

## **2002 Report of the Standing Committee**

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### **1. Introduction**

#### **1.1 Charter**

The Standing Committee is constituted under the Standing Committee Ordinance 1897. Its duties arise under a number of ordinances and include the following -

- (a) making arrangements for the meetings of the Synod and preparing the Synod's business, and
- (b) acting as a council of advice to the Archbishop (the "Archbishop-in-Council"), and
- (c) considering and reporting upon matters referred to it by the Synod and carrying out the Synod's resolutions, and
- (d) deliberating and conferring upon all matters affecting the interests of the Church, and
- (e) making ordinances under delegated powers, and
- (f) preparing and administering parochial cost recoveries and Synod appropriations and allocations, and
- (g) appointing persons to fill casual vacancies among persons elected by the Synod to boards etc, and
- (h) monitoring the finances of diocesan organisations.

#### **1.2 Access**

Meetings are held in St Andrew's House, Sydney Square and mail should be addressed to "The Diocesan Secretary, Standing Committee of Synod, PO Box Q190, QVB Post Office NSW 1230" (telephone (02) 9265 1555; Fax (02) 9261 4485; E-mail [map@sydney.anglican.asn.au](mailto:map@sydney.anglican.asn.au)). Office hours are 9 am to 5 pm.

A report on each meeting is published a few days after the meeting on the Synod's website at [www.sydney.anglican.asn.au/synod](http://www.sydney.anglican.asn.au/synod).

#### **1.3 Meetings and members**

Since October 2001 we have met 12 times. The names of the members are listed on pages 42 and 43 of the 2002 Diocesan

Year Book and on the Synod's website at [www.sydney.anglican.asn.au/synod](http://www.sydney.anglican.asn.au/synod).

During the year, the following changes took place to the membership of the Standing Committee -

- Bishop Paul Barnett ceased to be a member upon his retirement as Bishop of North Sydney. Bishop Glenn Davies became an *ex-officio* member upon being appointed as the new Bishop of North Sydney.
- Bishop Ray Smith ceased to be a member upon his retirement as Bishop of Liverpool. Bishop Peter Tasker became an *ex-officio* member upon being appointed as the new Bishop of Liverpool.
- Archdeacon Peter Smart ceased to be a member upon his retirement as Registrar. Dr Philip Selden became an *ex-officio* member upon his appointment as the new Registrar.
- Canon Boak Jobbins ceased to be a member upon his resignation as Dean.
- Canons Ian Cox and John Cornford were elected by the Wollongong Regional Council to fill the vacancies among the members of the clergy from the Wollongong region which arose when Bishop Glenn Davies and Bishop Peter Tasker became *ex-officio* members.
- Dr Stephen Judd resigned as a lay member and we elected Mrs Claire Smith to fill the vacancy.
- Dr Evonne Paddison resigned as a lay member from the North Sydney region to take up a position as Warden of Ridley College in Melbourne. Her position has not yet been filled by the North Sydney Regional Council.
- The Rev Dianne Nicolios ceased to be an *ex-officio* member upon resigning her office as Archdeacon of Women's Ministry.
- Dr Ann Young resigned as a lay member from the Wollongong region. Her position has not been filled by the Wollongong Regional Council.

We are thankful for the service which the former members provided to us.

#### **1.4 Management and structure**

Each meeting of the Standing Committee is like a small Synod meeting. The major committees are -

Audit Committee	Ordinance Reviewers and Panels
Mission Taskforce	Ordination Training Fund Committee
Finance Committee	Social Issues Executive
General Synod Canons Committee	Synod Arrangements Committee
Legal Committee	

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Other committees are appointed from time to time for special jobs. We thank God for the faithfulness and expertise of the people who serve on our committees.

### **2. The Diocesan Mission**

#### **2.1 The Diocesan Mission Statement**

At Synod in 2001, the Archbishop proposed the following mission statement for our Diocese -

“To glorify God by proclaiming our Saviour the Lord Jesus Christ in prayerful dependence on the Holy Spirit, so that everyone will hear his call to repent, trust and serve Christ in love, and be established in the fellowship of his disciples while they await his return.”

The mission is reflected in the proposed goal -

“To see 10% of the population of the Diocese in Bible-based Christian churches in 10 years.”

The mission statement and goal have been the focus of much of our work this year. At the forthcoming session of the Synod, it is proposed that the mission statement, goal and mission strategy will be the main focus of the Synod's deliberations.

#### **2.2 Mission Taskforce replaces Diocesan Executive Board**

The Diocesan Executive Board was created in 1994 principally to generate policy ideas about Diocesan structures and to be a more efficient means of governance than the Standing Committee or the Synod. Much of its work was in the area of finance where it took the place of the financial priorities committee and presented the Standing Committee with draft budgets each year.

In 2001, the Synod adopted the concept of strategy driven spending and it became clear that a change in the focus of the Diocesan Executive Board was required. In February, at the Archbishop's initiative, we agreed to replace the DEB with a new subcommittee known as the Mission Taskforce. The Mission Taskforce has the following responsibilities -

- (a) to plan, consult about, promote, encourage and advance the work of the mission entailed by the Diocesan mission statement and its ancillary goals,
- (b) to transmit the Mission Statement, goals and strategies to the whole Synod and to contribute to an environment conducive to the achievement of the mission,
- (c) to consult with and invite the participation of other diocesan bodies in the mission,
- (d) to suggest such changes to diocesan structures and ordinances as will further the work of the mission, and

- (e) to prepare draft ordinances for the Standing Committee for parochial cost recoveries and Synod appropriations and allocations.

The Mission Taskforce has created its own subgroups to deal with the various aspects of the mission - strategies, finance, property, structural issues and implementation. We hope to be able to report further to the Synod about the work of the Mission Taskforce.

### **2.3 Discussions on policy, development and strategy**

During the year we spent part of each meeting discussing issues concerning policy, development and strategy for the Diocesan mission.

The issue which has initially been the focus of our discussions has been that of property and the mission.

Our discussions have resulted in a general recognition that a growth in our churches will give rise to a number of property issues, and that a failure to adequately address those issues may retard the success of the mission. For example, the following issues need to be addressed -

- (a) How do we acquire land and construct buildings in new areas of the Diocese in a planned, cost efficient and timely manner?
- (b) In the "developed" areas of our Diocese, what can we do to ensure that buildings are in a functional state for ongoing ministry?
- (c) Given that the Diocesan mission will result in an increasing number of our churches meeting in buildings which are not church owned, what can be done to facilitate our use of such buildings?
- (d) What can be done to assist the local church leadership in the planning and implementation of local property projects?
- (e) What funding is required to address our property needs, and how can that funding be raised?
- (f) What can be done to streamline the decision making and approval process for land purchase and building construction projects?

Our discussions have pointed to the need for a structure which enables the key property issues to be identified and a plan prepared and implemented to ensure that the issues are dealt with in a timely manner. To this end we have recently passed the Mission Property Ordinance 2002 to establish a Mission Property Committee and a Mission Property Fund. The main function of the Mission Property Committee will be to prepare for our consideration strategic plans for the acquisition of land and/or the acquisition and construction of buildings in the Diocese for ministry uses.

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### **2.4 Synod appropriations and allocations Focussing resources for the Gospel - strategy driven spending**

By clause 3 of the Synod Estimates Ordinance 1998, we are required to prepare for the first session of the 46th Synod a proposed ordinance which contains estimates for each of 2003, 2004 and 2005 of -

- (a) the amount required for meeting the cost of sittings of the Synod, the maintenance of the diocesan activities and the expenses of such other diocesan activities and commitment as, in our opinion, should be supported, and
- (b) the amount which, in our opinion, should be granted to organisations under the control of Synod or to other organisations, and
- (c) the amount of income available from endowments or other trusts for meeting the amounts referred to in (a) and (b), including any amount held in a provision or reserve for the future and which, in our opinion, may prudently be applied towards meeting the amounts referred to in (a) and (b) in the relevant financial year.

In 2001 we prepared a report for the Synod outlining the proposed principles and concepts for Synod funding for 2003, 2004 and 2005. The essence of the report was that the Diocesan mission compelled us to move to a system whereby funds were allocated according to strategies to achieve the mission, rather than on the basis of an "applications driven" model used in previous years.

