of a new definition of “Diocesan council” in the Constitution allowing the synod of a diocese to determine its diocesan council where there is no body able to exercise its powers and functions on its behalf when it is not in session.

4. The current Constitution contains the following definition of “Diocesan council” in section 74(1) –
“Diocesan council” in a Diocese where there is a synod means the body exercising the powers and functions of the synod on its behalf when it is not in session.’

5. This definition does not accurately describe the councils of all dioceses since a number of dioceses do not have a body that exercises the powers and functions of the synod on its behalf when it is not in session.

6. Under section 28A of the Constitution, the General Synod Standing Committee is able to initiate the passing of a canon by circulation to diocesan synods, and in turn allows a diocesan council to provide the assent in the place of the synod. However, because the existing definition of Diocesan Council in section 74 does not describe the councils of all dioceses, some dioceses are excluded from using this. It is therefore desirable to amend the definition in the Constitution so that it is capable of covering all diocesan councils.

7. The amendment to the definition will come into force if at least three quarters of diocesan synods, including all of the metropolitan sees, have assented to the amendment canon by ordinance.

For and on behalf of the Standing Committee.

ROBERT WICKS
Diocesan Secretary

17 August 2015