

## **Regions Ordinance 1995 Amendment Ordinance 1996**

### **Explanatory Statement**

#### **Introduction**

1. The Regions Ordinance 1995 (the "Ordinance") provides for the formation of Regions and the establishment of Regional Councils. It is published on pages 540 to 544 inclusive of the 1996 Year Book.

2. Under clause 4(1) of the Ordinance a Regional Council consists of -

- (a) the Regional Bishop (clause 4(1)(a));
- (b) the Regional Archdeacon (clause 4(1)(b));
- (c) 1 layperson from each area deanery in the Region elected by the Regional Electors of that Region (clause 4(1)(c));
- (d) 1 Minister from each area deanery in the Region elected by the Regional Electors of that Region (clause 4(1)(d)); and
- (e) 2 Ministers and 4 laypersons each of whom may come from any area deanery in the Region elected by the Regional Electors of that Region (clause 4(1)(e)).

3. The election of the members under clause 4(1)(c) and (d) must be held during the first ordinary session of each Synod but the Ordinance is silent about when the election of the members under clause 4(1)(e) is to take place, although there is a strong implication that the election is to take place with the other elected members.

4. Clause 5 of the Ordinance sets out when casual vacancies arise among persons who are members under clause 4(1)(c) and (d) (eg resignation, insolvency under administration, incapacity to act by reason of mental illness etc). But there is no provision for casual vacancies among members under clause 4(1)(e).

5. Even though an age retirement provision was deleted from the bill for the Regions Ordinance in the committee stage last year, the Diocesan Officers (Retirements) Ordinance 1987 still applies to the office of member of a Regional Council. This means that a person 72 years of age or older is not eligible to be elected or appointed to a Regional Council and a member of a Regional Council will vacate office upon reaching 72 years of age.

#### **Purpose of the Bill**

6. The bill seeks to amend the Ordinance so that members of a Regional Council under clause 4(1)(e) are elected during the first ordinary session of each Synod and the rules in clause 5 of the Ordinance relating to casual vacancies apply to those persons. The bill also seeks to provide that the Diocesan Officers

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(Retirements) Ordinance 1987 does not apply to the office of member of a Regional Council.

**Recommendation**

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

For and on behalf of the Standing Committee

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*Legal Officer*

2 September 1996