
Norfolk Island Ordinance 1979

No. 36, 1979

AN ORDINANCE to alter the boundaries of the Diocese of Sydney so as to include therein Norfolk Island and for purposes incidental thereto.

WHEREAS by the Norfolk Island Act 1913 (Cth) Norfolk Island was accepted by the Commonwealth of Australia as a Territory and as such is subject to the control and authority of the said Commonwealth AND WHEREAS ecclesiastical jurisdiction over members of the Church of England resident on Norfolk Island at the time of the enactment of the said Act was being exercised and thereafter continued to be exercised by the Province of New Zealand but episcopal oversight and pastoral care was exercised by the Bishop of Melanesia AND WHEREAS in the year 1937 the General Synod of the Province of New Zealand authorised the then Primate of New Zealand to take the necessary steps for the transfer of the ecclesiastical jurisdiction in and over Norfolk Island to the Diocese of Sydney and also authorised the Melanesian Mission Trust Board to transfer the properties belonging to the Board and situated on Norfolk Island to the authorities of the Diocese of Sydney AND WHEREAS on the 5th August 1938 the then Archbishop of Sydney the Most Reverend Howard Mowll, D.D., and the then Bishop of Melanesia the Right Reverend Walter Baddeley agreed in writing for themselves and their successors for the surrender by the latter and the acceptance by the former of all ecclesiastical jurisdiction in and over the said Norfolk Island and purported by the said instrument to confirm the surrender and acceptance of episcopal jurisdiction in the said Island AND WHEREAS since the year 1938 the several Archbishops of Sydney have exercised episcopal oversight and pastoral care over the said Island and, inter alia, have appointed Chaplains to minister to the members of the Church of England resident thereon AND WHEREAS by a deed signed and sealed on the 8th September 1938 by the Primate and Archbishop of the Province of New Zealand and on the 30th March 1939 by the Archbishop of Sydney Metropolitan of the Province of New South Wales, episcopal jurisdiction and control of Norfolk Island and of the members of the Church resident therein was transferred to the Archbishop of the Diocese of Sydney and to the Province of New South Wales AND WHEREAS no action appears to have been taken by the Synod of the Diocese of Sydney or otherwise to legally and effectively alter the boundaries of the aforesaid Diocese so as to include Norfolk Island within the territorial limits of the Diocese and to render it subject to the ecclesiastical jurisdiction of the said Diocese AND WHEREAS the Parish Council representing the members of the Church of England resident on Norfolk Island have petitioned the Synod of the Diocese of Sydney to promote an ordinance and to take any other necessary steps to ensure that the said Island is legally and constitutionally incorporated within the territorial boundaries of the Diocese and subject to its ecclesiastical jurisdiction AND WHEREAS Section 45(2) of the Schedule to the Church of England in Australia Constitution Act 1961 provides that a diocese may by ordinance alter its boundaries so as to include

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territory which is not part of any diocese but that any such alteration shall not take effect until ratified by or under a Canon of General Synod AND WHEREAS Norfolk Island is not presently a part of any diocese AND WHEREAS it is expedient to accede to the aforesaid petition and to alter the boundaries of the Diocese of Sydney NOW the Synod of the Diocese of Sydney HEREBY **ORDAINS** DECLARES DIRECTS AND RULES as follows:—

1. The boundaries of the Diocese of Sydney shall be and are hereby altered so as to include the Territory of Norfolk Island.
2. This ordinance may be cited as the "Norfolk Island Ordinance 1979".

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

N. M. CAMERON,
Deputy Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney this third day of October 1979.

R. J. BOMFORD,
W. G. S. GOTLEY,
Secretaries of Synod.

I assent to this Ordinance.

M. L. LOANE,
Archbishop of Sydney.

3/10/1979.