

30/05 Administration of confirmation by presbyters

(A report from the Standing Committee.)

Introduction

1. By resolution 30/05, the Synod –
 - (a) endorsed the proposal that confirmation should not be required of those baptised as adults, before their being admitted to holy communion, and
 - (b) endorsed the proposal that clergy, under licence from the Archbishop, be allowed to administer confirmation, and
 - (c) encouraged the involvement of senior lay persons in the catechetical preparation of candidates for confirmation, and
 - (d) endorsed the proposal that clergy, under licence from the Archbishop, be allowed to receive into the fellowship of the Anglican Church people who are communicant members of other Christian denominations, and
 - (e) requested that the Standing Committee bring an ordinance to a forthcoming session of the Synod or promote a General Synod canon for the next General Synod that would make the above proposal possible.
2. At its meeting on 20 February 2006, the Standing Committee appointed a committee comprising Bishop Glenn Davies, Mr Neil Cameron and Mr Robert Wicks to review the ways in which the proposals set out in Synod resolution 30/05 should be implemented and to bring to the Standing Committee a report and draft legislation in due course. Standing Committee also requested that a report from the Sydney Diocesan Doctrine Commission on the majority and minority views expressed in a report on this matter received by the Synod in 2005 be provided to the Standing Committee by its August 2006 meeting.
3. The committee met once to consider this matter.
4. The committee did not consider that its work was dependent on any views that might be expressed by the Doctrine Commission in respect of the report received at Synod in 2005.

General Synod canon or Diocesan ordinance

5. The committee considered whether the matters set out in resolution 30/05 should be dealt with by General Synod canon, an ordinance of the Sydney Synod or by some other means.

6. The central provision in relation to the rules in force in a diocese is found in section 71(1) of the 1961 Constitution. In essence this section provides that every rule in force within a diocese at the time the 1961 Constitution came into force continues unless altered under the 1961 Constitution or under the constitution of a province or diocese. Accordingly any rule which already authorises certain activities taking place will continue and is not affected by the 1961 Constitution. The last paragraph in section 71(1) provides as follows –

“Nothing in this Constitution shall authorise the synod of a diocese or a province to make any alteration in the ritual or ceremonial of this Church except in conformity with an alteration made by General Synod.”

7. There is an initial issue as to whether a rule in relation to the administration of confirmation by presbyters is a rule involving ritual or ceremonial. On one view such a rule involves discipline and not ritual or ceremonial. On this view there is no need to determine whether the last paragraph of section 71(1) prevents such a rule being made by a diocesan synod except in conformity with an alteration made by the General Synod.

8. Even if such a rule did involve ritual or ceremonial, a plain reading of the last paragraph in section 71(1) suggests that if there is a source of authority outside the 1961 Constitution which enables rules to be made within a diocese (including rules involving ritual or ceremonial), this alternative source could be relied upon without the need for conformity with an alteration made by General Synod.

9. Regardless of the view taken on these matters, the committee considers that where possible it would be desirable for rules relating to the administration of confirmation to be made in conformity with a General Synod canon. The reason for this is to avoid the risk of confirmations undertaken in the Diocese (on whatever basis) not being recognised outside the Sydney Diocese.

Synod endorses the proposal that confirmation should not be required of those baptised as adults, before their being admitted to Holy Communion

10. This statement reflects what already happens in many churches. The endorsement seeks to regularise the practice.

11. The committee considers that the only action that should be taken in relation to this matter would be to promote an ordinance to the Sydney Synod to provide that –

- (a) a person who was baptised when aged 14 or more years is not to be refused admission to the Lord's Supper or Holy Communion solely by reason of that person not being confirmed or being ready and desirous of being confirmed, and

- (b) a person who is a member of the Anglican Church of Australia and who partakes regularly in the Lord's Supper or Holy Communion is a communicant member for the purposes of the ordinances of the Synod and its Standing Committee.

Synod endorses the proposal that clergy, under licence from the Archbishop, be allowed to administer confirmation

12. The committee understands that the Bishops' Conference has referred a recommendation from the Anglican Lutheran Consultation, concerning the possibility of confirmation being administered by priests, to the Church Law Commission and the General Synod Doctrine Commission for comment.

13. For the reason referred to in paragraph 9 above, the committee considers that there is merit in waiting to see whether this proposal results in the passing of a canon for this purpose at the 2007 session of the General Synod. If a suitable canon is not passed in 2007, the committee considers that an ordinance for this purpose should be promoted to the 2008 session of the Sydney Synod.

14. The committee notes however that resolution 30/05 specifically endorses the proposal that deacons (as well as presbyters) be allowed to administer confirmation.

15. In order to address this issue, the committee considers it would be appropriate to request that the reference to the Church Law Commission and the General Synod Doctrine Commission be extended to include the possibility of confirmation being administered by deacons. While the committee considers that such a request is unlikely to be accepted for the purposes of any canon drafted for General Synod in 2007, such a request may serve to lay the framework for a useful debate on this matter at the General Synod.

Synod encourages the involvement of senior lay persons in the catechetical preparation of candidates for confirmation

16. The committee considers there is no particular action that needs to be taken beyond publishing the Synod's encouragement in the relevant forums. Consideration should be given to updating the diocesan website for this purpose.

Synod endorses the proposal that clergy, under licence from the Archbishop, be allowed to receive into the fellowship of the Anglican Church people who are communicant members of other Christian denominations

17. The committee considers that this matter should be dealt with in a similar way to the proposal that clergy be allowed to administer

confirmation. To this end, the committee considers that the Church Law and Doctrine Commissions should be requested to consider the matter of reception in conjunction with the matter of administration of confirmation. The request should include consideration of reception by deacons.

Recommendations

18. The committee recommended–
- (a) that a bill for the Admission to Holy Communion (Adult Baptisands) Ordinance 2006 be promoted to the Synod “by request of the Standing Committee” and that a suitable form of this report be printed for the Synod, and
 - (b) that the Diocesan Secretary write to the General Secretary requesting that the reference to the Church Law and General Synod Doctrine Commissions arising from the Anglican Lutheran Consultation be extended to include –
 - (i) deacons, under licence from the bishop of a diocese, being allowed to administer confirmation, and
 - (ii) clergy, under licence from the bishop of a diocese, being allowed to receive into the fellowship of the Anglican Church people who are communicant members of other Christian denominations, and
 - (c) that no further action be taken in relation to encouraging the involvement of senior lay persons in the catechetical preparations of candidates for confirmation, other than publication of this encouragement on the diocesan website and in other suitable forums.

Response of the Standing Committee

19. The Standing Committee adopted the recommendations of the committee referred to in paragraph 18 above except the recommendation in paragraph 18(b). A bill for the Admission to Holy Communion (Adult Baptisands) Ordinance 2006 is printed separately.

For and on behalf of the Standing Committee

ROBERT WICKS
Diocesan Secretary

22 May 2006