

# Anglican Church of Australia Diocese of Sydney

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11 March 2013

## Circular to the Members of the 49<sup>th</sup> Synod

### Re: Special Session of the Synod to elect an Archbishop

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Robert Wicks, the Diocesan Secretary, is pleased to answer any questions about this session of the Synod.

Please bring this with you for use at Synod.



## 1. Archbishop's summons to the Special Session of the Synod to elect an Archbishop

I am pleased to summon the members of the 49<sup>th</sup> Synod to a special session of the Synod of our Diocese to elect the next Archbishop of the See of Sydney. Meetings will be held in the Wesley Theatre, 220 Pitt Street Sydney from Monday 5 August to Friday 9 August 2013, unless we can finish within that time.

A service of Holy Communion will be held at 2.30 pm on Monday 5 August in St Andrew's Cathedral and the Synod will assemble in the Wesley Theatre for business 30 minutes after the service concludes or at 4.30 pm, whichever is the later.

The Rt Rev Rennis Ponniah, Bishop of Singapore, has been invited to preach at the Synod service, and also to lead prayer at the beginning of the first day of the special session, and bible study and prayer on subsequent days.

### Special Prayers

I hope that you and all our Church members will pray for the Synod and for the selection of the right person for this very important office. The following prayer (from AAPB) could be used during Sunday services.

Lord God,  
you are our eternal shepherd and guide.  
In your mercy grant your Church in this Diocese  
a shepherd after your own heart  
who will walk in your ways  
and with loving care watch over your people,  
that your name may be glorified;  
through Jesus Christ our Lord. Amen

### Nominations

Any 2 or more members of the Synod may nominate any duly qualified person for the office of Archbishop of Sydney although a duly qualified person will be taken not to have been nominated to the office of Archbishop of Sydney unless one or more nominations signed by not less than 20 members of Synod are received.

Nominations of duly qualified persons for the office of Archbishop of Sydney close on **Monday 24 June 2013** and must be given to Mr Robert Wicks, Diocesan Secretary, 2nd Floor, St Andrew's House, Sydney Square 2000 on or before that day.

Further details about nominations are enclosed - see items 3.2 to 3.12 and item 8.



DR PETER JENSEN  
Archbishop of Sydney

## 2. Arrangements and Procedures

### Venue

2.1 The Synod is to meet in the Wesley Theatre, 220 Pitt Street Sydney.

### Applicable Ordinances

2.2 The Archbishop of Sydney Election Ordinance 1982 (“1982 Ordinance”) contains the procedures for the election of our next Archbishop. The Conduct of the Business of Synod Ordinance 2000 is also relevant, except to the extent of any inconsistency with the 1982 Ordinance. Copies of both ordinances are enclosed, although they can also be found on the Secretariat’s website at [www.sds.asn.au](http://www.sds.asn.au).

### Hours of Meeting

2.3 The proposed hours of meeting and the likely sequence of events are –

5 August		
2.30 pm - 4.00 pm		Service in the Cathedral
4.30 pm - 6.00 pm		Opening session
7.30 pm - 10.00 pm	)	
	)	
6 August	)	
6.30 pm - 10.00 pm	)	
	)	
7 August	)	Select List (debate and vote)
6.30 pm - 10.00 pm	)	Final List (debate and vote)
	)	Final Debate
8 August	)	Preferential Ballot
6.30 pm - 10.00 pm	)	
	)	
9 August	)	
6.30 pm - 10.00 pm	)	

The Synod will adjourn no later than 10.00 pm each evening.

*If there is only 1 nominee on the Final List, the Final Debate and Preferential Ballot will not be required. If there are 2 or 3 nominees on the Final List then, after the Final Debate, the Synod is to adjourn until the next day to have the Preferential Ballot.*

### New Lay Representatives

2.4 If you have been elected to fill a casual vacancy or appointed as an alternate for a lay representative since the last ordinary session in 2012, before taking part in the Synod you must make a declaration that you are a communicant member of the Anglican Church of Australia and that you are not a member of any other church.