By resolution 16/01, the Synod endorsed the principle of moving to a strategy driven spending model and requested that the funding strategies and principles that arose from consultation with parishes and other bodies based on our report be used as the basis for preparing the proposed ordinance to authorise distributions in 2003, 2004 and 2005.

The bill for the Synod Appropriations and Allocations Ordinance 2002, and an accompanying report, are printed separately.

## **3. Actions with the Archbishop**

### **3.1 Estate of Late M.A. Grant (Sisters' Endowment)**

The Archbishop-in-Council appropriated \$57,000 from this Estate for distribution by the Archbishop to assist clergy, clergy widows and clergy children or orphans who are in need.

### **3.2 Declaration of Blue Mountains Grammar School as extra-parochial**

The Archbishop-in-Council declared Blue Mountains Grammar School as extra-parochial.

### **3.2A Declaration of the Beecroft and Epping campuses of Arden Anglican School as extra-parochial**

The Archbishop-in-Council declared the Beecroft and Epping campuses of Arden Anglican School as extra-parochial.

### **3.3 Application of funds for needy 3rd world dioceses**

The Archbishop-in-Council approved a grant of \$21,000 for the Diocese of Bujumbura (Burundi) to purchase push-bikes for pastors and iron roofing for churches. The grant was paid from funds allocated in 2001 for needy 3rd world dioceses.

### **3.4 Parramatta '54 Free Fund**

This fund is held upon trust to distribute the income among the objects of the Diocese of Sydney as determined by the Archbishop-in-Council. A distribution of \$6,600 was made to pay the costs of the Archbishop and Sydney bishops attending the 2002 Australian bishops' conference in Perth and we have agreed to pay up to \$7,000 to meet similar costs for the 2003 Australia bishops' conference.

### **3.5 Parishes of Port Kembla and Mulgoa - right of presentation**

The parishes of Port Kembla and Mulgoa became vacant during the year but, in each case, the Archbishop was unable to declare that the parish had complied with clauses 8 and 15 of the Presentation and Exchange Ordinance 1988. In each case, the matter was referred to the Archbishop-in-Council which determined that, in the circumstances the parish should have the benefit under the Ordinance.

## **4. Financial and Property Administration**

### **4.1 Employment relations guidelines**

We reported last year that the Secretariat had been asked to research and prepare guidelines about the employment of full time and part time lay workers.

The employment relations guidelines were released in July 2002, and copies have been circulated to all parishes. The guidelines are extensive and deal with the following issues -

- the nature of the employment relationship
- the employer
- the recruitment
- conditions of employment
- wages, employment records and privacy
- taxation
- health, safety and worker's compensation
- discrimination, harassment and vilification
- performance review

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- disciplinary proceedings
- termination of employment.

These guidelines are an important reference for parishes and we encourage their use.

### **4.2 Accounts, Audits and Annual Reports Ordinance 1995**

Organisations of the Synod which manage church trust property must report annually to the Synod. These reports include audited accounts and must be lodged, together with liquidity reports, by 30 June each year. A different lodgement date has been approved for a few organisations.

The annual reports and audited accounts for about 40 organisations will be tabled in the Synod. Any major problems found by the Finance Committee from a review of these accounts will be reported.

### **4.3 Audited accounts of the Standing Committee**

The audited accounts for the Synod Fund are printed separately for the information of Synod members. Those of the Sydney Diocesan Account (a small group of sub-trusts and clearing accounts) will be tabled.

### **4.4 Borrowing limits for organisations**

Increased borrowing limits were approved for 6 organisations.

### **4.5 Ordination training fund**

From this Fund, bursaries are available to -

- (a) candidates for ordination in Sydney studying through Moore Theological College, and
- (b) trainee deaconesses and parish sisters enrolled at Mary Andrews College who intend to serve in Sydney, and
- (c) candidates for lay stipendiary ministry studying through Moore Theological College who -
  - (i) have been accepted as Sydney youth worker candidates, or
  - (ii) have been accepted as Sydney cross-cultural or indigenous worker candidates, or
  - (iii) are women who have been accepted as Sydney lay worker candidates.

Bursaries of \$427,060 were paid in 2001 (\$391,500 in 2000).

### **4.6 Ordinances**

The following table shows the numbers of ordinances passed and assented to in 1996 to 2001 and in 2002 to 24 September.

	1996	1997	1998	1999	2000	2001	2002
Standing Committee	37	45	39	45	37	54	49
Synod	14	11	18	6	6	5	-
	51	55	57	51	43	59	49

A separate report lists the ordinances passed by the Standing Committee since the 2001 session of the Synod. There are 7 ordinances of particular interest.

The Church Administration Ordinance 1990 Further Amendment Ordinance 2001 amended the provisions of the Church Administration Ordinance 1990 dealing with the qualifications of churchwardens. Under the amendments, a person who is engaged as an employee and who is paid from the funds of the parish or church is no longer qualified to be elected or appointed as a churchwarden. A consequential amendment is to the effect that a churchwarden ceases to hold office if he or she becomes an employee. The purpose of these amendments is to minimise the risk of conflict of interest between the churchwardens (who are commonly the employers of employees in the parish) and a person who is an employee. The relevant amendments took effect from 1 April 2002. Parishes were notified by circular of the changes.

The Diocesan Endowment Ordinance 1984 Amendment Ordinance 2002 amended the method of calculating the amount available for appropriation by the Synod each year from the Diocesan Endowment. See item 4.10.

By the Sydney Anglican Indigenous Peoples' Ministry Ordinance 2002 we reviewed the Sydney Anglican Indigenous Peoples' Ministry Ordinance 1997 which established an Indigenous Peoples' Ministry Trust Fund and created an Indigenous Peoples' Ministry Committee to administer that fund and promote and facilitate indigenous churches and the training of indigenous people for ministry. The review was initiated by the Indigenous Peoples' Ministry Committee. It resulted in amendments to the purposes of the Fund and the constitution of the Committee to better facilitate our indigenous work.

The CENEF Loan Ordinance 2002 authorises a loan of up to \$1,500,000 from the fund held under the CENEF Ordinance 1978 for the purposes of allowing Anglican Youthworks to build a conference and outdoor centre on its land known as "Waterslea" on the Shoalhaven River. The proposed new conference and outdoor centre will provide accommodation for 132 people and will be ideal for church, school and community use. The proposed centre is not intended to be a replacement for the Gilbulla Memorial Conference Centre (see item 4.13).

The Endowment of the See Ordinance 1977 Amendment Ordinance 2002 widens the powers of the Endowment of the See Committee in relation to the maintenance and repair of properties

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of the Endowment of the See. The ordinance was promoted by the Endowment of the See Committee, after consultation with the Property Trust, following a review of the Endowment of the See Ordinance 1977.

The Deaconesses, Readers and Other Lay Persons Amendment Ordinance 2002 amends the provisions of the Deaconesses, Readers and Other Lay Persons Ordinance 1981 dealing with the termination of paid employment undertaken by deaconesses and lay persons holding an authority under the ordinance. In particular, the amendments exclude the provisions of the ordinance requiring 3 months' notice of termination of employment where such notice is not required under the Workplace Relations Act and Regulations (for example, where there has been serious misconduct, or payment in lieu of notice, or where the contract of employment was for a fixed term only).

The Mission Property Ordinance 2002 creates a Mission Property Fund, and a Mission Property Committee. For further information see item 2.3.

### 4.7 Ordinance fees

We approved the following scale of fees for 2002 and 2003 -

	\$
Ordinances requiring a Review Panel and sale, leasing & other complex ordinances	850
Other ordinances	400
Synod ordinances	Nil*

\* But a contribution may be sought towards printing costs.

The fees are based on a 80% recovery of costs, which covers the examination of procedural requirements, the giving of advice, the writing of reports, the typing and sometimes the redrafting of bills, the keeping of records and, where required, the attendance of staff members at meetings.

### 4.8 Parochial cost recoveries - arrears

The following table compares the arrears as at 31 July 2000 and as at 30 June 2001 and 2002.

