

# St George North (Special Administration) Ordinance 2004

(Reprinted under the Interpretation Ordinance 1985.)

The St George North (Special Administration) Ordinance 2004 as amended by the Synod Membership (Election of Parochial Representatives) Amendment Ordinance 2004.

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## **Long Title**

An Ordinance to modify, on a trial basis, the provisions by which the parish of St George North is administered and for incidental purposes thereto.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

### **Part 1 - Preliminary**

#### **1. Name**

This Ordinance is the St George North (Special Administration) Ordinance 2004.

#### **2. Objects**

The objects of this Ordinance are as follows –

- (a) to adopt the congregations of the parish of St George North as the fundamental units by which that parish is administered in place of its churches, and to do this on a trial basis over the next 3 years,
- (b) to provide for an annual parish meeting of the members of all congregations of the parish in place of an annual vestry meeting for each church of the parish,
- (c) to establish the office of parish warden for the parish as a whole in place of the office of churchwarden for each church of the parish,
- (d) to provide for representation on the parish council for each congregation,
- (e) to provide for a review of this Ordinance during 2006.

#### **3. Interpretation**

(1) In this Ordinance –

“administration provisions” means the Church Administration Ordinance 1990 and the provisions of any other ordinance or similar instrument in force in the Diocese (other than this Ordinance) in connection with the administration of the parish.

“annual parish meeting” means a parish meeting referred to in clause 6 and includes any adjournment of such a meeting.

“clause” means a clause of this Ordinance unless otherwise specified.

“congregation” means a group of persons who meet together on a regular basis within the Diocese –

- (a) for public worship as Christian people, and
- (b) under the pastoral leadership of the minister of the parish, and
- (c) in a building (or part) which is approved in writing by the Archbishop as suitable for use by the congregation.

“member” of a congregation means, subject to subclause (2), a person –

- (a) who is a member of the Anglican Church of Australia, and
- (b) who has usually during 3 months in the 12 months preceding the time at which the status of the person as a member is to be determined attended meetings of the congregation.

“parish” means the parish of St George North.

“parish meeting” means a meeting of the members of all congregations convened under clause 5(1) and includes an adjournment of such a meeting.

(2) A person may not be a member of more than 1 congregation at the same time. If, but for this subclause, a person would be a member of more than 1 congregation at the same time, the person must elect the congregation of which he or she considers himself or herself to be a member and any such election, when made, cannot be varied during the 3 months next following the date on which it was made.

(3) A building (or part) which has been licensed or consecrated by the Archbishop as a church is taken to be approved as suitable for use by any congregation which meets in that building (or part) for the purposes of paragraph (c) of the definition of congregation in subclause (1).

(4) If any question or dispute arises as to whether a group of persons is a congregation, the question or dispute may be determined by the Regional Bishop.

#### **4. Application of the administration provisions**

(1) The administration provisions continue to apply to the parish but are modified to the extent provided or contemplated by this Ordinance.

(2) If there is any uncertainty or difficulty regarding the continuing application of the administration provisions, the Georges River Regional Council may, by resolution, upon being requested to do so by the minister and parish wardens or at its own initiative, determine the rule or rules to apply in the particular circumstances and the application of the administration provisions is subject to that determination.

### **Part 2 – Parish Meetings**

#### **5. When and for what purposes may a parish meeting be convened?**

(1) A meeting of the members of all congregations may be convened at any time for the consideration of any business connected with 1 or more congregations.

(2) Any requirement or entitlement under an ordinance to convene a vestry meeting of a church of the parish (other than an annual vestry meeting) is satisfied or may be exercised by convening a parish meeting under this clause.

#### **6. Annual parish meeting**

A parish meeting is to be convened each year in place of the annual vestry meetings for each church of the parish.

#### **7. Convening a parish meeting**

(1) A parish meeting may be convened by the minister and the parish wardens (if any).

(2) A parish meeting is convened by announcing at not less than 2 meetings of each congregation before the day of the meeting, the date, time and place of the meeting and, in the case of a meeting which is not an annual parish meeting, the business to be considered at the meeting.

#### **8. Who is entitled to participate in a parish meeting?**

(1) A person (other than the minister) is not entitled to take part in or to be counted for the purposes of a quorum at a parish meeting unless the person has first subscribed to the following declaration –

“I am a member of the Anglican Church of Australia.

I have been baptised.

I am not less than 18 years of age.

I have usually during 3 months within the past 12 months attended meetings of the [name or description of congregation] of the parish.

I do not claim to be a member of any other congregation of the parish or a member or parishioner of any other church or parish of the Anglican Church of Australia.

Dated this        day of        20        .”

(2) In the case of an annual parish meeting, the following additional subscription is to be added to the declaration in subclause (1) -

“I have not voted at a vestry meeting of any other church or parish of the Anglican Church of Australia within the past 3 months and I do not intend to vote at a vestry meeting of any other church or parish of the Anglican Church of Australia within the next 3 months.”

#### **9. Election of parish council members**

The annual parish meeting may determine that there is to be a parish council and, if it does so –

(a) the annual parish meeting –

(i) is to resolve that there is to be 1, 2 or 3 members of the parish council elected by the annual parish meeting as a whole, and

(ii) is to elect a qualified person or qualified persons to be that member or those members, and

- (b) the members of each congregation at the annual parish meeting voting separately from the members of the other congregations are to elect 1 qualified person to be a member of the parish council.