2.5 You can make this declaration at the 2nd floor reception desk in St Andrew's House during office hours before the session or in the Wesley Theatre during the Synod session. Please show your completed Election Notification or Appointment Certification form (as applicable) when you make the declaration. These forms can be downloaded from the Registry website –

[www.sydneyan Anglican registry.com.au/index.php/p2/synod](http://www.sydneyan Anglican registry.com.au/index.php/p2/synod).

### Circulating material relating to the business of Synod

2.6 A member of Synod who wishes to circulate material which relates to the business of Synod may purchase a set of Synod members’ mailing labels by making written request to the Diocesan Secretary by email at [rjw@sydney.anglican.asn.au](mailto:rjw@sydney.anglican.asn.au) or by mail at PO Box Q190, QVB Post Office NSW 1230. The Diocesan Secretary will decline to provide mailing labels if he is not satisfied that the material relates to the business of Synod.

### President of the Synod

2.7 The Administrator, Bishop Robert Forsyth, will be the President of the special session of the Synod. Under clause 2 of the Administrator Ordinance 2002, if Bishop Forsyth were to be a nominee, the next most senior assistant bishop of the Diocese able and willing to preside would be the President. If no

such assistant bishop is able and willing to preside, the Chancellor would be the President or, if he or she is unable or unwilling to preside, such person as the Synod may elect.

### **Name Tags/Entry to Theatre**

- 2.8 In the next mailing (to be sent in July after the closure of nominations), name tags will be sent to members. They must be worn or displayed to gain entry into the section of the Theatre for Synod members.
- 2.9 If you lose your name tag or forget to bring it, please see one of the staff members at the door and ask for a temporary replacement.

### **Addressing the Synod**

- 2.10 Under business rule 4.2(1A), a member who wishes to be called by the President to address the Synod is to stand in his or her place. The President will call from among those standing the member who may address the Synod.

### **Speeches on Nominees**

- 2.11 There will be 3 points at which the nominees can be debated (Select List, Final List and Final Debate before Preferential Ballot). If there is only 1 nominee on the Final List, the debating points will be reduced to 2 since there will be no Final Debate before the Preferential Ballot.
- 2.12 Clause 26 of the 1982 Ordinance sets the following limits on speeches, subject to extension by the Synod –

	<i>Select List</i>	<i>Final List</i>	<i>Final Debate</i>
Proposer	15 minutes	10 minutes	5 minutes
Others	5 minutes	5 minutes	5 minutes

Where a motion is moved and any other member (except the seconder) speaks in respect of the motion, the proposer has a right of reply after all other speeches have been made in respect of the motion.

### **Returning Officers**

- 2.13 Mr John Chapman and Mr Martin Thearle will be the Returning Officers.

### **Meals**

- 2.14 There are numerous small cafes not far away from the Wesley Theatre where members of Synod can buy meals and coffee etc at reasonable prices.

### **Public Gallery**

- 2.15 There will be a public gallery until the end of the Presidential address on 5 August. From that time, the Synod will not be open to the public.

### **Photographs and Press Releases**

- 2.16 The President, under business rule 6.6 and through the Chief Executive Officer of Anglican Media, will arrange for photographs to be taken at appropriate times during the Synod session. No other photographs are permitted.
- 2.17 The Chief Executive Officer of Anglican Media, with the approval of the President, will arrange for press releases to be made at appropriate times, including –
- (a) a list of the nominees with 1 or 2 lines of explanation about each, the amount of the explanation to be the same for each nominee, and
  - (b) at the Select List and Final List stages, a list of the remaining nominees, and
  - (c) after the Synod agrees to invite a person to become Archbishop of Sydney.

