

## **General Synod - Oaths, Affirmations, Declarations & Assents Canon 1992 Adopting Ordinance 2002**

No. 1992, 2002

An ordinance to adopt Canon No 15, 1998 of the General Synod of the Anglican Church of Australia.

The Synod of the Diocese of Sydney Ordains -

### **1. Name**

This ordinance is the General Synod - Oaths, Affirmations, Declarations and Assents Canon 1992 Adopting Ordinance 2002.

### **2. Adoption of Canon No. 15, 1998**

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This Synod adopts Canon No. 15, 1998 of the General Synod of the Anglican Church of Australia, the text of which is set out in the Schedule.

### **3. Assent to Constitutions and Laws of the Church on Additional Occasions**

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(1) An assent to the constitution and laws of the Church shall be required of a member of the clergy on any licensing of the member by the Archbishop where that member has not previously given such an assent to the Archbishop.

(2) The Archbishop shall encourage and facilitate the giving of an assent by each member of the clergy to the constitutions and laws of the Church where a member of the clergy has not been required by this Ordinance to give such an assent.

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### **Schedule**

A canon concerning Oaths Affirmations Declarations and Assents.

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The General Synod prescribes as follows:

#### **Short title**

1. This canon may be cited as the "Oaths Affirmations Declarations and Assents Canon 1992".

#### **Oath or Affirmation of Canonical Obedience**

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2. An oath or affirmation of canonical obedience shall be taken by a member of the clergy on

- (a) ordination to the diaconate,
- (b) ordination to the priesthood,
- (c) first licensing of the member by the bishop of a diocese
  - (i) that member not having been ordained to the diaconate or priesthood in the diocese, or

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- (ii) following service by that member outside the diocese pursuant to the licence of another bishop, and

- (d) consecration as an assistant bishop

**Form of Oath or Affirmation of Canonical Obedience** 5

3. (1) Whenever an oath of canonical obedience is taken by a member of the clergy or laity the following form shall be used -

"I ..... do swear that I will pay true and canonical obedience to ..... [the bishop of the diocese or where applicable the bishop of the diocese sponsoring an ordination] and the successors of that bishop in all things lawful and honest. So help me God!". 10

(2) Whenever an affirmation of canonical obedience is taken by a member of the clergy or laity, the form in sub-section (1) shall be used but it shall be modified by - 15

- (a) substituting for "swear" the phrase "solemnly and sincerely affirm"; and
- (b) deleting the concluding sentence.

**Declaration and Assent to Doctrine and Formularies** 20

4. A declaration and assent to the doctrine and formularies of the Church shall be made by a member of the clergy on

- (a) ordination to the diaconate,
- (b) ordination to the priesthood,
- (c) first licensing of the member by the bishop of a diocese 25
  - (i) that member not having been ordained to the diaconate or priesthood in the diocese, or
  - (ii) following service by that member outside the diocese pursuant to the licence of another bishop,
- (d) consecration as an assistant bishop, 30
- (e) consecration or installation as the bishop of a diocese, and by a member of the laity on
- (f) first licensing of that member by the bishop of a diocese.

**Form of declaration and assent to doctrine and formularies** 35

5. Whenever a declaration and assent to the doctrine and formularies of the Church is made by a member of the clergy the following form shall be used -

"I..... firmly and sincerely believe the Catholic Faith and I give my assent to the doctrine of The Anglican Church of Australia as expressed in the Book of Common Prayer and the Ordering of Bishops, Priests and Deacons and the Articles of Religion, as 40

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acknowledged in section 4 of the Constitution, and I believe that doctrine to be agreeable to the word of God.

I declare my assent to the Fundamental Declarations of The Anglican Church of Australia as set out in sections 1, 2 and 3 of the Constitution.

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In public prayer and administration of the sacraments I will use the form prescribed in the Book of Common Prayer or a form authorised by lawful authority and none other."

**Assent to Constitutions and Laws**

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6. An assent to the constitutions and laws of the Church shall be required of a member of the clergy on

- (a) ordination to the diaconate,
- (b) ordination to the priesthood,
- (c) first licensing of the member by the bishop of a diocese
  - (i) that member not having been ordained to the diaconate or priesthood in the diocese, or
  - (ii) following service by that member outside the diocese pursuant to the licence of another bishop,
- (d) consecration as an assistant bishop,
- (e) consecration or installation as the bishop of a diocese, and by a member of the laity on
- (f) first licensing of that member by the bishop of the diocese.

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**Form of Assent to Constitutions and Laws**

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7. (1) Subject to sub-sections (2) and (3), whenever an assent to the constitutions and laws of the Church is made by a member of the clergy or the laity the following form shall be used-

"I ..... do solemnly and sincerely declare my assent to be bound by the Constitution of the Anglican Church of Australia and the Constitution of the province of ..... and of this diocese and by the canons, statutes, ordinances and rules, however described, from time to time of the synod of this diocese and of the General Synod and the provincial synod (or council) which have force in this diocese."

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(2) The form prescribed in sub-section (1) may be varied by deleting provincial references in a diocese which is not within a province.

(3) In a diocese in which a provision of the constitution of the diocese which is in force and which was in force on 1 January 1998 prescribes a different form of assent the diocesan form may be used instead of the form in sub-section (1).

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**Diocesan Provision**

8. (1) Nothing in this canon prevents the bishop or synod of a diocese requiring or providing for the use of any of the oaths, affirmations, declarations and assents referred to in this canon on occasions additional to those provided in this canon.

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(2) Unless the bishop or synod of a diocese otherwise requires or provides, a person to be consecrated, ordained, instituted or licensed in this Church within the diocese is not required to take, make or subscribe to an oath, affirmation, declaration, assent or subscription not provided for or referred to in this canon.

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**Substantial Compliance**

9. A deviation from the form of an oath, affirmation, declaration or assent prescribed in this canon which does not materially affect the substance shall be sufficient compliance with the requirements of this Canon.

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**Canon 36 of 1603 Repealed**

10. Except to the extent that it requires a person to be licensed by the bishop of the diocese, the Canon numbered 36 of the Canons of 1603, insofar as it may have had any force either in its original form or as amended, shall have no operation or effect in a diocese which adopts this Canon.

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**Canon 7, 1973 Repealed**

11. The Form of Declaration and Assent Canon 1973 is repealed.

**Canon Affects Dioceses**

12. The provisions of this canon affect the order and good government of this Church within a diocese and shall not come into force in a diocese unless and until the diocese adopts this Canon by ordinance.

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

Chairman of Committees

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We Certify that this Ordinance was passed by the Synod of the  
Diocese of Sydney on           October 2002.

Secretaries of Synod

I Assent to this Ordinance.

Archbishop of Sydney  
/       /2002