

Synod Membership Ordinance 1995 Amendment Ordinance 2002

Explanatory Statement

The bill for the Synod Membership Ordinance 1995 Amendment Ordinance 2002 has been printed incorporating amendments for which notice was given at the 3rd session of the 45th Synod and which are acceptable to the movers of the bill pursuant to resolution 38/01.

Introduction

1. The purpose of the proposed ordinance is to amend the Synod Membership Ordinance 1995 (the "Ordinance") to permit the appointment of alternates for Parochial Ministers and Parochial Representatives to a session of Synod.

Alternates for Parochial Ministers

2. Clause 8A(1) provides that a Parochial Minister can appoint an associate minister licensed to the same parochial unit as an alternate for the Parochial Minister for a session of Synod if the Parochial Minister expects that during all or part of that session of Synod he will be -

- (a) outside the Diocese; or
- (b) on annual leave or long service leave; or
- (c) unable to perform normal ministry duties due to sickness or accident for which the Parochial Unit will be in receipt of benefits from the Sydney Diocesan Sickness and Accident Fund; or
- (d) with the consent of the Archbishop, unable to attend all or part of that session for another reason.

3. An "associate minister" is an assistant minister or senior assistant minister within the meaning of the Assistant Ministers Ordinance 1990.

4. An alternate is appointed by the Parochial Minister giving the Registrar written notice of the details specified in clause 8A(2) at least 14 days prior to the first day of the session. Similarly, an appointment can be revoked under clause 8A(3) by written notice to the Registrar at least 14 days prior to the first day of the session.

5. By clause 8B, an associate assistant minister who is appointed as an alternate to a session of Synod may exercise all the rights which a Parochial Minister may exercise as a member of the Synod and shall be taken to be a Parochial Minister in determining any quorum of the session. However an alternate is not entitled to be elected to any office or committee of the Synod.

6. Under proposed clause 8C the alternate's appointment ends on the conclusion of the last day of the session of Synod for which he or she was appointed. The appointment ends prior to this time if -

- (a) the Parochial Minister ceases to be a Parochial Minister;

- (b) the alternate ceases to be an associate minister licensed to the parochial unit; or
- (c) the Parochial Minister revokes the appointment under clause 8A(3).

Alternates for Parochial Representatives

7. Proposed clauses 22A to 22C provide for the appointment of an alternate for a Parochial Representative. These provisions essentially mirror the provisions relating to alternates for Parochial Ministers with the following variations -

- (a) the appointment can only be made with the consent of the parish council;
- (b) in relation to an appointment which is made because the Parochial Representative is unable to attend all or part of the session of Synod for any other reason in terms of clause 22A(1)(c), the Archbishop's consent is not required but the reason is to be specified to the Registrar under clause 22A(2)(a);
- (c) the appointment may be revoked by the parish council or, if the Parochial Representative has become available to attend the session of Synod, by the Parochial Representative.

Recommendation

8. The Standing Committee recommends that Synod pass the bill as an ordinance.

For and on behalf of the Standing Committee

ROBERT WICKS
Legal Officer

13 August 2002