

Synod Elections Ordinance 2000 Amendment Ordinance 2021

No 15, 2021

Long Title

An Ordinance to amend the *Synod Elections Ordinance 2000*.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Synod Elections Ordinance 2000 Amendment Ordinance 2021.

2. Amendment

The *Synod Elections Ordinance 2000* is amended as follows –

- (a) insert a new sub-rule 1.2(3) of the Schedule as follows –

“(3) In this Schedule, unless the context otherwise indicates, sending or delivering something includes doing so by electronic means.”,
- (b) substitute rule 8.2 of the Schedule with the following –

“8.2 Impossibility or impracticality etc of conducting an election or convening an ordinary session of the Synod

 - (1) This rule applies –
 - (a) if the Archbishop-in-Council determines that it is impossible or impracticable to –
 - (i) convene an ordinary session of the Synod at which an election for an office would be required to be conducted, or
 - (ii) conduct an election at or during an ordinary session of the Synod, or
 - (b) if, for any reason, an election does not take place at the session.
 - (2) The rules for the conduct of the election are modified by replacing Parts 4 and 5 of the Schedule with Parts 4 and 5 set out in the Second Schedule.
 - (3) The Archbishop-in-Council is to specify a date which is to be regarded as the first appointed day of the ordinary session for the purposes of the election.”,

and
 - (c) insert a Second Schedule as follows –

“Second Schedule

Substituted rules where it is impossible or impractical to conduct an election at an ordinary session of the Synod or convene a session

Part 4 - Uncontested Elections

4.1 Uncontested elections

If, by 5.00 pm on the precis closing day, the number of persons nominated for election to an office does not exceed the number of persons to be elected –

- (a) the Returning Officer is to forthwith give notice to the President of –
 - (i) the offices for which the nominations were made, and
 - (ii) the names of the persons nominated,
- (b) as soon as practicable following receipt of the notice in rule 4.1(a), the President is to declare elected to their respective offices the persons named in the notice, and
- (c) the Returning Officer is to post a copy of the notice indicating those persons who have been elected at the nominated website address.

4.2 Different terms of office

If, in an election –

- (a) the number of nominees does not exceed the number of persons to be elected, and

Synod Elections Ordinance 2000 Amendment Ordinance 2021

- (b) the persons to be elected are not required to serve the same terms of office,
the retiring members (if any) who have been nominated are to be declared elected for the longer terms of office in order of the length of service of each since last being elected to office. Any distinction required to be made between other persons is to be decided by lot in such manner as the President directs.

Part 5 – Contested Elections

5.1 Contested elections

If, by 5:00 pm on the precis closing day, the nominees for election to an office is greater than the number of persons to be elected, a ballot is to be held in the following manner –

- (a) As soon as practicable, the Secretary is to send Synod Members and the Chair of the relevant organisation a notice which specifies –
 - (i) the offices for which a ballot is to be conducted,
 - (ii) the name of each person nominated to those offices and the suburb or locality of their residence, along with their precis,
 - (iii) the names of the 2 members who signed the nomination in accordance with the Rules,
 - (iv) the date by which a link to the online ballot will be circulated (the 'ballot opening date', per rule 5.1(c)), and
 - (v) the date on which the ballot will close (the 'ballot closing date', per rule 5.1(d)).
- (b) The notice in rule 5.1(a) is to include an invitation for Synod Members to submit material to the Secretary in support of the nomination of a nominee or nominees, to be hosted on an unadvertised but publicly accessible page on the website nominated by the Standing Committee, subject to –
 - (i) the material being provided by the Synod Member in completed form within four business days of the notice of contested election being posted, and
 - (ii) the provision of the written approval of every person referred to in the material (where reasonable to do so), including any nominee and their nominators, whether referred to by name or not.
- (c) On the date (the 'ballot opening date') five business days after the notice sent under rule 5.1(a), the Returning Officer shall send by email to each Synod Member –
 - (i) a unique link to an online ballot allowing the Synod Member to indicate the name of the person or names of each of the persons for whom the member wishes to vote, preserving as far as reasonable the anonymity of the Synod Member, while providing only one vote per Synod Member,
 - (ii) a statement of the ballot closing date (per rule 5.1(d)), and
 - (iii) a link to an unadvertised but publicly accessible page on the website nominated by the Standing Committee, containing any notices made in accordance with rule 5.1(b).
- (d) The ballot shall close at 5:00 pm on the date (the 'ballot closing date') five business days following the ballot opening date (per rule 5.1(c)).
- (e) As soon as practicable after 5:00 pm on the ballot closing date, the Returning Officer is to send to the President a report containing –
 - (i) a complete list of the names of the nominees and the number of votes recorded for each nominee, with the names on the list to be arranged in the order of the number of votes recorded beginning with the highest, and
 - (ii) having regard to the number of persons to be elected and the list referred to in rule 5.1(e)(i) – a statement of the name or names of the person or persons to be declared elected.

Synod Elections Ordinance 2000 Amendment Ordinance 2021

- (f) As soon as convenient after receiving the Returning Officer's report, the President is –
 - (i) to declare elected the person or persons referred to in the statement required by rule 5.1(e)(iii), and
 - (ii) to cause a copy of the Returning Officer's report to be sent to each Synod Member.

5.2 Different terms of office

If, in an election for which a ballot is held in the manner set out in this Part, the persons to be elected are not required to serve the same term of office, the persons who receive the highest number of votes are to be declared to be elected for the longer terms of office.

5.3 Equality of votes

If in any ballot any 2 or more members receive an equality of votes making the result of the ballot doubtful, the ballot shall be subject to a recount. If, in the event of the votes still being equal, the office or offices in doubt are to be decided by lot in such manner as the President directs.”

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

P COLGAN
Chair of Committee

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 3 May 2021.

D GLYNN
Secretary of Synod

I Assent to this Ordinance.

P HAYWARD
Administrator of Sydney

03/05/2021