### 3. Major Stages of the Election

3.1 There are up to 5 major stages in the election of the next Archbishop –

Stage 1 - Nominations

Stage 2 - Select List

Stage 3 - Final List

Stage 4 - Final Choice of a Nominee

Stage 5 - Offer, Acceptance, Declaration of Election etc

#### Stage 1 - Nominations

3.2 See clauses 7 and 8 of the 1982 Ordinance and item 8 of this circular.

3.3 Any 2 or more members of Synod can nominate any duly qualified person for the office of Archbishop of Sydney. However a duly qualified person will be taken not to have been nominated unless one or more nominations signed by not less than 20 members of the Synod are received under clause 7(2) of the 1982 Ordinance.

3.4 Under clause 7(2) of the 1982 Ordinance a nomination must –

- (a) be in writing,
- (b) be signed by the nominators,
- (c) contain certifications from at least one of the nominators that the nominee –
  - (i) would be willing to make a declaration of the solemn promises in the Second Schedule of the 1982 Ordinance, and
  - (ii) has consented to a search being undertaken for information on the National Register in relation to the nominee,
- (d) specify the address for service of notices on the nominators and the address for service of notices on the nominee, and
- (e) be given to Mr Robert Wicks, Diocesan Secretary, Level 2, St Andrew's House, Sydney Square 2000 no later than **Monday 24 June 2013**.

3.5 A nomination form accompanies these papers, although any document which complies with clauses 7(1) and 7(2) of the 1982 Ordinance is in order. Please note that if more than 2 nominators are to sign the accompanying nomination form, the table on the reverse side of the form can be used for this purpose.

3.6 Nominations must bear the original signatures of the nominators and be given personally or by mail to the Diocesan Secretary at Level 2, St Andrew's House, Sydney Square 2000. Copies or scanned documents sent by email will not be accepted as nominations.

3.7 Upon being given a nomination, the Diocesan Secretary will arrange for a search to be undertaken on the National Register for any information about the nominee.

3.8 Upon a duly qualified person being nominated, the Diocesan Secretary will contact the nominee advising of his nomination and that unless the nominee withdraws, any information about the nominee on the National Register will be disclosed to the Synod. The nominee then has until **Monday 15 July 2013** to withdraw. If the nominee withdraws, he will be taken not to have been nominated.

3.9 A list of nominees will be sent to Synod members by **Friday 26 July 2013**. The names of the nominees will be in alphabetical order on the list and will show, for each nominee, the names of each of the nominators and any information on the National Register about the nominee.

3.10 There is an unwritten convention that a member of the Synod who is nominated will not attend when the nomination is discussed.

3.11 Under clause 9 of the 1982 Ordinance the nominators of a nominee are to determine, among themselves, if need be by majority, in relation to each stage who will propose and second a nomination at that stage. The Secretaries are to be advised of such determinations within sufficient time to enable the name of the proposer and seconder to be included in the appropriate day's business paper. If the nominators are unable to make such a determination, the President is to select, from among those nominators, the proposer and seconder of the nomination in respect of that stage.

- 3.12 The question of who is a “duly qualified person” to be nominated is for the good sense of the Synod. A person who is not a presbyter will need to be so ordained and consecrated as a bishop and will need to make the relevant solemn promises before “taking his seat in the Cathedral” and commencing office. If a presbyter is chosen, the person will need to be consecrated as a bishop and make the relevant solemn promises. If a bishop is chosen, the matter of making the relevant solemn promises and “taking his seat in the Cathedral” is all that is required.

### **Stage 2 - Select List**

- 3.13 See clauses 15 and 15A of the 1982 Ordinance. This stage is expected to start on 5 August.
- 3.14 The list of nominations is to be reduced to a Select List. Each nominee is to be proposed and seconded in the order of the list of nominees. If someone speaks against the proposal it can be debated. At the end of the debate the proposer has a right of reply before consideration of the next nominee commences. If no one wants to speak against the proposal, consideration of the next nominee commences.
- 3.15 After consideration of the last nominee has been concluded the President will, unless the Synod otherwise determines, put the following motion to the Synod in respect of each nominee –
- “That the name of (A.B.) be placed upon the Select List.”.
- 3.16 Voting on each of the motions is taken simultaneously by a secret ballot in each order with the lay members voting first. The President will announce all the results.
- 3.17 For the name of a nominee to be placed on the Select List, a majority of either order (lay or clergy) then present and voting must vote in favour of the motion in respect of the nominee.
- 3.18 The President is to determine by lot the order of the names placed on the Select List and announce that order.
- 3.19 If no nominee is included on the Select List, the nomination process is to start again.