	2000 \$	2001 \$	2002 \$
<b>No Arrangements</b>			
Annandale	-	491	-
Asquith	1,147	-	2,624
Bondi	-	1,945	-
Cabramatta	-	-	7,065
Chester Hill	-	264	-
Dulwich Hill	-	72	-
Eastgardens	-	-	3,930
Ermington	-	-	984
Fairfield	1,340	632	-
Forestville	2,338	-	-

	2000	2001	2002
	\$	\$	\$
Greenacre	-	1,753	-
Hornsby Heights	-	-	2,306
Hurstville	-	2,059	-
Keiraville	1,866	439	-
Kellyville	-	3,416	5,904
Longueville	-	1,539	-
Lord Howe Island	1,787	6,545	-
Minto	4,681	2,802	-
Mulgoa	-	-	3,396
Newtown	5,280	11,176	-
St Clair	447	2,391	1,000
Smithfield	-	3,614	8,086
South Creek	893	-	1,984
Summer Hill	1,010	-	-
Sutherland	-	1,975	-
Windsor	1,703	2,119	-
<b>Total</b>	<b>22,492</b>	<b>43,232</b>	<b>37,279</b>

The Archdeacons are in regular contact with parochial units in arrears with a view to finding a solution to the situation. They report to the Finance Committee.

#### **4.9 Parochial cost recoveries for 2003, 2004 and 2005**

Under clause 11 of the Assessment and Charges Ordinance 1975, we are required to prepare for the 1st session of the 46th Synod an ordinance which specifies the cost recoveries charge for ministry and property costs to be paid by each parochial unit in 2003, 2004 and 2005, or the method or methods by which those charges may be determined. The bill of the Parochial Cost Recoveries Ordinance 2002, and an accompanying report, are printed separately.

#### **4.10 Endowment of the See (various approvals)**

The stipends, allowances, superannuation, long service leave, housing and office costs of the Archbishop, Assistant Bishops, the Registrar and Archdeacons, the salaries of the registry staff (including the Archives), and the stipend, allowances, superannuation, long service leave and housing costs of the Dean are met from the Endowment of the See. These costs are not a charge on Synod funds except for \$52,000 in 2002 for the Archdeacon of Women's Ministries.

During the year the representation allowances for assistant bishops and archdeacons were increased and housing allowances were approved for senior episcopal personnel who occupy Endowment of the See residences to cover maintenance and gardening which form part of the annual maintenance program. These allowances replace various existing ways of reimbursing episcopal personnel for such expenditure.

#### **4.11 Change in method of calculating appropriations from the Diocesan Endowment**

The Diocesan Endowment is a fund held by the Glebe Administration Board (GAB) to be invested to generate funds for appropriation and allocation by the Synod. At 31 December 2001, the net assets of the Diocesan Endowment were valued at \$153 million.

Under the Diocesan Endowment Ordinance 1984, the amount available for appropriation by the Synod each year was calculated by reference to the "operating surplus" (as defined in the ordinance) in the year being 2 years before the year in which the appropriation is made. Historically, the amount appropriated has been 75% of the operating surplus, although this has ranged up to 90% on occasions. The amount appropriated is applied by the Synod under its periodic Appropriations and Allocations Ordinances.

By the Diocesan Endowment Ordinance 1984 Amendment Ordinance 2002, we have changed the method of calculating the amount available for appropriation from a method based on a proportion of the operating surplus to one which is based on the net assets of the Endowment. Specifically, under the new method, the amount to be appropriated in 2003 is 5.4% of the average net assets of the Diocesan Endowment in 1998, 1999 and 2000.

This change in the method of calculating the amount available for appropriation was made for 2 main reasons -

- (a) Defects in the current definition of "operating surplus" inhibit the free flow of investment funds between asset classes, and force an inappropriate focus in investment decisions. For example, converting part of the investment portfolio from one asset class (for example, shares) to another asset class (for example, fixed interest investments) can generate capital gains (or losses) which artificially inflate (or reduce) the operating surplus. These defects cannot be fully rectified by a redefinition of the term "operating surplus".
- (b) The new method of calculating the amount to be appropriated (based on net assets) will allow the GAB to change from a focus on income for distribution purposes to one which focusses on total returns. In the past when the GAB sought to achieve the best for the Synod it was not uncommon to forgo the best investment result to produce (or not produce) income which would form part of the operating surplus. A total return culture will focus on the total sum of income plus capital growth, allowing the GAB to work to obtain the best return (whether capital or income or a combination of each).

The percentage of 5.4% in the new formula for appropriations was chosen after extensive financial modelling. Subject to assumptions, the percentage roughly results in the same net assets in the Diocesan Endowment in 2005 as under the former method. But, based on the GAB's business plan until 2005, the percentage will result in \$4.3 million more being made available for appropriation by the Synod. Under worse case modelling, the amount available for appropriation by the Synod will not be reduced.

Averaging net assets over 3 years will smooth the amount available for appropriation and will minimise the effect of short term fluctuations in the investment markets.

#### **4.12 Future of Bishopscourt**

Last year, we reported that we had referred the report of a committee appointed to investigate the question of the future use of Bishopscourt to the Archbishop for his consideration and further report to the Standing Committee in due course. No further consideration of the issue took place during the year.

#### **4.13 Sale of the Gilbulla Memorial Conference Centre**

In 2001, the Synod passed the Gilbulla Memorial Conference Centre Sale Ordinance 2001 to authorise the sale of the Gilbulla Memorial Conference Centre.

Contracts for the sale of the Centre were exchanged in April 2002. The price agreed was \$1.9 million and the purchaser is Ellel Ministries Australia Limited. Ellel Ministries conducts a ministry for equipping and training in Christian healing and discipleship and intends to use the property as a conference centre and base for their ministry in Australia.

When the sale is settled the proceeds of sale will be held for the purpose of acquiring, constructing, adopting and/or renovating a property or building to be used as a conference centre and retreat house in connection with the Anglican Church in the Diocese of Sydney. As yet, pending the sale of Gilbulla, no substantive action has been taken to find a "replacement" for Gilbulla.

#### **4.14 Amalgamation of Anglican SuperFund Sydney and Anglican Superannuation Australia**

For some time, informal discussions have been held between Anglican SuperFund (ASF) and Anglican Superannuation Australia (ASA) on ways the 2 funds could co-operate to improve the retirement benefits for their members. Investigation shows that significant immediate and ongoing cost savings would occur if the 2 funds merged.

The Boards of ASF and ASA have agreed in principle to merge the 2 funds. The General Synod Standing Committee has also given its support to a merger. Subject to due diligence, regulatory issues and the concurrence of the General Synod and Sydney Synod, it is

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anticipated that the funds will merge in 2003. The new fund will cover about 85% of clergy and lay staff working within the Anglican Church of Australia, with a combined membership of over 5,000 and assets exceeding \$240 million.

Upon being informed of the proposal, we expressed our support for the ongoing negotiations on the understanding that -

- (a) the Sydney Synod may wish to be assured that the merger can be reversed without loss or penalty (excluding essential de-merger costs) to the Sydney diocesan members of the merged fund, should this prove to be desirable, and
- (b) no amalgamation should occur unless approved by ordinance of the Sydney Synod, and
- (c) there will be significant participation by members of the Sydney Synod in the election of the board of the merged fund.

A motion will be moved at the forthcoming session of the Synod about the matter, and a fuller report for Synod members is printed separately. The report is from Anglican SuperFund-Sydney and is printed at its request. In the time available we have not been able to consider that fuller report, nor the merits of the proposal generally, and so make no recommendation to the Synod about the proposal.

## **5. General Administration**

### **5.1 Elections**

The appointment of persons to serve on committees etc, continued to be a major part in our business. Some appointments are to fill casual vacancies among Synod appointees, and these appointments fall vacant at this coming Synod session. Other appointments are made by the Standing Committee in its own right.

From November 2001 to June 2002, 68 such positions were filled (71 for the same period in 2000-2001).

### **5.2 Reports from regional councils**

Under clause 9 of the Regions Ordinance 1995 each regional council must give the Standing Committee an annual report for inclusion in our report to the Synod. The annual reports are printed separately, together with reports for the reclassification of provisional parishes as parishes under the Parishes Ordinance 1979 .

### **5.3 Open meetings of the Standing Committee**

During the year, we considered a motion to open our meetings to members of the Synod as observers (except in the case of certain sensitive and confidential matters) and to make our agendas and

supporting papers available to members upon request. The motion was not carried.

#### **5.4 Review of the Presentation and Exchange Ordinance 1988**

Under the Presentation and Exchange Ordinance 1988, parishes are entitled to appoint representatives to the Presentation Board and, in the event of a vacancy in the cure, are able to present the name of a person to the Archbishop to be the new minister of the parish, provided that the conditions in the ordinance are satisfied.

