

Standing Committee (Elections) Amendment Ordinance 1998

Explanatory Statement

Object of the Proposed Ordinance

1. The principal object of the proposed ordinance is to reinstate into the Elections Ordinance 1970 the rules for conducting, by postal ballot, the election of those members of the Standing Committee elected by the whole Synod. The proposed ordinance also restates in clearer terms other provisions of the Standing Committee Ordinance 1897 relating to the election of members of the Standing Committee.

Background

2. Following amendments in 1995 to the Standing Committee Ordinance 1897, the Standing Committee now consists of *ex officio* members, members elected by the whole Synod ("Core Members") and members elected by Synod members from each region ("Regional Members"). Under the Standing Committee Ordinance 1897 and the Elections Ordinance 1970 -

- (a) the elections for Core Members are to take place by postal ballot prior to the first session of each Synod before the elections for Regional Members take place during that first session;
- (b) a person can be nominated in an election for Core Members and, provided the person has the necessary qualifications, can also be nominated in an election for Regional Members;
- (c) if a person is elected as a Core Member, any nomination of that person in an election for Regional Members is taken not to have been made.

3. The Core Members and Regional Members of the present Standing Committee were elected in accordance with these rules in 1996. The rules were supplemented by clause 37A of the Elections Ordinance 1970 which set out the procedure for conducting the postal ballot for the election of Core Members.

4. As the rules for the election of Core Members and Regional Members were new it was envisaged that they would be reviewed prior to the elections for Standing Committee members to be held in 1999. Clause 37A of the Elections Ordinance 1970 contained a "sunset" provision which required that a review take place.

5. In consultation with regional councils, the Standing Committee has reviewed the procedure for the election of Core Members and Regional Members. On the basis of the principle adopted by the Synod in 1995 that a person ought to be able to be nominated in an election for Core Members and, provided that the person has the necessary qualifications, also in an election for Regional Members, the Standing Committee thinks that the election for Core Members should take place by postal ballot prior to the first session of the Synod, as occurred in 1996, with the election for Regional Members taking place during the first session. For this reason the substance of the rules for conducting the postal ballot contained in clause 37A of the Elections Ordinance 1970 needs to be reinstated.

6. Clause 2 of the proposed ordinance seeks to reinstate machinery provisions for conducting the postal ballot.

7. Clause 3 of the proposed ordinance seeks to restate the substance of clauses 1A(4)(b) and (c) of the Standing Committee Ordinance 1897 in clearer language. In addition, the clause proposes inserting into clause 1A of the Standing Committee Ordinance 1897 a provision formerly found in clause 37A of the Elections Ordinance 1970 but which more logically belongs in clause 1A.

Recommendation

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

For and on behalf of the Standing Committee

MARK PAYNE
Diocesan Secretary

14 August 1998