### **Stage 3 - Final List**

- 3.20 See clauses 16 to 23 of the 1982 Ordinance.
- 3.21 Next, the Select List is to be reduced to the Final List. This can follow the Select List stage on 5 August, but may be on 6 August. Each nominee is again proposed, seconded and may be debated. If debated, the proposer has the right of reply. Then consideration of the next name on the Select List commences.
- 3.22 After consideration of the last name on the Select List has been concluded, the President will, unless the Synod otherwise determines, put the following motion to the Synod in respect of each nominee –
- “That the name of (A.B.) be placed upon the Final List.”.
- 3.23 Voting on each of the motions is taken simultaneously by a secret ballot in each order with the lay members voting first.
- 3.24 For a name to be placed on the Final List at the “first time of asking”, a majority of each order of the members of Synod then present and voting must vote in favour of the motion in respect of that name.
- 3.25 Where there were 3 or more nominees on the Select List but less than 3 names on the Final List, the names of those who missed will be again voted on without further debate. At this “second time of asking”, if a majority of both orders of the members then present and voting vote in favour of a nominee, the name of that nominee is placed on the Final List.
- 3.26 The voting is by secret ballot. The President will announce all the results.
- 3.27 If no nominee is included on the Final List, the nomination process is to start again.
- 3.28 Where there are more than 3 nominees on the Final List the Synod must have several ballots to reduce the Final List one name at a time to 3 names. Both orders vote at the same time during these ballots.
- 3.29 At last there will be 1 name on the Final List or a Final List with 2 or 3 names. If there are 2 or 3 names, the President is to determine by lot the order of the names on the Final List and announce that order.

#### **Stage 4 - Final Choice of a Nominee**

- 3.30 See clauses 24 to 33A of the 1982 Ordinance.
- 3.31 This stage may immediately follow the Final List stage if there is only 1 nominee. In this case the President will put the following motion –  
“That (A.B.) be invited to be Archbishop of Sydney”.
- 3.32 A majority of both orders of the members then present and voting is required for the motion to carry. A vote on the motion is to be by show of hands, the lay members voting first. If the motion is carried the President will declare (A.B.) duly elected to the office of Archbishop. If the motion is not carried, the Synod must forthwith and without further debate vote on the motion by secret ballot or start the nomination process again.
- 3.33 If there are 2 or 3 names on the Final List there will be a further round of proposing and seconding. After all the nominees are proposed and seconded, debate follows. Proposers have a right of reply.
- 3.34 Then the Synod must adjourn to the next or another day for a preferential ballot. A majority of 1st preferences is required in both orders of the members present and voting before a nominee is declared “elected”.
- 3.35 Special rules requiring a further ballot or ballots or providing for the distribution of votes apply if a nominee does not obtain a majority of 1st preferences from the initial preferential ballot.
- 3.36 Should there still be no clear result, the Synod must adjourn to the next or another day to consider a series of options (clause 33 of the 1982 Ordinance) which enable the Synod to have another ballot, return to one of several earlier stages or start the nomination process again.