The ordinance was last reviewed in 1994, but that review was not comprehensive. We think it timely to review the ordinance and, for this purpose, we have appointed a committee to conduct the review and report, with recommendations, by 31 May 2003. We have requested that the committee, in undertaking its review, invite comment from Synod members, parishes in respect of which a presentation was made under the ordinance within the last 2 years, and clergy whose name have been so presented.

#### **5.5 Membership of the Synod**

Under part 7 of the Synod Membership Ordinance 1995, the Archbishop is entitled to nominate a number of ministers to membership of the 46th Synod. The maximum number of ministers who may be nominated cannot exceed 10% of the total number of "parochial ministers" (as defined in the ordinance) determined on 1 January 2002. The Registrar has advised that this number is 24.

The Archbishop has advised that he intends nominating 23 ministers as members of the 46th Synod under part 7.

For every nominated minister proposed to be nominated by the Archbishop, we can elect a lay person to be a member of the 46th Synod under part 8 of the ordinance. We have elected 23 lay persons to be members of the 46th Synod.

In addition, under part 6 of the ordinance, we may declare up to 5 diocesan boards, departments or organisations to be "nominated organisations" for the purposes of the 46th Synod. The effect of such a declaration is that the chief executive officer of the nominated organisation is a member of the 46th Synod. We have declared the following organisations to be "nominated organisations" -

- Anglicare
- Anglican Media
- Anglican Youthworks
- Moore Theological College
- Sydney Diocesan Secretariat

In the course of electing members of the Synod under part 8 and declaring nominated organisations under part 6, we considered 2 matters -

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- (a) The Diocesan Secretary, while an *ex-officio* member of the Standing Committee, is not an *ex-officio* member of the Synod. We believe the Diocesan Secretary should be an *ex-officio* member of the Synod.
- (b) The maximum number of nominated organisations which may be declared (5) is arbitrary. We believe the maximum number of nominated organisations should be increased to 7 to allow the nomination of organisations such as Anglican Retirement Villages Diocese of Sydney and Sydney Anglican Schools Corporation.

A bill to amend the Synod Membership Ordinance 1995 to address the issues referred to in (a) and (b) is being promoted at our request and is printed separately.

### **5.6 Membership of the Standing Committee**

We have also considered the membership of the Standing Committee and think that the Chief Executive Officer of Sydney Diocesan Secretariat and the Principal of Moore Theological College should be *ex-officio* members of the Standing Committee, particularly given the centrality of those organisations to the mission of the Diocese.

The bill referred to in 5.5 to amend the Synod Membership Ordinance 1995 also seeks to amend the Standing Committee Ordinance 1897 for this purpose.

## **6. Relations with Government**

### **6.1 Sheppard inquiry into charitable and related organisations**

In 2001 we reported on the establishment of an independent inquiry into charitable, religious and community service not-for-profit organisations. The committee undertaking the inquiry was chaired by the Honourable Ian Sheppard AO QC.

The terms of reference required that the committee examine and report on existing legal definitions of charitable, religious and community service not-for-profit organisations having regard to -

- (a) the attributes, purpose and behaviour of those organisations in light of the current social expectations and experiences, and
- (b) those organisations that are wholly or partially charitable, religious or community service not-for-profit.

The committee was also asked to provide options for enhancing the clarity and consistency of the existing definitions in Commonwealth law and administrative practice. The Government wants those options to lead to legislative and administrative frameworks at the Commonwealth level that are appropriate for, and adapted to, the social and economic environment of Australia.

The committee reported to the Government in late 2001. The main recommendations contained in the committee's report were-

- A charity must have a dominant purpose (or purposes) that is charitable, altruistic and for the public benefit. If the entity has other purposes, they must further, or be in aid of, the dominant purpose or purposes, or be ancillary or incidental to the dominant purpose or purposes.
- The public benefit test should be strengthened by requiring that the dominant purpose of a charitable entity must be altruistic.
- Where closed or contemplative religious orders regularly undertake prayerful intervention at the request of the public, their purposes should be held to have met the public benefit test.
- The principles enabling charitable purposes to be identified should be set out in legislation.
- The following definition of the term "charitable purposes" should be adopted.  
"Charitable purposes shall be -
  - the advancement\* of health which, without limitation, includes the prevention and relief of sickness, disease or of human suffering,
  - the advancement\* of education,
  - the advancement\* of social and community welfare which, without limitation, includes -
    - the prevention and relief of poverty, distress or disadvantage of individuals or families,
    - the care, support and protection of the aged and people with a disability,
    - the care, support and protection of children and young people,
    - the promotion of community development to enhance social and economic participation, and
    - the care and support of members or former members of the armed forces and the civil defence forces and their families,
  - the advancement\* of religion,
  - the advancement\* of culture which, without limitation, includes -
    - the promotion and fostering of culture, and
    - the care, preservation and protection of the Australian heritage,
  - the advancement\* of the natural environment, and
  - other purposes beneficial to the community which, without limitation, include -

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- the promotion and protection of civil and human rights, and
  - the prevention and relief of suffering of animals.
- \* advancement is taken to include protection, maintenance, support, research, improvement or enhancement”
- Commercial purposes should not deny charitable status where they further, or are in aid of, the dominant charitable purposes or where they are incidental or ancillary to those purposes.
  - In the recommended definitional framework, the category of public benevolent institution should be replaced by a subset of charity to be known as “benevolent charity”, being a charity whose dominant purpose is to benefit, directly or indirectly, those whose disadvantage prevents them from meeting their needs.
  - The recommended framework should not include the terms “religious institution”, “scientific institution” and “public educational institution” since altruistic entities with religious, scientific or public educational purposes and that are for the public benefit are covered by the categories in the recommended framework.
  - The Government should seek the agreement of all State and Territory Governments to establish an independent administrative body for charities and related entities, and to the legislative changes necessary for its establishment.

The Government’s response to the recommendations in the report of the Inquiry Committee was made by way of press release from the Commonwealth Treasurer on 29 August 2002.

The main aspects of the Government’s response are as follows -

- The Government has decided to enact a legislative definition of charity for the purposes of the administration of Commonwealth laws and to adopt a majority of the Inquiry’s recommendations for the definition.
- The legislative definition of charity will closely follow the definition which has been determined by over four centuries of common law, but is intended that the legislative definition will provide greater clarity and transparency for charities.
- The Board of Taxation will be asked to consult widely with the charitable sector on the exposure draft of the legislation which is expected to begin on 1 July 2004.
- From 1 July 2004, charities, public benevolent institutions and health promotion charities will be required to be endorsed by the Australian Taxation

Office in order to access all relevant taxation concessions.

- From 1 July 2004, an organisation endorsed to access these tax concessions will have its status attached to its Australian Business Number (ABN) and will be able to be publicly accessed through the Australian Business Register.

In response, we have appointed a committee -

- (a) to consult with the Board of Taxation in respect of the exposure draft of legislation for a definition of a charity, and
- (b) to liaise with other dioceses and denominations and, as appropriate, make representations in relation to the Government's response to the Inquiry's recommendations, and
- (c) to provide, in due course, a report to the Standing Committee as to progress in respect of the matters in (a) and (b) and the likely impact of the Government's response on entities within the Diocese.

### **6.2 Law Reform Commission's proposals for the review of the Anti-Discrimination Act 1977**

In 2000 we reported on proposals of the Law Reform Commission (in Report 92) for the reform of the current Anti-Discrimination Act 1977. In response, by resolution 21/00, the Synod expressed its concern that the proposals, if adopted, would significantly restrict the freedom of members of a religious group to practice their religion in New South Wales.

Last year we reported that, while the Government had not settled its final position on the report, the Premier had indicated in writing that the Government did not intend implementing the proposals in relation to religion. The Attorney General had given similar assurances.

So far as we are aware, the Government has still not settled its final position on the report. We will continue to monitor progress and, in particular, will review any draft legislation which may be proposed by the Government in due course.

### **6.3 Minimum standards of maintenance and repair under the Heritage Act 1977**

In 2001, we reported extensively on the amendments made to the Heritage Act in 1998 by which minimum standards of maintenance and repair were prescribed for the protection of items listed on the State Heritage Register. Our report made reference to the concerns of the Property Trust about the liability imposed upon it and its members by the amendments.

