

Parish Administration Ordinance 2008 Amendment (Mental Incapacity Definition) Ordinance 2020

No 14, 2020

Long Title

An Ordinance to amend the *Parish Administration Ordinance 2008*.

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

1. Name of ordinance

This Ordinance is the Parish Administration Ordinance 2008 Amendment (Mental Incapacity Definition) Ordinance 2020.

2. Amendment

The *Parish Administration Ordinance 2008* is amended as follows –

- (a) delete the words 'mentally ill' wherever they appear in the Ordinance including where they appear in Schedule 1 and 2, and insert instead the words 'mentally incapacitated',
- (b) delete the words 'or is otherwise incapable of acting' wherever they appear in the Ordinance including where they appear in Schedule 1 and 2,
- (c) delete the words 'or otherwise incapable of acting' wherever they appear in the Ordinance including where they appear in Schedule 1 and 2,
- (d) delete all the matter in rule 1.1(5)(b) of Schedule 1 and insert instead the following –
 'a reference to a person becoming mentally incapacitated is a reference to that person becoming an involuntary patient or a forensic patient or a correctional patient within the meaning of the *Mental Health Act 2007 (NSW)*, or a protected person within the meaning of the *NSW Trustee and Guardian Act 2009 (NSW)*,', and
- (e) delete all the matter in rule 1.1(5)(b) of Schedule 2 and insert instead the following –
 'a reference to a person becoming mentally incapacitated is a reference to that person becoming an involuntary patient or a forensic patient or a correctional patient within the meaning of the *Mental Health Act 2007 (NSW)*, or a protected person within the meaning of the *NSW Trustee and Guardian Act 2009 (NSW)*,', and
- (f) insert a new a new sub-rule 2.8(1)(a)(iii) in Schedules 1 and 2 as follows (and consequentially renumber the existing sub-rules (iii) to (vi) as sub-rules (iv) to (vii) respectively) –
 '(iii) is absent without leave for 3 consecutive meetings of the Parish Council and the Parish Council resolves that the person's membership should cease, or'
- (g) insert a new sub-rule 2.14(1)(a)(iii) in Schedule 1 and a new a new sub-rule 2.13(1)(a)(iii) n Schedule 2 as follows (and consequentially renumber the existing sub-rules (iii) to (vi) as sub-rules (iv) to (vii) respectively) –
 '(iii) is the subject of a resolution of the Parish Council passed under rule 2.8(1)(a)(iii), or'.

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

Deputy Chair of Committee
P COLGAN

**Parish Administration Ordinance 2008 Amendment (Mental Incapacity Definition)
Ordinance 2020**

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

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney

23/03/2020