#### **Stage 5 - Offer, Acceptance, Declaration of Election etc**

- 3.37 See clauses 34 to 41 of the 1982 Ordinance.
- 3.38 In effect, the “election” is a decision to offer the office of Archbishop of Sydney to the person selected. The offer can be conveyed immediately if the nominee is close by, but otherwise may take some time. The terms and conditions of appointment are conveyed at the same time.
- 3.39 If the offer is accepted by a person who is already a bishop, the person becomes Archbishop upon “taking his seat in the Cathedral”, having made the solemn promises contained in the Second Schedule to the 1982 Ordinance. In the past the person takes his seat at a service in the Cathedral.
- 3.40 If the offer is accepted by a person who is not a bishop, after proving the “canonical fitness” of that person, arrangements must be made for his consecration as a bishop and the making of the relevant solemn promises before he can take his seat in the Cathedral.
- 3.41 The President must cause the “election” to be declared in the Cathedral.
- 3.42 If the person selected declines the offer, or if the election fails for any other cause not dealt with in the 1982 Ordinance, the whole procedure must start again.

## **4. Role of the Archbishop**

- 4.1 The Archbishop of Sydney is an ordained minister of the Word and Sacraments who has been consecrated as a bishop and elected by the Synod. According to the Ordinal the central ministerial functions of a bishop are to instruct and teach, to correct false doctrine, to live a life that is an example to others, to maintain order, to ordain, to confirm baptised persons and to assist the poor and needy. He is the “guardian of the spiritualities” and he is sometimes called the “Ordinary”, meaning one who has jurisdiction in ecclesiastical matters within a diocese.
- 4.2 Under various church laws the Archbishop may perform a number of functions, such as appointing or licensing clergy to minister in parochial units and chaplaincies, licensing and consecrating churches, visiting and correcting the clergy, appointing a registrar, a chancellor and other office holders, authorising lay ministry, etc. All licensed clergy make a number of solemn promises for the benefit of the Archbishop including to teach and uphold the Word of God as expressed in the doctrine and formularies of our Church, to use prescribed forms of service and to obey all directions that the Archbishop is authorised by law to give. The Archbishop is responsible for maintaining order in this connection.

- 4.3 The Archbishop is a member ex-officio of more than 30 diocesan organisations and appoints persons as members of many organisations. He is the President of the Synod and its Standing Committee, and of the Provincial Synod and its Standing Committee, and no ordinance passed by the Synod or its Standing Committee is valid unless it receives his assent within 1 month of being passed. By agreement, he is the President of a number of organisations which do not have any constitutional link with the Synod of the Diocese or its Standing Committee.
- 4.4 As Metropolitan of the Province of New South Wales, the Archbishop is responsible for summoning meetings of the Provincial Synod and its Standing Committee. He has a pastoral relationship with the other bishops in the Province and has primary responsibility for the consecration of a bishop for a diocese within the Province.

## 5. Endowment of the See

- 5.1 The Endowment of the See is the property held on trust for purposes connected with the Archbishop of the See of Sydney. Since 2012, the Endowment of the See has been administered through two separate funds, namely the Endowment of the See Expenditure Fund and the Endowment of the See Capital Fund.

### **Endowment of the See Expenditure Fund**

- 5.2 The Endowment of the See Expenditure Fund is administered by the Endowment of the See Committee for the following purposes –
- “(a) To pay the stipend of the Archbishop of Sydney, the expenses of his official residence and travelling, and the provision of other benefits and allowances.
  - (b) To pay the stipends of the assistant bishops and the archdeacons, and the costs of, or associated with, the provision of their housing, travel and other benefits and allowances.
  - (c) To pay the salaries and provide other benefits to the staff of the Archbishop’s Registry and Diocesan Archives, and other staff engaged to support or assist the Archbishop, the assistant bishops and archdeacons in undertaking their functions.
  - (d) To pay the expenses and other costs incurred to enable the Archbishop, the assistant bishops, archdeacons and the staff referred to in paragraph (c) to fulfil their functions including, without limiting the generality of the foregoing –
    - (i) office rent and occupancy costs, and
    - (ii) management fees charged by any organisation engaged to support the Archbishop, the assistant bishops, archdeacons and staff referred to in paragraph (c).
  - (e) To pay the costs and expenses incurred by the Committee in performing its functions under this Ordinance including, without limiting the generality of the foregoing, management fees charged by an organisation engaged to support the Committee in performing its functions.
  - (f) To provide for the payment of such other amounts in connection with the Diocese of Sydney as may be determined by the Standing Committee and approved by the Archbishop.”

