

Appendix No. 19.

DETERMINATION I: GENERAL SYNOD, SESSION 1937.

(Made 22nd October, 1937.)

AMENDED RULES FOR THE ELECTION OF A PRIMATE.

Amend Determination VI, Session 1910, by omitting sections 4 and 5, and substituting therefor the following sections, together with a schedule to the Determination:—

4. All the Members of the House of Bishops, including any who may be temporarily absent from Australia, shall be summoned to a conclave for the election of the Primate, the conclave to be held in some Cathedral or Church convent and made available for the purpose, provided that any meeting that may be necessary or desired for discussion or in order to ascertain which of the Metropolitan is the choice of the Bishops for the office of Primate may be held in a convent hall or room.

The summons shall be issued by the Senior Bishop not earlier than one month, and not later than two months, after all the Metropolitan Sees are duly filled, and shall specify such date, time and Cathedral or Church for the holding of the conclave as the Senior Bishop thinks will make it most convenient for the largest number of the Bishops to attend.

The date specified shall not be earlier than three months or later than ten months after the date of the summons.

The summons shall be issued on the day of its date, and shall be sent by registered post to each Bishop at his usual address within his diocese.

5. The Senior Bishop shall enclose with each summons:

- (a) A ballot paper bearing the signature of the Senior Bishop and containing the names of the Metropolitan arranged in the alphabetical order of the names of their Sees; and
- (b) A notice that, if any Bishop believes that he will be unable to be present at the conclave, he may record his vote by post, provided that the vote is received by the Senior Bishop before the close of the ballot.

If the summons with the ballot paper and notice is duly posted to, but is not received by any Bishop, the validity of any proceedings under this Determination shall not be affected.

6. The conclave shall begin with a celebration of Holy Communion, the Senior Bishop being the celebrant. At the conclusion of the service the Senior Bishop shall enquire of the Bishops whether it is desired that a meeting for dis-

ussion should be held. If a meeting is not desired by at least three Bishops, the Bishops shall at once proceed to record their votes.

If a meeting is required there shall be an adjournment to a convenient hall for such discussion as may be necessary. When the conclave has re-assembled in the Church, the Bishops shall proceed to record their votes. A secret ballot shall be taken in order to ascertain which of the Metropolitan is the choice of the Bishops for the office of Primate, the choice being ascertained in accordance with the system of preferential voting prescribed by this Determination, and on the votes recorded by post as well as on the votes recorded personally at the conclave, but only those of the Bishops present who have not recorded their votes by post being entitled to vote personally at the conclave.

The Metropolitan shall not take part in the meeting for discussion or in the secret ballot.

7. Each Bishop, whether recording his vote by post or personally at the conclave, shall mark his preference on the ballot paper by placing the figure "1" opposite the name of the Metropolitan for whom he desires to give his first preference, and shall mark contingent preferences for all the remaining Metropolitan by placing the figures "2," "3," "4," and so on, as the case may require, opposite the names of such Metropolitan respectively, so as to indicate by numerical sequence the order of his preference for them.

8. Each Bishop recording his vote by post shall, after marking his ballot paper, place it in an envelope marked "Election of Primate," fasten the envelope, enclose the envelope in a letter addressed by him to the Senior Bishop, and send the letter and enclosure by registered post or cause them to be so sent to the Senior Bishop.

9. Each Bishop recording his vote personally at the conclave shall, after marking his ballot paper, fold it so that his vote is concealed, and place the folded ballot paper in the ballot box.

10. A ballot paper shall be informal—

- (a) If it does not bear the signature of the Senior Bishop; or
- (b) If it does not indicate the first preference for one Metropolitan and the consecutive preferences for the remaining Metropolitan.

11. As soon as may be convenient after the ballot is closed the Senior Bishop, together with the Bishop next in seniority to him present at the conclave, shall proceed to ascertain the choice of the Bishops in accordance with the rules set out in the schedule to this Declaration.

