

Church Ministry (Lessons) Ordinance 1995

Explanatory Statement

Introduction

1. The bill ("Bill") for the Church Ministry (Lessons) Ordinance 1995 provides for the lessons which may be read in the course of divine service in the Diocese. The schedule to the Bill will be made a schedule to the Church Ministry Ordinance 1993.

2. Under clause 3 of the Church Ministry Ordinance 1993 each schedule to that ordinance is binding on the members of the church under the 1902 Constitution. This does not change the law since the *Scandrett & Dowling* decision makes it clear that the rules of the church are binding if they relate to church trust property. A failure to act in accordance with a schedule is an offence. In practical terms this means that if a clergyman does not comply with the provision of a schedule a charge against the clergyman could be brought under the Tribunal Ordinance 1962. Again this does not change the law since matters of ritual, ceremonial and discipline are already grounds for proceedings under the Tribunal Ordinance 1962.

Authorised Lessons

3. The Bill, if passed, will authorise the reading of the following lessons in the course of divine service in this Diocese -

- (a) those lessons prescribed in the Tables in the *Book of Common Prayer* or in *An Australian Prayer Book* or any other Table authorised by the Synod;
- (b) passages of scripture each of which -
 - (i) is a reasonable length, having regard to the length of the passages prescribed in the Table or Tables referred to in paragraph (a); and
 - (ii) is part of a system of the systematic reading of the Old and New Testaments;

and which or one of which will be explained in a sermon delivered in the course of or immediately after the service.

4. The Bill makes it clear that the Table in the Schedule to the *Alternative Table of Lessons Canon 1985*, as amended by the *Alternative Table of Lessons Amendment Canon 1992*, is authorised by the Synod for use in Sydney.

Recommendation

5. The Standing Committee recommends that the Synod pass the Bill as an ordinance. The Bill was deferred at the second session of this Synod and will start at the second reading.

For and on behalf of the Standing Committee

MARK PAYNE
Legal Officer

18 March 1996