Last year, the bill for the Church Administration (Heritage Property) Ordinance was promoted to the Synod to address some of those

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concerns. By resolution 38/01(3), the Synod requested that we consult with affected parishes about the bill. This consultation has not yet taken place, but it is hoped that it might occur before the Synod next meets.

During the year, the Property Trust asked that it and its members be provided with an indemnity for any liability arising under the Act for failure to comply with the minimum standards of maintenance and repair. We have asked the Property Trust to suggest a form of indemnity.

At the Property Trust's suggestion, we have determined, as a matter of policy, that the disposal of heritage items which are surplus to the current ministry needs of the church, or likely future ministry needs, should be considered by the Standing Committee and the Synod. For this purpose, we will seek comments from regional councils about whether any building in their region currently listed on the State Heritage Register, or which is being considered for such listing, is surplus, or may become surplus to ministry needs.

### **6.4 Privacy Amendment (Private Sector) Act 2000**

The Privacy Amendment (Private Sector) Act 2000 commenced on 21 December 2001. The Act extends the operation of the Privacy Act 1988 to the private sector by requiring that organisations comply with a series of national privacy principles (NPPs) set out under the Act. NPPs provide generally for the appropriate collection, holding, use, correction, disclosure and transfer of personal information held by organisations. For these purposes "personal information" means information or an opinion in any form, whether true or not, about a natural person whose identity is apparent or can reasonably be ascertained from the information or opinion.

The Act applies generally to organisations, including an individual (acting in a business capacity), a body corporate, an unincorporated association or a trust.

The Secretariat commenced privacy compliance work for diocesan organisations in July 2001. The steps undertaken include -

- (a) sending general advice to all diocesan organisations about the general application and requirements of the legislation, and
- (b) developing a privacy questionnaire to audit the information handling practices of certain diocesan organisations, and
- (c) holding planning meetings with the staff of certain diocesan organisations, and
- (d) developing a master privacy policy for adoption by a diocesan organisation, if appropriate.

We approved the master privacy policy referred to in (d). A copy of the policy, known as the Sydney Anglican Master Privacy Policy, is printed separately.

Certain organisations are exempt from the application of the Act. The most important of these exempt organisations are, subject to some qualifications, operators of businesses with an annual turnover for the previous financial year of \$3 million or less. These entities are referred to in the Act as "small business operators". It is considered that our parishes are "small business operators" for the purposes of the Act and so, generally speaking, are exempt from its application.

However, it is possible for a small business operator to lose its exemption from the Act in certain circumstances, such as if it discloses personal information to anyone else for a benefit, service or advantage. If a small business operator loses its exemption it will generally be required to comply with the Act from 21 December 2002. Information about the Act will be circulated to our parishes in the near future.

#### **6.5 Miscellaneous Acts Amendment (Relationship) Bill 2002**

The New South Wales Government has recently introduced the Miscellaneous Acts Amendment (Relationship) Bill 2002 into the Legislative Council. The second reading debate on the bill will take place when Parliament resumes in late August 2002. The purpose of the bill is to amend a number of Acts of the New South Wales Parliament to provide defacto couples with the same rights (and, in some cases, to impose the same obligations) as spouses have under those Acts.

A review of the Acts proposed to be amended indicated that the proposed amendments did not raise any matter of particular concern for us from a policy perspective.

However, what is of concern is that the Bill proposes that the Parliament's purpose be achieved by a re-definition of the term "spouse" in the relevant Acts so that it will include partners to all defacto relationships (whether heterosexual or same sex). The proposed re-definition of the term "spouse", continues the shift made by the Parliament in recent years away from the traditional definition of "spouse", being a party to a marriage.

On 26 June 2002 the Diocesan Secretary wrote to the Attorney General of New South Wales expressing concern about the re-definition of the term "spouse". Noting that the change was taking place without any community consultation or debate about its significance, he indicated that we thought the re-definition was of great significance and therefore expressed objection to that aspect of the Bill. He also noted that Parliament's purpose could be achieved by drafting the relevant amendments in a way which does not re-define the concept of "spouse" beyond its traditional meaning. The Parliament was requested to revert to the traditional

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meaning of the term “spouse” in the Bill and use another term to describe a party to a defacto relationship.

A letter of reply was received in which the Attorney General indicated that -

- (a) the re-definition of the term “spouse” to include parties to a defacto relationship has been the accepted legislative standard since 1999, and
- (b) the proposed amendments expand the term “spouse” to include defacto relationships for the purpose of particular statutory provisions and do not generally equate defacto relationships with marriage, or seek to transform or override common understandings of the concept of a “spouse”.

In short, the re-definition of the term “spouse” to include parties to a defacto relationship has been taken for drafting expediency.

Nevertheless, we resolved to express our concern about the proposed re-definition of the term “spouse” in the relevant legislation and supported a joint letter of concern with the Catholic Church to the Attorney General and Shadow Attorney General.

In Parliament, the Christian Democrats (in the Upper House) and the Opposition (in the Lower House) moved amendments to the Bill to maintain the distinction between 'spouses' (as traditionally defined) and 'de facto partners'. These amendments were not supported by the Government and other parties in either place, with the consequence that the Bill passed through Parliament without the relevant amendments. The Archbishop and Diocesan Secretary have issued press statements repeating our concerns.

At our request, a motion will be moved at the forthcoming session to enable the Synod to express its mind on the matter.

### **6.6 Review of the Property (Relationships) Act 1984**

In September 1999 the then Attorney General asked the New South Wales Law Reform Commission to enquire into and report on the operation of the Property (Relationships) Act 1984. Among other things, the Act deals with -

- (a) proceedings for financial adjustment upon the termination of a defacto relationship (whether heterosexual or same sex), and
- (b) the making of domestic relationship agreements or termination agreements in respect of such relationships to provide for financial matters, and
- (c) domestic violence and harassment in the context of the domestic relationship.

In April 2002 the Law Reform Commission issued a discussion paper seeking submissions about a number of issues relevant to its enquiry into the Act. Submissions closed on 30 July 2002.

Our Social Issues Executive reviewed the discussion paper and lodged a submission on behalf of the Diocese.

The 2 main objectives in approaching the issues raised by the Act were -

- (a) The Commission was encouraged to recommend adequate changes to the Act to provide justice and equity for people in domestic relationships, regardless of sexual commitment or marital status in relation to fair access to property and financial distribution. In particular, it was submitted that an important role of the Act is to ensure that third parties to a defacto relationship (whether heterosexual or same sex), especially children, are not disadvantaged by lack of legal provisions in the event of a relationship breakdown.
- (b) Our opposition was expressed to legislative moves which may result in the compromise of the meaning of the term "spouse" as a monogamous, life-long relationship between a man and a woman (see item 6.5 above). The submission emphasised that our views on marriage and relationships are based on the Bible's teaching that marriage is the best environment in which to provide nurture and care for both husband and wife, and also children who are born into that relationship.

### **6.7 Embryonic stem cell research**

Recently, the Council of Australian Governments ("COAG") decided to allow the use of surplus IVF embryos for research purposes. Legislation to authorise this practice is expected to be introduced in the Commonwealth parliament in the current session. Complementing State legislation is then expected to follow.

The Archbishop, the Social Issues Executive and Anglican Media have been addressing this issue on behalf of the Diocese.

In March 2002, prior to the COAG decision, a press release was issued by the Archbishop and the other Anglican Bishops of New South Wales calling on the Federal Government to support stem cell research which does not destroy human embryos. In part, the press release said -

"We are against the destruction of embryonic life in order to extract stem cells," Archbishop Jensen said. 'Particularly when there are perfectly ethical means of extracting the necessary cells from umbilical cord blood in newborns, and from the brain and bone marrow in adults.'

'The cost of human life in embryonic stem cell research can never be justified. There is no certainty that the sacrifice of embryos will lead to the cures for which we long, of diseases that debilitate the lives of many people. Scientists, in promoting their research,

must be careful not to give exaggerated grounds for hope to those who are suffering. The method we use to achieve results needs to be considered as well as the final results themselves.”

Thereafter, the Archbishop spent a number of busy days responding to media requests for interviews.

The Prime Minister subsequently invited the Archbishop to meet to discuss his views on embryonic stem cell research.

