

**GRAFTON DIOCESAN GOVERNANCE ORDINANCE 2008  
AMENDING ORDINANCE (BISHOP'S ABSENCE) 2016  
Ordinance No. 20 of 2016**

An Ordinance to amend the Grafton Diocesan Governance Ordinance 2008 with regard to requirements in the absence of the Bishop.

**PREAMBLE**

**Whereas** the provisions for the Bishop of Grafton are contained within Chapter 5 of the Grafton Diocesan Governance Ordinance 2008; and

**Whereas** it is desirable to have the Ordinance amended;

**Therefore**, the Bishop, Clergy and Laity of the Diocese of Grafton, assembled as the Synod, decree and enact as follows:

**AMENDMENTS**

Commissary

1. Clause 19.2 of the subject Ordinance shall be amended by replacing the entire clause with:

“When so requested by the Bishop, the Commissary may exercise the powers and perform the functions vested in the Bishop under any Ordinance of the Diocese during the absence from duty of the Bishop due to leave, incapacity or otherwise, whether the Bishop is inside or outside the Diocese.”

2. Insert a new clause 19.3 with the following text:

“Where the Commissary is not a bishop, the Commissary shall not exercise any authorities, rights and powers belonging solely to the order of bishops.”

3. Insert a new clause 19.4 with the following text:

“Where the Bishop is unable through incapacity or absence to request the Commissary to act in accordance with clause 19.2, any two of the Commissary, the Chancellor and the Registrar shall confer with the Bishop-in-Council Executive who shall determine whether the Commissary should act in accordance with clause 19.2.”

4. Insert a new clause 19.5 with the following text:

“To the extent permitted by the Anglican Church of Australia Trust Property Act 1917 (‘the Act’), the person for the time being acting in the office of Commissary in accordance with 19.2 may exercise all the powers and functions and do and make all the things referred to in the Act in place of the Bishop.”

Administrator

5. Clause 20.1 shall be amended by replacing the entire clause with:

“During:

- (a) a vacancy in the office of Bishop; or
- (b) the absence from duty of the Bishop for a period exceeding 45 days due to leave, incapacity or otherwise, whether the Bishop is inside or outside the Diocese,

the Commissary shall be the Administrator of the Diocese and shall administer the affairs of the Diocese and shall exercise the authorities, powers, rights and duties conferred or imposed upon the Bishop.”

6. Clause 20.2 is amended by deleting the words “and shall administer the affairs of the Diocese”.
7. Insert a new clause 20.2A with the following text:

“Where the Administrator is not a bishop, the Administrator shall not exercise any authorities, rights and powers belonging solely to the order of bishops.”
8. Clause 20.3 shall be amended by replacing the entire clause with:

“During a period of vacancy in the office of Bishop, the Administrator’s stipend shall be that which would have been payable to the Bishop should a Bishop have been in place.”
9. Clause 20.4 shall be amended by replacing the entire clause with:

“To the extent permitted by the Anglican Church of Australia Trust Property Act 1917 (‘the Act’), the person for the time being acting in the office of Administrator in accordance with 20.1 may exercise all the powers and functions and do and make all the things referred to in the Act in place of the Bishop.”
10. Clause 20.5 shall be amended by replacing the entire clause with:

“For the purpose of this Ordinance, the order of seniority of the clergy shall be:

  - (a) the Commissary;
  - (b) the Diocesan Archdeacon;
  - (c) the Dean of the Cathedral;
  - (d) the other Archdeacons, if any, by order of their years in Holy Orders;
  - (e) clergy appointed with regional responsibility pursuant to clauses 70.3 and 70.4 of this Ordinance, by order of their years in Holy Orders;
  - (f) all other full time stipendiary Priests licensed in the Diocese, by order of their years in Holy Orders.”

#### **COMMENCEMENT**

11. This Ordinance shall come into effect upon receiving the assent of the Bishop.

#### **SHORT TITLE**

12. This Ordinance may be cited as the Bishop’s Absence Amending Ordinance 2016.

**ASSENT**

We hereby certify that this Ordinance was passed by Synod on the 18<sup>th</sup> day of June, 2016 and that the Ordinance as printed is in accordance with the Ordinance as passed.




Chairman of Committees



Registrar

I assent to this Ordinance.



Bishop



Date