12. After the Senior Bishop has declared the choice of the Bishops on the result of the ballot, the conclave shall, in the Cathedral or Church, proceed in fit and solemn manner to the election of the Primate, but no Metropolitan who has

not been duly ascertained to be the choice of the Bishops as prescribed by this Determination shall be eligible for election. After the election the Te Deum or other suitable hymn shall be said or sung and the Primate shall pronounce the Blessing.

13. The rules set out in the Schedule to this Determination shall apply to and in respect of any election of a Primate.

14. In this Determination and in the Schedule hereto, unless the context otherwise indicates:—
"Metropolitan" means a Metropolitan Bishop eligible for election as Primate.

"Senior Bishop" means the Bishop not being a Metropolitan who is Senior by Consecration and includes the Bishop next in seniority where the Senior Bishop is unable to act.

SCHEDULE.

1. The Senior Bishop, together with the Bishop next in seniority to him present at the conclave, shall examine the ballot papers, and after the Senior Bishop has rejected the informal ballot papers, if any, shall count the total number of first preferences recorded on the valid ballot papers for each Metropolitan.

If as the result of this count any Metropolitan has received an absolute majority of first preference votes, he shall be the choice of the Bishops. If no Metropolitan has received an absolute majority of first preference votes, a second count shall be made, but before this is done, the Metropolitans shall be arranged on a list (in these rules referred to as "the order of preferences") in the order of the number of first preferences recorded for each Metropolitan, beginning with the one for whom the greatest number of first preferences is recorded.

If the number of first preferences recorded for any two or more Metropolitans is equal, they shall, as between themselves, be arranged on the order of preferences in the order of the second preferences recorded for each of them, beginning with the Metropolitan for whom the greatest number of second preferences is recorded, but if the first and second preferences for each of them is equal they shall, as between themselves, be arranged in like manner in the order of the third preferences recorded for each of them, and a like process, if necessary, shall be followed until all the Metropolitans are duly arranged on the order of preferences, provided that if the number of first, second, third and all other preferences recorded for any two or more of the Metropolitans for whom the number of first preferences recorded is equal, the Senior Bishop shall determine by lot the order in which such Metropolitans are to be arranged in the Order of preferences.

2. On the second count the Metropolitan who has received the fewest number of first preference votes shall be excluded, and each ballot paper counted to him shall be

counted to the Metropolitan next in order of the voter's preference.

If a Metropolitan then has an absolute majority of votes, he shall be the choice of the Bishops; but if no Metropolitan has an absolute majority of votes, the process of excluding the Metropolitan who has the fewest votes, and counting his ballot papers to the continuing Metropolitan next in order of the voter's preference shall be repeated until one Metropolitan has received an absolute majority of votes.

The Metropolitan who has received an absolute majority of votes shall be the choice of the Bishops.

3. Where as the result of the counting two Metropolitans only remain unexcluded, and each is credited with an equal number of votes, one of them shall be excluded in accordance with rule four of this Schedule, and the other shall be the choice of the Bishops.

4. Where a Metropolitan has to be excluded at any count and two or more Metropolitans have an equal number of votes, such number being the fewest, regard shall be had to the total number of original votes credited to each of those Metropolitans, and the Metropolitan with the fewest such total number shall be excluded.

Where such total numbers of original votes are equal, regard shall be had to the total number of votes credited to each of those Metropolitans at the earliest count at which they had an unequal number of votes, and the Metropolitan with the fewest such total number at that count shall be excluded.

Where those Metropolitans had an equal number of votes at all counts, the one of them who is lowest on the order of preferences shall be excluded.

5. In this Schedule:—

"An absolute majority of votes" means a greater number than one-half of the whole number of ballot papers counted.

"Continuing Metropolitan" means a Metropolitan not already excluded at the count.

"Original vote" in regard to any Metropolitan means a vote derived from a ballot paper on which a first preference is recorded for that Metropolitan.

"Determine by lot" means determine in accordance with the following directions, that is to say, the names of the Metropolitans concerned having been written on similar slips of paper, and the slips having been folded so as to prevent identification and mixed and drawn at random, the Metropolitans concerned shall, as amongst themselves, be arranged in the order of preferences in the order in which the slips containing names are drawn, beginning with the Metropolitan whose name is on the slip drawn first.

We hereby certify that the foregoing Determination was