The Archbishop and our Social Issues Executive also appeared before a consultative committee of the NHMRC into the legislation.

Our Social Issues Executive is planning its future strategy in relation to this issue, including -

- the preparation of an information kit to assist clergy and parishioners in discussing and debating the issues arising out of the proposals, and
- the publication of material in *Southern Cross*, and
- carefully watching the debate in the New South Wales and Federal Parliaments, and
- working with other like-minded groups, including the Australian Family Association to highlight our concerns about the proposals.

The emphasis in the work being undertaken is that adult stem cell research is a more promising area, rather than the ethically questionable embryonic stem cell research. Embryonic stem cell research involves therapeutic cloning which is, in essence, human cloning because exactly the same techniques are applied.

We have expressed our thanks and support for the work being undertaken by the Archbishop, the Social Issues Executive and Anglican Media and encouraged them in their ongoing work. We have also asked that the Doctrine Commission consider and report on the scriptural teaching on human life and existence with special reference to the status of a human embryo.

## 7. The International, National & Provincial Church

### 7.1 **Diocese of New Westminster Blessing of same sex relationships**

It has been reported that the Synod of the Diocese of New Westminster in the Anglican Church of Canada, when it met on 14 and 15 June 2002, resolved (by majority) to request that the bishop authorise a rite for blessing couples of the same gender who covenant to live together and support each other.

This is understood to be the first time that an Anglican diocese has moved to bless same sex unions.

Following the passing of the resolution, 13 bishops of the Anglican Church of Canada issued a press statement expressing regret and calling on the implementation of the decision to be withheld. 23 bishops of the Episcopal Church of the United States of America also issued a statement expressing their gravest sorrow and alarm over the decision, and their support for the faithful clergy and congregations of the diocese who have dissociated themselves from the decision.

The Archbishop raised the issue with us on 24 June 2002 and indicated his intention to ask the bishops of the Australian church to sign a statement about the decision. After discussion, we resolved as follows -

“Standing Committee believing -

- (a) that the recent decision to allow church blessing of same-sex unions by the Synod of New Westminster, of the Anglican Church of Canada, has taken that Synod to a stand in opposition to both adherence to the clear teaching of Scripture, as well as to the moral teaching of the Universal Church derived from Scripture, and
- (b) that this Synodical decision causes a critical rift in relationships in the Anglican Communion between those who adhere to the Scriptural tradition and those who are concerned to affirm doctrinal and moral teachings that are Scripture denying, and
- (c) that the maintenance of unity in the Anglican Communion is not a higher priority than faithfulness to the Scripture and long-held moral consensus of the Universal Church,

therefore respectfully encourages the Archbishop -

- (d) to send his statement to bishops in the Anglican Church of Australia for their endorsement and signature with a view to forwarding the statement to the Archbishop of Canterbury, the Primate of Canada, the Bishop of New Westminster, and the Secretary General of the Anglican Communion, and
- (e) to request that Archbishop Carey raise this matter at the forthcoming 12th meeting of the Anglican Consultative Council and the meeting of the Primates' Standing Committee, and
- (f) to send our greetings in Christ to the clergy and parishes of New Westminster Diocese that have opposed their Synod's decision with the assurance of Sydney Diocese's steadfast support for their faithful and courageous stand on the teaching of Scripture, our affirmation of their call

for effective alternative episcopal oversight, and the assurance of our continual prayer for them.”

The Archbishop, and 18 other bishops of the Australian Church, subsequently issued the following statement -

“We understand that the Bishop and Synod of the Diocese of New Westminster have approved the blessing of same sex unions.

This is a significant and historic break in the teaching of the Anglican Church on marriage and human sexuality.

It stands in contradiction to the tradition of the Church, the overwhelming consensus of the 1998 Lambeth Conference, and the 1997 Statement from the Canadian House of Bishops.

The innovation threatens the fabric of the world-wide communion and puts in question the nature of our ongoing communion with this Diocese.

We call upon the Bishop not to act upon the decision. If he does, it effectively creates a state of impaired communion.

In the event of such an unprecedented move, we call on the Canadian House of Bishops to provide alternative episcopal oversight to those members of the Anglican Communion in New Westminster who, through their faithful adherence to the teaching of our Church, are now in a state of impaired communion with the Bishop and the Diocese.”.

## **7.2 General Synod legislation**

Last year, we reported on the 10th General Synod held in Brisbane in July 2001 at which a number of canons were made. Some of those canons need to receive the assent of the Sydney Synod before they take effect; others need to be adopted by the Sydney Synod before they take effect in Sydney.

A separate report about the General Synod legislation is printed.

## **7.3 Provincial Synod**

The Provincial Synod of the Province of New South Wales met on 30 and 31 August 2002. A separate report is printed.

# **8. Sydney Synod Matters**

## **8.1 Remarriage of divorced persons**

Last year, we reported that we were seeking the comments of the Doctrine Commission on proposals for legislation to authorise the remarriage of a divorced person. The Doctrine Commission has not yet been able to report.

## **8.2 Review of the lay ministry licensing system**

Last year, we advised that we had appointed a committee to review the lay ministry licensing system in the Diocese under the Deaconesses, Readers and Other Lay Persons Ordinance 1981 (the "1981 Ordinance"). The committee has now reported.

In its report, the committee recognised a distinction between the considerations, requirements, needs and issues for voluntary lay ministers and lay ministers who are employed on a paid basis.

### *Voluntary lay ministry*

The committee recognised that there are many voluntary unpaid lay persons who participate in public ministry in parish churches, some of whom are authorised under the 1981 Ordinance. However, commonly, people participating "up front" in services of public worship hold no authority under the 1981 Ordinance. They participate with the permission and authority of the minister.

The committee considered that the way forward was to "deregulate" the authorising of voluntary lay ministers in accordance with the following principles -

- (a) power to authorise "upfront" participation in public ministry should reside with the local minister,
- (b) recognising that the Diocese has a legitimate interest in who is authorised by a minister to participate in public worship, the Archbishop, or an assistant bishop, should be able to make an order preventing a lay person from being authorised by a minister,
- (c) the minister should be required to seek approval from the parish council, where possible, prior to inviting a lay person to assist him in his ministry on a voluntary basis,
- (d) the Archbishop and assistant bishops should retain power to authorise lay persons to minister in any church, and
- (e) power to authorise and request lay assistance at Holy Communion should be delegated to the presiding priest.

The committee prepared a bill for an ordinance to implement the matters referred to in (a), (b), (c) and (d) above. However, we had a number of comments and have referred the matter back to the committee for its further consideration.

In relation to the matter referred to in (e), the committee suggested that new regulations be made by the Archbishop under the Lay Assistants at Holy Communion Canon 1973. We have supported this suggestion.

### *Stipendiary lay workers*

The committee recognised that the position of paid lay workers in pastoral ministry is analogous to ordained clergy. They are "set aside" and have a public role and accountability which requires

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episcopal recognition. The committee proposed that the authorising of stipendiary lay workers be retained and this is reflected in the bill for an ordinance which we have referred back to the committee for further consideration about other issues.

The committee also recommended that the full biographical details of stipendiary lay workers be included in the Year Book. We have adopted this recommendation and referred it to the Registrar for his consideration.

The committee also thought that there should be an "award" established for stipendiary lay workers similar to that contained in the annual stipends and allowances circular which should allow for the wide range of experience and qualifications held by stipendiary lay workers. On the committee's recommendation we have referred this matter to the Stipends and Allowances Committee for its consideration.

The committee also proposed that tenure for stipendiary lay workers be protected to the same extent as already allowed for senior assistant ministers. This is reflected in the bill for an ordinance referred to above.

We will continue our consideration of this matter in due course.

### **8.3 7/98 Oaths, Affirmations, Declarations and Assents Canon 1992**

By resolution 7/98, the Synod deferred consideration of this canon. During the year we considered this canon and now recommend that it not be adopted by the Synod. A separate report is printed. A proposed ordinance for the adoption of this canon is being promoted privately by a member and is printed separately. It is not being promoted at our request. We are proposing that the Synod defer consideration of this matter until 2003.

### **8.4 22/98 Team ministry training**

By resolution 22/98, the Synod supported the concept of team ministry training and requested that we ask an appropriate body to prepare written material and training programs to assist parish staff to effectively develop and maintain team ministry.

In 1999, 2000 and 2001 we reported that we had sought the advice of CEFM.