For these purposes, “Archbishop” includes, during the absence of the Archbishop or any vacancy in the See, the Commissary or the Administrator of the Diocese of Sydney for the time being, and any person who has been elected to become Archbishop.

### **Endowment of the See Capital Fund**

- 5.3 The Endowment of the See Capital Fund is held on trust and administered by the Property Trust for the purpose of providing in perpetuity income to enable the above payments to be made from the Expenditure Fund. To this end, the Property Trust is required to make annual distributions to the Expenditure Fund. The amount of these annual distributions is determined by the Property Trust in accordance with the Endowment of the See Capital Ordinance 2012.

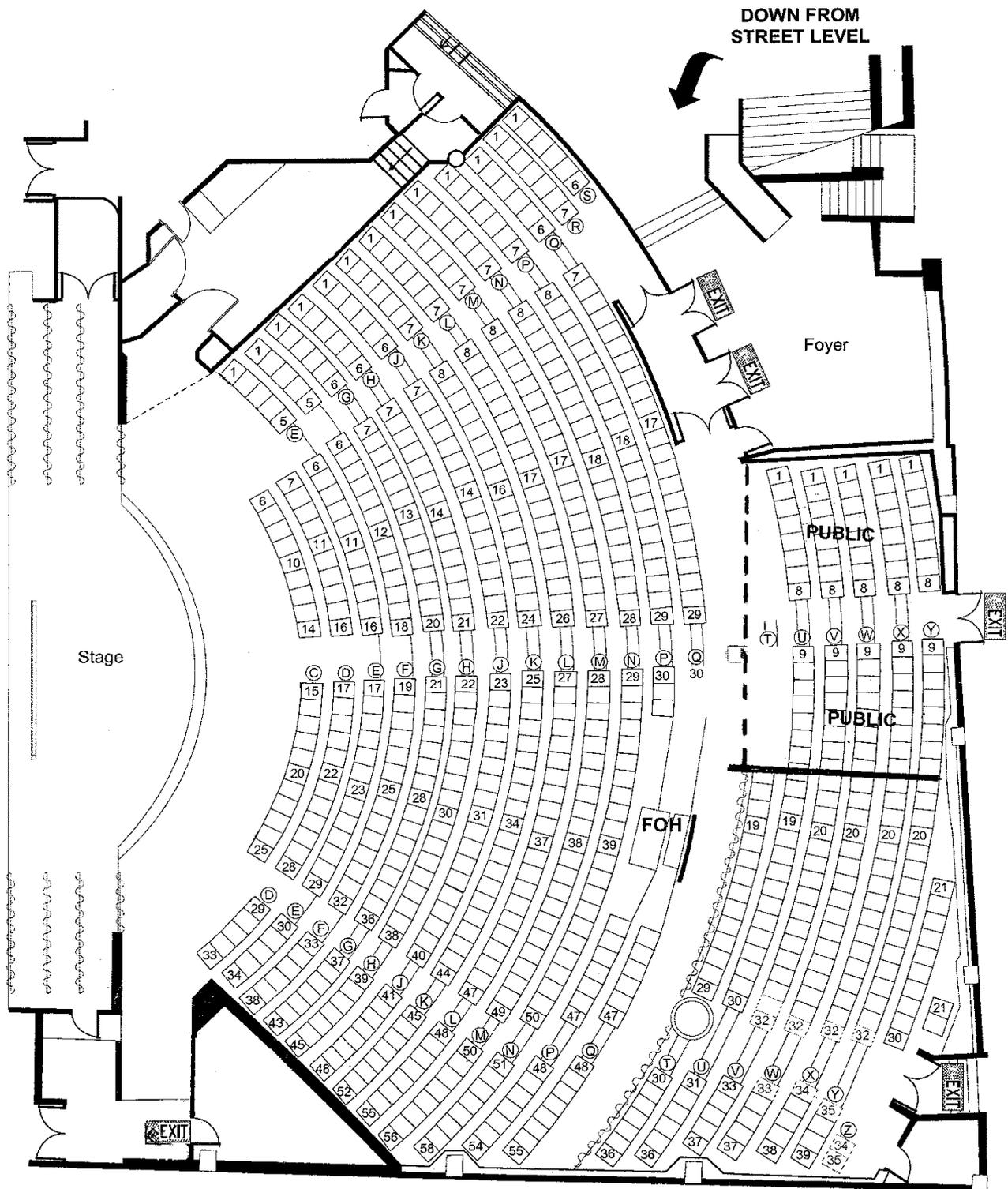
### **Report concerning the finances of the Endowment of the See**

