

## Synod and Standing Committee (Membership) Amendment Ordinance 2015

### Explanatory Report

#### Key points

- A record of the declaration made by each lay Synod member of communicant membership of the Anglican Church of Australia is proposed to be retained and certified by the person who or body which elects or appoints the member rather than the signed declaration being delivered to the President.
- The definition of “Qualified Minister” for the purposes of being eligible for appointment as a Nominated Minister under Part 7 or as a clerical Nominated Indigenous Representative under Part 8A is proposed to be simplified to be a minister who is authorised or licensed to officiate by the Archbishop.
- The Archdeacon for Women’s Ministry is proposed to be a full voting member of the Standing Committee.

#### Purpose of the bill

1. The purpose of the bill for the *Synod and Standing Committee (Membership) Amendment Ordinance 2015* (the “bill”) is to improve the administration of the Synod’s lay membership and the make changes to the qualifications and entitlements of certain members of the Synod and Standing Committee.

#### Recommendation

2. That the Synod pass the bill as an ordinance.

#### Lay declarations of communicant membership

3. Under clause 6 of the *Synod Membership Ordinance 1995* (the “principal ordinance”), declarations of communicant membership of the Anglican Church of Australia are required to be made by lay members for each Synod. Clause 6 provides –

##### ‘Declaration

Each Parochial Representative, alternate for a Parochial Representative, Nominated Layperson and lay Nominated Indigenous Representative must, before taking part in or voting at any session of the Synod, sign and deliver to the President the following declaration –

“I, the undersigned A.B., do declare that I am a communicant member of the Anglican Church of Australia and not a member of any other Church.”

4. Such declarations must be signed and physically delivered to the President. In practice the Registry collects and retains the declarations on behalf of the President in conjunction with receiving notices that Synod members have been elected or appointed.

5. In 2013, the Synod amended the principal ordinance by requiring that lay members consent to their personal information being collected, used and disclosed for the purposes of the Diocese and Synod (clause 5A(1)). Under these provisions the person who or body which elects or appoints the member is required to retain a written copy of the consent and certify in the notice given to the Registrar of the election or appointment that such consent has been given (clause 5A(2)). The amendments also included provisions to enable any notice of the election or appointment of a Synod member to be given to the Register through a secure on-line database (clause 6C).

6. In order to improve the administration of the Synod’s lay membership, the bill proposes that the person who or body which elects or appoints a lay member of the Synod should also retain a signed copy of the declaration made by the member under clause 6 and certify in the notice of election or appointment given to the Registrar that the declaration has been made and that a signed copy has been retained.

7. Such a change will remove the need for a signed copy to be physically delivered to the President and enable all information concerning the election or appointment of lay members of the Synod to be provided to the Registrar through the secure on-line database.

### Qualified Ministers

8. The Dictionary in the principal ordinance states –  
“Qualified Minister” means a Minister who is authorised or licensed to officiate by the Archbishop and –
- (a) has previously been summoned to a session of a Synod as a Parochial Minister; or
  - (b) is engaged in teaching or ministry within the Diocese on a full-time basis under the direction of the Archbishop or of a committee or corporation whose members are elected or appointed by the Synod or the Standing Committee.’
9. The definition of Qualified Minister is relevant for determining those clergy who are eligible to be appointed to the Synod as Nominated Ministers under Part 7 of the principal ordinance or Nominated Indigenous Representatives under Part 8A.
10. The current definition of Qualified Minister has caused problems when a member of the clergy changes role and is therefore no longer eligible to be a member of Synod. Similarly there are examples of clergy who are not eligible to be a member of Synod even though they are able to make a worthwhile contribution to Synod. This includes female deacons who, for one reason or another, do not occupy a full-time position.
11. Similarly there are questions about the interpretation of the way in which a minister may be “under the direction of the Archbishop”. There are differences of opinion about whether an Assistant Minister in a parish is “under the direction of the Archbishop”.
12. Further, there are questions about whether a member of clergy is eligible to be a member of Synod under Part 7 if they work “under the direction of . . . a committee or corporation whose members are elected or appointed by the Synod or the Standing Committee” where only some of the members are “elected or appointed by the Synod or the Standing Committee”.
13. To resolve these difficulties the bill proposes that the definition of “Qualified Minister” be changed to simply be “a Minister who is authorised or licensed to officiate by the Archbishop”.

### Updating of terminology

14. The bill also updates the terminology and definitions used in the principal ordinance largely as a result of changes in terminology in relation to parochial units introduced by the Parish Administration Ordinance 2008. Also, the revised definition for “General Meeting” and the new definition for “Wardens” accommodate the particular arrangements that apply for the Cathedral.

### Standing Committee membership

15. In the past there were multiple Archdeacons, usually one for each region, but the only current Archdeacon is the Archdeacon for Women’s Ministry. The *Standing Committee Ordinance 1897* was changed some years ago to provide that the Archdeacons should continue to attend Standing Committee but not have the right to vote. Given there is now only one Archdeacon and that she has special responsibilities in the Diocese, it is recommended that the Archdeacon for Women’s Ministry be granted full membership of Standing Committee including the right to vote. The bill includes the relevant amendment to the *Standing Committee Ordinance 1897*.

For and on behalf of the Standing Committee.

DOUG MARR  
*Registrar*

15 September 2015