During the past year, CEFM reported along the following lines -

- In 1999, it was not possible for CEFM to embark upon extra projects over and above its existing programs.
- In 2000, a decision was made to run a pilot course on practical ministry skills development before preparing materials and resources. Although the program was to include a number of skill areas, team ministry was to be a major emphasis.

- A survey was taken of the needs of a sample of rectors of large and smaller parishes that could be met by such a program.
- A small task force of experienced rectors was convened to develop the pilot program.
- The pilot program called *Equipping Leaders* was produced and promotion material circulated to parish ministers and leaders.
- Not many responded for the first seminar but those who attended were enthusiastic.
- Regrettably, the program did not receive wide support.

We thanked CEFM for its report but decided not to take any further action in relation to resolution 22/98.

#### **8.5 13/99 Cross cultural ministry**

By resolution 13/99, the Synod requested that we -

- (a) examine the details of funding of cross-cultural ministry through the present system of grants to Regional Councils, and
- (b) investigate means of funding which would allow regions to engage seriously in these ministries and still maintain adequate support for other parish ministry, and
- (c) use its findings in determining the method for future allocation of grants to Regional Councils.

Our report about this matter in 2000 referred to a number of issues which required further consideration. We reported last year that we had appointed a committee to consider those issues and also the issues raised by resolution 24/00 (see item 8.12). However, the committee has not yet reported.

#### **8.6 22/99 Clergy for the Georges River and Western Sydney regions**

In his Presidential Address to the Synod in 1999, Archbishop Goodhew spoke of the difficulty in finding and training clergy for the Georges River and Western Sydney Regions, as well as for certain other parishes in the Diocese. By resolution 22/99, the Synod requested that a committee work on a set of recommendations to address those needs.

The committee met on several occasions to consider the matter but, at the same time, the episcopal leadership team was considering the issue.

As a consequence we terminated the appointment of the committee and thanked its members for their work. We have invited the Archbishop to report to the Standing Committee, in due course, about decisions taken by the episcopal leadership team in relation to the matter.

### **8.7 23/99 Georges River region to be declared a "missionary region"**

In his Presidential Address in 1999, Archbishop Goodhew suggested that the Georges River region be declared a "missionary region" and be supported commensurately. The Synod requested a report about the feasibility and ramifications of implementing such a course of action.

Our report about this matter in 2000 referred to a number of issues which required further consideration. We reported last year about the appointment of a committee to consider those issues. However the committee has not yet reported.

### **8.8 30/99 The nature of ministry**

In his Presidential Address to the Synod in 1999, Archbishop Goodhew made several observations about the changing nature of ministry. By resolution 20/99, the Synod asked that we liaise with Moore College and Mary Andrews College to refine and develop courses relevant to the needs of ministry and mission in the 21st Century in such areas as evangelism, missiology, children's and youth ministry in partnership with Anglican Youthworks programs, tertiary student ministry, school and other chaplaincies and pastoral work.

During the year we considered a response from the principal of Mary Andrews College which advised of the steps that Mary Andrews College has taken to ensure that the training courses being offered by Mary Andrews College would equip well for ministry and mission in this 21st century.

Following this response, and the time which has lapsed since the passing of resolution 30/99, we have declined to take any further action in relation to the matter.

### **8.9 38/99 Clerical tenure - redundancy for clergy**

Last year we reported that we had asked that a draft ordinance be prepared to authorise the activities of a board to administer and regulate a proposed system of redundancy for clergy. The ordinance is in the course of preparation but, unfortunately, has been delayed by reason of other priorities.

### **8.10 6/00 Amsterdam Conference on Evangelism**

By resolution 6/00 the Synod noted with gratitude the Billy Graham Association Amsterdam 2000 Conference on Evangelism and the desire of the 160 Australian delegates to convene an Australian conference to encourage and promote the evangelisation of Australia. The Synod appointed a committee consisting of David Mansfield, Phil Wheeler, Sue Willis, Stephen Semenchuk, Nick Ford and Robert Forsyth to assess how we could help in focussing, encouraging and assisting in the process.

The committee met to discuss its role but became aware that another working group of Amsterdam conferees had been formed to determine how Australians might best further the Amsterdam

objectives in Australia. The committee considered it inappropriate to attempt to work in parallel with the working group and, accordingly, thought it should be dissolved to enable the working group to pursue the post Amsterdam agenda in Australia. Accordingly, we terminated the work of the committee and thanked it for its work.

#### **8.11 14/00 Administration of confirmation by presbyters**

By resolution 14/00, the Synod requested that we appoint a committee, to include lay persons and not necessarily to be confined to members of Standing Committee -

- (a) to examine, from a theological, historical, ecumenical, pastoral and legal point of view, the possibility of -
  - (i) confirmation no longer being required after baptism as an adult, and
  - (ii) confirmation in the Anglican Church being administered by presbyters or appropriate laypersons as well as bishops, and
- (b) to make a similar examination of the possibility of enabling presbyters or appropriate laypersons as well as bishops to receive into the fellowship of the Anglican Church, people who are communicant members of other Christian denominations, and
- (c) invite submissions from interested persons, and
- (d) report to the next session of Synod.

We have appointed a committee to consider and report on the matters raised in the resolution. The committee has not yet reported.

#### **8.12 24/00 Cross cultural ministry**

In his Presidential Address in 2000, Archbishop Goodhew expressed concern for the future of cross cultural ministry.

By resolution 24/00, the Synod noted the Archbishop's concerns and asked that we attend to the questions asked by Archbishop Goodhew and report on the ways forward to the Synod in 2001.

We have appointed a committee to consider and report on this matter but the committee has not yet reported.

#### **8.13 26/00 Faculties**

##### **29/00 Role and function of Archdeacons**

By resolution 26/00, the Synod requested that we appoint a committee to review the rationale for and procedures relating to faculties, items which do not require a faculty but do require the Archdeacon's approval, and related regulations and to prepare legislation for consideration by the Synod to simplify and where practicable abolish requirements presently applying.

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By resolution 29/00, the Synod requested that we appoint a committee to investigate the role and function of archdeacons in their context and to report to the Synod in 2001 with suggestions about how the office may best develop and how the identified roles and functions may best be carried out.

We have appointed a committee to consider and report on the matters raised in these resolutions but the committee has not yet reported.

### **8.14 6/01 Stipends and Allowances Committee**

By resolution 6/01, the Synod reappointed the Stipends and Allowances Committee and directed that it report its findings and recommendations to the Standing Committee for action. A report on the work of the committee is printed separately.

### **8.15 8/01 Archbishop's power to withhold assent**

By resolution 8/01, the Synod requested that we -

- (a) examine the nature, basis, origin, history and development of the Archbishop's power to withhold his assent to the making of ordinances duly passed by the Synod, and
- (b) prepare a report detailing its findings, and
- (c) if thought appropriate, consider the preparation of legislation relating to this matter to the next session of the Synod.

An interim report is printed separately.

### **8.16 9/01 Weekend Synod meetings**

By resolution 9/01, the Synod asked that a debate on when Synod should normally meet (weekdays or weekends) be scheduled for the 2nd day of the 2nd session of the 46th Synod in 2003, so that appropriate notice and arrangements may be made for the 1st session of the 47th Synod in 2005.

On the last day of the weekend meeting of the Synod in 2001, members of the Synod were asked to complete a questionnaire to provide feedback about weekend meetings. A separate report is printed which summarises the feedback received.

### **8.17 13/01 Chaplain to the Maori community**

By resolution 13/01, the Synod requested that we clarify the relationship to the Diocese of the chaplain to the Maori community and the Maori church in Redfern and seek their advice on how they may be drawn more closely into the life of the Diocese.

The Sydney Anglican Maori Fellowship is a ministry conducted from Te Wairua Tapu at Redfern (Church of the Holy Spirit). That property was declared extra parochial in 1985 for the purposes of ministry to and by the Maori Community and has been used for that purpose since that time. It is vested in the Property Trust.

The Fellowship is not a parochial unit for the purposes of our ordinances, and therefore does not enjoy the benefits which flow from that status, such as representation at Synod. However the minister, the Rev Malcolm Karipa, is licensed as Chaplain to the Maori Community and is the minister in charge of the Fellowship.