- 5.4 No later than 42 days before the session of Synod to elect the next Archbishop commences, the Administrator is to cause to be prepared a report concerning the finances of the Endowment of the See and send the report to the Diocesan Secretary. The report must include –
- (a) a balance sheet and income and expenditure accounts certified as correct by a duly qualified auditor for each of the 3 years immediately preceding the vacancy; and
  - (b) a description of the condition of any proposed residence to be provided to the Archbishop.
- 5.5 The Administrator has asked Dr Philip Selden and Mr Greg Ellem to prepare a report for the Endowment of the See Expenditure and Capital Funds respectively. Once the Diocesan Secretary receives the report he will send a copy to each nominee.

## **6. Terms and Conditions of Appointment**

- 6.1 Under the Endowment of the See Expenditure Ordinance 2012, the Endowment of the See Committee determines the stipend, benefits and allowances of the Archbishop.
- 6.2 The Endowment of the See Committee is in the process of reviewing the stipend, benefits and allowances for the next Archbishop having regard to their appropriateness for the tasks and duties of the Archbishop. Information about the package for the next Archbishop will be provided to Synod members in the second circular to be sent by 26 July 2013.

# 7. Plan of the Wesley Theatre



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## 8. Archbishop's Election Synod 2013 Nomination Form

To - Mr Robert Wicks  
 Diocesan Secretary  
 Anglican Church Diocese of Sydney  
 Level 2  
 St Andrew's House  
 SYDNEY SQUARE NSW 2000

**Nominations must be given personally or by post to the Diocesan Secretary at the place referred to above by Monday 24 June 2013**

### Nominee

We hereby nominate..... *(insert nominee's full name)*

of..... *(insert nominee's suburb or locality of residence)*

(the "nominee") for the office of Archbishop of the See of Sydney.

The address for service of notices on the nominee is .....

.....

### Nominators

*(Any 2 or more members of the Synod) †*

	<b>Nominator's signature</b>	<b>Nominator's name</b> <i>(please print)</i>	<b>Parish/Other ††</b>
1.			
2.			

† *If more than 2 nominators are to sign this nomination form, use the table on the reverse side of this form.*

†† *If not a parish representative, specify the Part of the Synod Membership Ordinance 1995 under which the nominator is a member of the Synod.*

The address for service of notices on the nominators is .....

.....

### Certificate

I / We certify that the above nominee –

- (a) would be willing to make a declaration of the solemn promises contained in the Second Schedule to the Archbishop of Sydney Election Ordinance 1982, and
- (b) has consented to a search being undertaken for information in the National Register in relation to the nominee.

Signature of at least one nominator .....

Name(s) ..... *(please print)*

Date: .....

**Use this table if more than 2 nominators are to sign this nomination form**

	<b>Nominator's signature</b>	<b>Nominator's name</b> <i>(please print)</i>	<b>Parish/Other <sup>††</sup></b>
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

<sup>††</sup> *If not a parish representative, specify the Part of the Synod Membership Ordinance 1995 under which the nominator is a member of the Synod.*