

Relinquishment of Holy Orders Ordinance 1994

No 45, 1994

An Ordinance to allow a person to be regarded as having relinquished his or her holy orders and for purposes related thereto.

The Synod of the Diocese of Sydney Ordains as follows -

Citation

1. This ordinance may be cited as the "Relinquishment of Holy Orders Ordinance 1994".

Relinquishment of Holy Orders

2. (1) A person in holy orders who holds the licence or authority of the Archbishop may, by written notice to the Archbishop, request that the person be regarded as having relinquished his or her orders.

(2) A person who gives a notice to the Archbishop under subclause 2(1) must sign that notice in the presence of a prescribed witness who must also sign his or her name as a witness to the signature of the person concerned.

(3) For the purposes of subclause 2(2) each of the following is a prescribed witness -

- (a) an Assistant Bishop of the Diocese;
- (b) an Archdeacon of the Diocese;
- (c) a judge;
- (d) a barrister;
- (e) a solicitor.

3. The Archbishop may accede to a request made under clause 2 by giving written notice to that effect to the person concerned and to the Registrar.

4. (1) If the Archbishop accedes to a request made under clause 2 by giving notice under clause 3, the person concerned is to be regarded as having relinquished his or her holy orders on and from the date of the Archbishop's notice. Thereafter, the person shall be considered to be a lay person for the purposes of all ordinances, rules and regulations having effect in the Diocese, except -

- (a) the Tribunal Ordinance 1962; and
- (b) the Offences Ordinance 1962.

(2) A person who is regarded as having relinquished his or her orders under this ordinance is deemed to have resigned the licence or authority of the Archbishop held by that person.

Offence

5. It is an offence for a person who is regarded as having relinquished his or her holy orders under this ordinance to hold out that the person continues to hold those orders, except for the purposes of-

- (a) the Tribunal Ordinance 1962; and
- (b) the Offences Ordinance 1962.

Archbishop may treat relinquishment of orders as void

6. (1) A person who is regarded as having relinquished his or her orders under this ordinance may, by written request to the Archbishop, request that the relinquishment of orders be treated as void.

(2) The Archbishop may accede to a request made under subclause 6(1) by giving written notice to that effect to the person concerned and to the Registrar.

(3) If the Archbishop accedes to a request made under subclause 6(1) by giving a notice under subclause 6(2), the person concerned shall, on and from the date of the Archbishop's notice, be regarded as not having relinquished his or her holy orders for the purposes of all ordinances, rules and regulations having effect in the Diocese.

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

N. M. CAMERON
Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 1994.

C.J. MORONEY
W.G.S. GOTLEY
Secretaries of Synod

I Assent to this Ordinance.

R.H. GOODHEW
Archbishop of Sydney
20/10/1994