Discussions are underway with the Fellowship as to how they can be drawn more closely into the life of the Diocese. It is thought that the Recognised Churches Ordinance 2000 will achieve the objectives of resolution 13/01 in due course.

#### **8.18 14/01 Diocesan insurances**

By resolution 14/01, the Synod requested that the Property Trust review the current insurance policies and report to the session of the Synod in 2002 about insurances.

A report is printed separately.

#### **8.19 15/01 Term of office of assistant bishops**

By resolution 15/01, the Synod requested that we review the role of assistant bishops with a view to -

- (a) appointing assistant bishops to a fixed term of office subject thereafter to extensions, and
- (b) appointing some younger bishops to the episcopal team, and
- (c) developing a more flexible diocesan culture which facilitates the opportunity for bishops to return to parish ministry after serving their episcopal term of office within the Diocese.

As yet, we have not been able to consider this resolution.

#### **8.20 25/01 Lay and diaconal administration of Holy Communion 26/01 General Synod - Promotion of a canon concerning administration of Holy Communion by Deacons**

By resolution 25/01, the Synod requested that we appoint a committee to investigate the options, if any, consistent with law for the practice of lay and diaconal administration of holy communion.

By resolution 26/01, the Synod requested that our representatives on the General Synod, at the next session of the General Synod, promote a bill for a canon to permit a deacon to administer holy communion.

We appointed a committee to consider the matter raised in resolution 25/01, but that committee has not yet been able to report. We have deferred any further consideration of resolution 26/01 until after the committee appointed to consider resolution 25/01 has reported.

### **8.21 27/01 Diocesan files on clergy**

By resolution 27/01, the Synod requested that the Archbishop-in-Council prepare a protocol under which proper provision may be made for the keeping of material about members of the clergy and stipendiary lay workers in the Diocese, and to allow a member of the clergy or lay worker to inspect all material held on file about them including provision for the correction of apparent errors.

We have recommended to the Archbishop that the Sydney Anglican Master Privacy Policy (see item 6.4) be adopted for use in the Archbishop's office as the protocol requested by the Synod. If adopted for use in the Archbishop's office, the Policy would serve the additional role of facilitating best practice and/or meeting any obligations the Archbishop's office may have in terms of the principles under privacy legislation.

The Policy includes, as privacy principle 6, a particular provision for accessing and correcting personal information. Although the entitlement to access information is not absolute, the reasons set out in the Policy for refusing access to information, apart from reflecting the law, are considered necessary to balance the legitimate interests of other individuals and for the proper functioning of the organisation holding the information.

In terms of implementing the Policy in the Archbishop's office, we have suggested that the Policy, if adopted, generally commence on 21 December 2002. This corresponds to the delayed commencement date for small business compliance with the privacy legislation. However in view of the emphasis in Synod's resolution on access and correction, we have suggested that the provisions in the Policy relating to access and correction commence at an earlier date, say 1 September 2002. This date should give the Archbishop's office sufficient time to put in place the necessary systems to administer requests for access to and correction of personal information.

### **8.22 28/01 Tribunal Ordinance 1962 Amendment Ordinance 2001**

By resolution 28/01, the Synod deferred the bill for the Tribunal Ordinance 1962 Amendment Ordinance 2001 to the 1st session of the 46th Synod and requested that we -

- (a) redraft the bill in plain English, and
- (b) identify issues of principle which can be dealt with by the Synod separately from the text of the bill, and
- (c) advise the Synod on the merits of the amendments of which notice was given during the 2001 session.

Considerable work has been taken in preparing a plain English redraft of the 2001 bill, and meetings have been held between those who had a particular involvement in the development of the 2001 Ordinance to address the issues referred to in resolution 28/01.

The General Synod Standing Committee has established a working group in response to the events of February 2002 involving the Diocese of Brisbane in particular and the Anglican Church of Australia. It is to develop a range of national procedures, protocols and disciplinary measures for all Anglicans engaged in ministry, lay and ordained. The working group hopes to have a comprehensive report available later this year which may result in the adoption of national standards in every diocese.

Given the work being undertaken by the working group, we recommend that consideration of the bill for the Tribunal Ordinance 1962 Amendment Ordinance be further deferred until the 2nd session of the 46th Synod. There is little point in the Synod spending a considerable amount of time debating a plain English redraft of the bill at the forthcoming session if, as is expected, the Synod will be asked in the relatively near future to consider the national procedures and controls being developed by the working group.

#### **8.23 31/01 and 33/01 Review of the Synod business rules**

By resolution 31/01, the Synod requested that we prepare a bill amending the Synod business rules so that -

- (a) oral votes in the affirmative can be made by saying "aye", and
- (b) notices of motion given at the beginning of each day are read to the Synod so that early notice may be had of the motion.

By resolution 33/01, the Synod also requested that we appoint a committee to review the Conduct of the Business of Synod Ordinance 2000 and bring to the next session an amending ordinance to implement the changes it thinks are appropriate.

In response to resolutions 31/01 and 33/01, the requested review was undertaken. As a consequence the bill for the Conduct of the Business of Synod Amendment Ordinance 2002 is being promoted at our request. The explanatory statement, and bill are printed separately.

#### **8.24 34/01 Voting for regional council elections**

By resolution 34/01, the Synod, noting -

- (a) that the election process for regional council members requires that at least one lay member and one clerical member be from each area deanery, but that
- (b) nonetheless, where only one such lay and/or clerical nomination is received for a Deanery, this person is still included on the ballot paper, and so
- (c) Synod members still need to vote for some nominees who will in any event be 'automatically' elected,

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requested that we consider reviewing the appropriate election ordinance(s) so that in these (and any similar circumstances) nominees would be declared elected and would so not need to be included on the ballot paper.

The requested review has been undertaken and a separate report is printed.

### **8.25 35/01 Use of word processing and projection technology during debates**

By resolution 35/01, the Synod, noting the problems that some members have following the debate and voting on amendments to motions and proposed ordinances, requested that the Diocesan Secretariat consider a further trial, during debates and voting, of the projection onto screen of -

- (a) the wording of each motion (or clause of a proposed ordinance) being considered, and
- (b) for each amendment, what would be the changed wording if that amendment were passed.

Consideration is being given to this matter.

### **8.25A 37/01 Church Discipline Ordinance 1996 Amendment Ordinance 2002**

By resolution 37/01 the Synod referred this bill to the 1st session of the 46th Synod, and requested that the bill be given high priority at that session. The bill was referred, at the committee stage, to enable interested people to meet to discuss proposed amendments to the bill.

Following further consideration and discussion, it has been found that the amendments proposed to be moved to the form of bill before the Synod in 2001 are of such a scale, and nature, that it is better that the current bill be withdrawn, and a new bill introduced.

The introduction of a new bill will allow the Synod to debate that bill in principle, before considering the text.

### **8.26 38/01(3) Church Administration (Heritage Property) Amendment Ordinance 2001**

By resolution 38/01(3) Synod referred to the 1st session of the 46th Synod the bills for ordinances remaining on the business paper and asks that we continue to consult with parishes which have heritage buildings about the issues raised by the Church Administration (Heritage Property) Amendment Ordinance 2001.

The consultation will have taken place before the Synod meets.

### **8.27 Resolutions made by the Synod in 2002 and not mentioned in this report**

Circulars were sent to parishes and organisations about the matters arising from the 2002 Synod session. Copies of Synod resolutions were sent to appropriate persons and organisations.

### **8.27A Withdrawal of the Incapacity Ordinance**

The Incapacity Ordinance was promoted to the Synod on the recommendation of the Select Committee appointed in 1994 to examine the issue of clerical enquiries. The bill intended to repeal the Incapacity & Inefficiency Ordinance 1906 and put in place new provisions to deal with cases of mental and physical incapacity. Consideration of the bill has been deferred by the Synod.

The Parish Relationships Ordinance 2001 repealed the Incapacity & Inefficiency Ordinance 1906 and contains provisions dealing with the incapacity of clergy. This being the case, it is thought there is no need for the Incapacity Ordinance to be further considered, and that it should therefore be withdrawn from the Synod. It is proposed that a motion be moved at the forthcoming session withdrawing the bill.

### **8.28 Ordinances for this session**

The bills for ordinances for this session of the Synod are printed separately, together with explanatory statements.

For and on behalf of the Standing Committee

MARK PAYNE  
*Diocesan Secretary*

24 September 2002