

**The Grafton Bishopric and Administration Ordinance 1936 - 1986
Amending Ordinance No. 3, 1996**

No 9 of 1996

AN ORDINANCE

To amend the Grafton Bishopric and Administration Ordinance 1936- 1986 to provide for revised procedures in relation to the conduct of the Election Synod for the election of a Bishop of Grafton and other related matters.

PREAMBLE

WHEREAS it is desirable that the procedures in relation to the conduct of the Election Synod for the election of a Bishop of Grafton and other related matters should be revised.

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

SHORT TITLE

- 1(a) This Ordinance shall be cited as "The Grafton Bishopric and Administration 1936 - 1986, Amending Ordinance No. 3 1996.
- 1(b) The Grafton Bishopric and Administration Ordinance 1936 - 1986 is in this Ordinance referred to as the Principal Ordinance.
- 1(c) The Principal Ordinance as amended by this Ordinance shall be cited as The Grafton Bishopric and Administration Ordinance 1936 - 1996.

REPEAL

2. Sections 6 to 14 of The Grafton Bishopric and Administration Ordinance 1936 - 1976 are hereby repealed.

AMENDMENT

3. In Section 4(c) and in the last line of Section 5 of the Principal Ordinance the word "thirty" is hereby deleted and the word "sixty" substituted therefore.
4. The following Sections numbered 6 to 21 are hereby inserted:

BISHOP NOMINATION BOARD

6. There shall be a Bishop Nomination Board consisting of three members of the House of Clergy and three members of the House of Laity elected by members of Synod in accordance with the election procedure of Synod at the first session of every Synod. The Administrator of the Diocese shall be Chairperson of the Board ex officio.

NOMINATIONS

7. (a) Any member of Synod may after the summoning of the Election Synod and not later than thirty days before the Election Synod takes place nominate any one person of canonical fitness to be elected Bishop of the Diocese.
- (b) Such nomination, to be valid, shall be:
 - i) in writing in the form set out in the Schedule
 - ii) signed by the nominator and be accompanied by the consent in writing of five other members of Synod

- iii) delivered to the Registrar before 5.00pm on the last day for nominations
 - iv) each nomination shall be accompanied by a statement in writing of the relevant facts relating to the nominee.
- (c) i) The Registrar shall upon receipt of a valid nomination inform the nominee of such nomination and seek written consent for such nomination to proceed. If consent is not received within 14 days the nominee shall be deemed to have declined.
- ii) Upon receipt of such written consent (and not otherwise) the Registrar shall place the name of each nominee in alphabetical order upon a list of candidates.
- iii) The Registrar shall not later than 14 days before the Election Synod forward to each member of Synod the list of candidates accompanied by all relevant information as determined by the Board relating to the candidacy of the persons nominated.

FUNCTION OF THE BISHOP NOMINATION BOARD

8. (a) The Board shall accept material and meet and prepare a balanced and fair presentation of information relating to the person nominated. In preparation of the information the Board shall consider and if thought fit include such material as the Board shall deem appropriate.
- (b) The Board shall during the recess of the Synod and subject to any direction of Synod have power to determine any matter of procedure or matter of detail not prescribed by this Ordinance.
- (c) The Administrator may at any time and shall at the written request of five members thereof forthwith convene a meeting of the Bishop Nomination Board.

ELECTION PROCEDURE

9. A Synod Eucharist shall precede the Election Synod and before reception of Holy Communion members of Synod shall stand and pray together:
- "Recognising that the community of the Church in this Diocese has entrusted to us the great responsibility of electing a Bishop we earnestly seek God's will, we pray for grace to speak and act with wisdom and charity and with regard to the integrity of those whose names come before us."
10. Upon the Election Synod being duly constituted the President shall deliver his address during which he shall remind Synod members of the significance of their duties.
11. The President shall then read the alphabetical list of nominations and any person so nominated may thereupon withdraw from the list. No person whose name remains on the list of nominations after the opportunity for withdrawal shall take part in any further proceedings and shall vacate the Synod Chamber unless and until the person's name has been deleted from the list of nominations by way of ballot. If the President is nominated and the nomination is not withdrawn, the Synod shall elect another clerical member of Synod as its President (such member not being a person remaining on this list of nominations) and thereupon the President shall vacate the Chair and shall vacate the Synod Chamber.
12. (a) Synod shall immediately resolve itself into Committee of the Whole and receive such information as may be available concerning each candidate on the list of nominations and in particular shall receive the 'information' prepared by the Board referred to in Clause 8(a) hereof.
- (b) Each nominee shall be moved and seconded and members may speak to the motion. Following the carriage of a motion that a list of nominees be accepted, the Chairman reports to the President.
13. If the nominees on the list do not exceed six in number they shall form the Select List; if such nominees exceed six in number the following provisions shall apply:
- (a) Voting shall be by houses

- (b) The person who presides at Synod shall have a deliberative vote, but shall not have a casting vote.
- (c) The Secretaries of Synod shall furnish each member of Synod with a ballot paper containing the list of nominations in alphabetical order.
- (d) Each member shall place an 'X' against not more nor less than three candidates for whom the member wishes to vote.
- (e) The three names receiving the highest number of votes on the ballot papers of clerical members and the three names receiving the highest number of votes on the ballot papers of lay members shall form the Select List. In the event of two or more names having received an equal number of votes for third place, both or all of these shall be placed on the Select List.
- (f) When the number of candidates has been reduced to the Select List, the Synod may resolve itself into a Committee of the Whole to discuss further the candidates on the Select List - on the motion of the house duly carried that the Chairman shall then report to the President.

