

Nomination Ordinance 2006 Amendment Ordinance 2020

No 62, 2020

Long Title

An Ordinance to amend the Nomination Ordinance 2006.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Nomination Ordinance 2006 Amendment Ordinance 2020.

2. Amendment

(1) The *Nomination Ordinance 2006* is amended by –

(a) inserting the following new definition in subclause 2(1) in alphabetical order –
“immediate family member” means a spouse, child, parent, grandparent, grandchild or sibling of the person,’ and

(b) substitute the existing clause 26 with the following –

‘26 Effect of failure to license clergyman

If a clergyman who accepts an offer of appointment to the office of rector of a parish –

(a) withdraws the acceptance before he is licensed as rector of the parish, or

(b) is not licensed as rector of the parish within 6 months of the date of accepting the offer (or within such longer period up to 12 months determined by the Archbishop in writing) due to some other act or omission on the part of that clergyman or, if the clergyman is a deacon – due to the clergyman not becoming ordained as a presbyter by the date specified by the Archbishop under clause 21(6),

the offer lapses with effect from the earlier of the withdrawal and the end of the period that is applicable under paragraph (b) and a new vacancy is deemed to arise in the office of rector of the parish for the purposes of clause 3 on the date that the offer lapses.’, and

(c) deleting subclause 32(2)(a) inserting the following new sub-clauses 32(2)(a) and (b) as follows (and consequentially re-lettering existing subclauses 32(2)(b) and (c) as subclauses 32(2)(c) and (d) respectively) –

‘(a) the person is employed to perform work in the parish or is otherwise contracted as a staff member of the parish, or

(b) the person is an immediate family member of a person who satisfies subclause (a), or’, and

(d) inserting the following words at the end of the text in the renumbered subclause 32(2)(d) –

‘or the spouse of a person who has consented to being elected as a member of the Nomination Board’, and

(e) deleting paragraphs (a) and (b) in clause 35(1) and inserting instead the matter –

‘I declare that I am a communicant member of the Anglican Church of Australia and have not been convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*.’, and

(f) insert the following at the end of clause 36(2) before the full stop –

‘as a result of a clergyman being licensed as rector in the Parish’, and

(g) inserting the following new subclause 37(1)(e) (and consequentially renumbering the existing subclause 37(1)(e) as subclause 37(1)(f)) –

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- '(e) becomes employed to perform work in the parish or otherwise becomes contracted as a staff member of the parish, or is an immediate family member of a person who becomes so employed or contracted, or', and
 - (h) all references to the "*Church Administration Ordinance 1990*" through the Ordinance are substituted with the matter "*Parish Administration Ordinance 2008*", and
 - (i) all references to "vestry meeting" through the Ordinance are substituted with the words "general meeting".
- (2) The *Interpretation Ordinance 1985* is amended by inserting the following new definition in the Schedule –
- "lay person" means a person who is not at the relevant time –
 - (a) ordained as a bishop, presbyter or deacon by a bishop of –
 - (i) the Anglican Church of Australia,
 - (ii) a Church in communion with the Anglican Church of Australia; or
 - (iii) a Church that is recognised as an Anglican Church by the Synod of the Diocese of Sydney; or
 - (b) received into an order of ministry of the Anglican Church of Australia by a bishop of the Anglican Church of Australia in accordance with the law of the Anglican Church of Australia;', and

3. Transitional

The amendment in clause 2(1)(e) does not apply to a person who holds office as a parish nominator at the date of assent of this Ordinance until the end of their current term of office as a parish nominator.

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

D S MARR
Deputy Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 November 2020.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney

23/11/2020