

General Synod – The Solemnization of Matrimony Canon Amendment Canon 2007 Assenting Ordinance 2009

Explanatory Statement

1. The Solemnization of Matrimony Canon Amendment Canon 2007 was passed by the General Synod as a provisional Canon and has been referred to each diocese to consider its assent or dissent.
2. The Solemnization of Matrimony Canon Amendment Canon 2007 amends the Solemnization of Matrimony Canon of 1981 by removing the rule in subsection (b) of the latter canon requiring at least one party to a marriage solemnized according to Anglican rites to be a baptised person.
3. The Provisional Canon affects the change by deleting subsection (b) of the Solemnization of Matrimony Canon 1981.
4. At least three dioceses, including one metropolitan see, have already dissented from the Provisional Canon. The Provisional Canon will therefore return to the General Synod in 2010 for further consideration regardless of whether our Synod assents to or dissents from it. It is understood that there is significant support among General Synod members for the Provisional Canon. It is considered that there is merit in our Synod indicating its assent in order to strengthen the hand of Sydney representatives on the General Synod when the Provisional Canon is next considered by the General Synod.
5. In the event that the General Synod does not pass the Canon, it may be possible for our Synod to exclude the Solemnization of Matrimony Canon 1981 and re-enact its provisions by ordinance without the requirement that at least one party be a baptised person.

Recommendation

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

For and on behalf of the Standing Committee.

STEVE LUCAS
Manager, Legal Services

2 September 2009