14. If the motion that Synod proceed to the election is carried in both houses, the following procedure shall apply:

- (a) The Secretaries of Synod shall furnish each member of Synod with the select list of nominations in alphabetical order, together with a ballot paper.
- (b) Each member shall vote by writing the name of his or her preferred candidate on the ballot paper.
- (c) If on the ballot, a candidate receives the votes of not less than two-thirds of the House of Clergy and not less than two-thirds of the House of Laity, the candidate is duly elected.
- (d) If on the ballot a candidate receives a majority of votes in each house, but less than two-thirds majority in one house, then all other names are deleted from the Select List and the Synod voting procedure set out in clause 14(g) shall apply.
- (e) When the number of candidates has been reduced to two, the Synod may resolve itself into a Committee of the Whole to discuss further the remaining candidates - on the motion of the house duly carried that the Chairman shall report progress and the Synod voting procedure set out in clause 14(f) shall apply.
- (f) If no candidate is elected, pursuant to sub-clauses (c) or (d), the candidate with the least total number of votes on the ballot shall be eliminated and the candidate with the least total number of votes on successive ballots shall be eliminated until one candidate remains.
- (g) The question is put "that (person whose name remains on the Select List) be elected Bishop of this Diocese? Each member shall vote by writing either "Yes" or "No" on the ballot paper. If a two-thirds majority of the formal votes cast in each order are "Yes", such person shall be declared to be duly elected.
- (h) If the two-thirds majority of each order is not received, the President shall submit the question "Shall Synod take further action in the election of a Bishop?" If the question is decided in the negative Synod shall be deemed to have been unable to elect; but if the question is decided in the affirmative synod may adjourn for a period not longer than three months. At the adjournment the provisions of this Ordinance for nomination and election shall apply.
- (i) The President shall forthwith notify a person duly elected Bishop of the Diocese of such election and seek acceptance of the office. The Bishop elect shall have thirty days in which to notify acceptance of the office, after which time the Bishop elect shall be deemed to have declined to accept office unless the time for acceptance is extended by the Administrator.

REFERRAL TO BISHOP-IN-COUNCIL

15. Should Synod decline to proceed to election or has been unable to elect, the question of election of a Bishop shall be referred to the Bishop-in-Council to nominate a person of Canonical fitness to be Bishop of the Diocese.
16. Any such nomination by the Bishop-in-Council shall be the subject of a ballot by the Election Synod on the question that the said nominee be elected Bishop of the Diocese. If two-thirds majority of members present of each Order votes in the affirmative, that nominee shall be declared to be duly elected.

CONFIRMATION BY PROVINCE

17. When any person shall be duly elected Bishop of the Diocese and consents to be appointed to that office, the President shall transmit the name of such person together with a Certificate of that person's election to the Metropolitan and after confirmation of the Metropolitan and Bishops of the Province shall have been received shall cause intimation of such election to be publicly made in the Cathedral Church and the parish churches of the diocese during the time of Divine Service on the Sunday next following.

OBJECTION

18. Any question touching the fitness of the person elected or the validity of the election proceedings shall be submitted to the Metropolitan before that person's consecration or if already consecrated, before the election be confirmed and after consecration or confirmation, as the case may be, no objection shall be admitted.
19. In the case of an election declared void or the person elected declines in writing or fails to accept office as Bishop of the Diocese or the Bishops of the Province fail to confirm, Synod shall proceed to further election in accordance with this Ordinance.

ENTHRONEMENT

20. Following Consecration or confirmation of the election, as the case may be, the Bishop elect shall be enthroned in the Cathedral Church of the Diocese.

DECLARATION

21. Every Bishop elect shall either before consecration or if already consecrated before being invested with Episcopal Authority sign and subscribe the following declaration:

'I, chosen Bishop of the Church and see of Grafton do promise that I will teach and maintain the doctrine and discipline of the Anglican Church of Australia as acknowledged and received by the Synod of the Diocese of Grafton, and I do solemnly and sincerely declare my assent to be bound by the Constitution of the Anglican Church of Australia and the Constitutions of the Province of New South Wales and of this Diocese and by the Canons, Statutes, Ordinances and Rules (however described) from time to time of the Synod of this Diocese and of the General Synod and the Provincial Synod which have force in this Diocese; and in consideration of being appointed Bishop of the said church and See of Grafton I do hereby undertake immediately to resign the said appointment with all rights and emoluments appertaining thereto if sentence requiring such resignation should at any time be passed upon me after due examination had by the Tribunal acknowledged by the said Synod for the trial of a Bishop saving all rights of appeal allowed by the said Synod.'

5. Sections 15 to 35 are hereby renumbered Sections 22 to 41 inclusive.

ASSENT

I hereby certify that the Ordinance as printed is in accordance with the Ordinance as passed.

.....
Chairman of Committees



I certify that this Ordinance was passed by the Synod on the eighteenth day of August, 1996.

.....
Registrar



I assent to this Ordinance.

.....
Bishop.

+ Bruce Grafton

SCHEDULE

NOMINATION

I,

of (address)

hereby nominate

who currently holds the following office

and whose present address is

for election by Synod as Bishop of Grafton.

.....
(Signed)

Qualifications as member of Synod

Nominator:

.....

NOTES: To be valid, this nomination must be accompanied by the consent in writing of five other members of Synod and must reach the Registrar before 5.00pm on the day of 19

The names of the five members of Synod who will provide written consent to the Registrar are as follows:

- 1. of (Parish)
- 2. of (Parish)
- 3. of (Parish)
- 4. of (Parish)
- 5. of (Parish)