#### **10. Other provisions that apply to a parish meeting**

- (1) The administration provisions that apply to a vestry meeting of a church in a single-church parish apply to a parish meeting subject to any modifications provided for or contemplated by this Ordinance.
- (2) For the avoidance of doubt –
  - (a) parish representatives are to be elected at the annual parish meeting or other parish meeting for the purposes of the Presentation and Exchange Ordinance 1988, and
  - (b) parochial representatives are to be elected at the annual parish meeting or other parish meeting for the purposes of the Synod Membership Ordinance 1995.

### **Part 3 – The Minister**

#### **11. Minister’s responsibility for registers and records**

- (1) The minister is to cause to be maintained a register of the information referred to in clause 19 of the Church Administration Ordinance 1990 in respect of each congregation.
- (2) The registers and records maintained in respect of each congregation are to be treated as if they were the registers and records maintained for each church of the parish.

### **Part 4 – Parish Wardens**

#### **12. Establishment of the office of parish warden**

- (1) There are to be 3 parish wardens for the parish as a whole who shall be the 3 churchwardens for each church of the parish.
- (2) Two parish wardens are to be elected at the annual parish meeting. One parish warden is to be appointed by the minister.

#### **13. Qualifications to be a parish warden**

Any requirement that a person is to be a parishioner of a church in the parish in order to be eligible to be elected or appointed as a parish warden is taken to be satisfied if the person is a member of a congregation.

#### **14. Functions of the parish wardens**

The parish wardens are to exercise the functions that the churchwardens of each church in the parish would have exercised subject to the following –

- (a) any function in connection with a church is taken to include an equivalent function (so far as is relevant) in connection with a congregation and a building in which a congregation meets, and
- (b) the statements to be prepared pursuant to clause 20(1)(k) of the Church Administration Ordinance 1990 are to be consolidated statements for the parish as a whole.

#### **15. Other provisions that apply to the parish wardens**

The administration provisions that apply to the churchwardens of a church apply to the parish wardens subject to any modifications provided for or contemplated by this Ordinance.

### **Part 5 – Parish Council**

#### **16. Constitution of the parish council**

- (1) If the annual parish meeting determines that there is to be a parish council, the parish council is to be constituted for the ensuing year by the following persons –
  - (a) the minister,
  - (b) the parish wardens,
  - (c) the qualified person or persons elected to the parish council by the annual parish meeting under clause 9(a),
  - (d) 1 qualified person for each congregation elected to the parish council by members of the congregation at the annual parish meeting under clause 9(b),

- (e) up to 3 qualified persons appointed by the minister at the annual parish meeting or within 28 days after the meeting.

(2) The parish council may fill any casual vacancy which may occur among its elected members.

#### **17. Qualifications to be a member of the parish council**

Any requirement that a person is to be a parishioner of a church in the parish in order to be eligible to be elected or appointed as a member of the parish council is taken to be satisfied if the person is a member of a congregation.

#### **18. Functions of the parish council**

(1) Any function of the parish council of the parish in connection with a church is taken to include an equivalent function (so far as is relevant) in connection with a congregation and a building in which a congregation meets.

(2) The parish council is not required to exercise the function specified in clause 28(1)(c) of the Church Administration Ordinance 1990.

(3) Without limiting subclause (1), the parish council may establish a committee under clause 29A of the Church Administration Ordinance 1990 in respect of the parish as a whole.

### **Part 6 – Miscellaneous**

#### **19. Modification of licensing requirements**

Despite clause 6(1) of the Church Grounds and Buildings Ordinance 1990 a building in which a congregation meets is not required to be licensed or consecrated as a church but is required to be approved in writing by the Archbishop as suitable for use by the congregation.

#### **20. Commencement**

This Ordinance commences on the date of assent.

#### **21. Transitional**

(1) The churchwardens of each church of the parish holding office immediately before the commencement of this Ordinance continue to hold office and continue to exercise the functions of churchwardens under the administration provisions until the date on which the annual parish meeting for the year 2004 is held.

(2) The parish council of the parish as constituted immediately before the commencement of this Ordinance remains so constituted and continues to exercise the functions of the parish council under the administration provisions until the date on which the annual parish meeting for the year 2004 is held.

(3) Without limiting the application of clause 5(3) of the Church Administration Ordinance 1990, the annual parish meeting for the year 2004 –

- (a) is to be convened by the minister and churchwardens of the principal church of the parish as if those churchwardens were parish wardens for the purposes of clause 7, and

- (b) is to receive and pass or otherwise determine on the statements of the churchwardens of each church prepared in accordance with clause 20(1)(k) of the Church Administration Ordinance 1990.

(4) The minister and parish wardens are to convene an annual vestry meeting for each church of the parish for the year 2007 in accordance with the administration provisions as if the parish wardens were the churchwardens of each church under the administration provisions.

(5) The annual vestry meeting of the principal church of the parish for the year 2007 is to be held before the annual vestry meeting of any other church of the parish.

(6) The annual vestry meetings for each church of the parish for the year 2007 are to receive and pass or otherwise determine on the statements of the parish wardens prepared in accordance with clause 14(b).

#### **22. Review**

The Area Archdeacon will bring a report to the Standing Committee by 30 June 2006 about the operation of this Ordinance.

### **23. Sunset clause**

This Ordinance ceases to have effect immediately before the annual vestry meeting of the principal church of the parish is held for the year 2007, unless sooner repealed.

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### **Table of Amendments**

Clause 10      Amended by Ordinance No 39, 2004.

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**Legal Officer**

ROBERT WICKS  
**Manager, Legal Services**

29 October 2004