

The Synod and Synodal Elections Ordinance, 1938

AN ORDINANCE.

To determine the constitution of the Synod of the Diocese of Grafton; to regulate the procedure relating to elections in Synod and for other purposes connected therewith.

The Synod of the Diocese of Grafton in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales, ordains and rules as follows:—

SHORT TITLE.

1. This Ordinance may be cited as "The Synod and Synodal Elections Ordinance, 1938."

REPEAL.

2. The Ordinances mentioned in the Schedule hereto shall be and hereby are repealed. Provided, however, that all persons appointed or elected to any office under the provisions of the hereby repealed Ordinance shall remain in office as if this Ordinance had been in force at the time they were appointed or elected and they had been appointed or elected hereunder.

▲ CONSTITUTION OF SYNOD.

3. The Synod shall be constituted in accordance with the Church of England Constitutions Act Amendment Act 1902 and shall consist of the Bishop and the licensed Clergy of the Diocese and the Chancellor and the Treasurer and the Registrar of the Diocese and of certain Lay Representatives elected or appointed under the provisions of the Constitutions Act of 1902 and of the Parochial Ordinance 1936. Provided that any Priest working temporarily in the Diocese, but not licensed, may be permitted to be present and to address the Synod, but not to vote therein.

4. Each Synod shall continue for a period of three years from the date named for a general election in the Bishop's mandate ordering the election. Provided that the Bishop may, with the concurrence of the Synod, dissolve the Synod at any time during the said period of three years.

5. Within three months after every dissolution of Synod by effluxion of time or otherwise a general election of Lay Representatives shall take place.

6. Nominations of persons to serve on Councils or Committees directed by Ordinance to be elected by Synod shall be delivered to the Secretaries of Synod not later (unless

otherwise ordered) than 5 p.m. on the first day of each Session of Synod. Every nomination so made shall be signed by the proposer and second, one of whom shall certify that the person nominated has consented to nomination.

7. Forthwith, after the receipt of nominations the Secretaries shall cause to be prepared lists of the names of the persons nominated and the positions for which they are nominated and shall cause such lists to be exhibited conspicuously in the Synod Hall up till the time of election.

8. In the case of any office being created during a Session of Synod the time for receiving nominations and for the taking of the ballot shall be fixed by the President.

PERSONS NOMINATED TO BE DECLARED ELECTED UNLESS IN EXCESS OF REQUISITE NUMBER.

9. If the number of persons nominated be not more than the number of persons to be elected, the persons nominated shall be declared duly elected, and any vacancy or vacancies then existing shall be filled by the Bishop-in-Council.

BALLOTS.

10. Whenever a Ballot is required and no other provision has been made the President shall appoint as Scrutineers two Clergymen and two Laymen who shall furnish every member with a ballot paper containing the names of the candidates for election. Each member shall strike out the names of the candidates for whom he does not wish to vote and shall place his ballot paper in the proper ballot box in the presence of the Scrutineers. The Clergy shall put their papers into the box under the charge of the Lay Scrutineers and the Lay Members shall put their papers into the box under the charge of the Clerical Scrutineers and the respective Scrutineers shall mark off on lists held by them the name of every member as he records his vote. When the ballot is closed the whole of the votes shall be counted by all the Scrutineers together and the result reported to the President. Any ballot paper containing more or less names not struck out than the number to be elected shall be informal. The persons who shall have received the largest number of votes shall be declared elected.

EQUALITY OF VOTES.

11. Where at any election two or more nominees have received an equal number of votes, the Scrutineers shall report the result to the President who shall thereupon give his casting vote.

12. After every election all ballot papers, including all those ballot papers which have been rejected as informal, shall by the Scrutineers be placed in a sealed packet and deposited at the Bishop's Registry for safe keeping until the same shall be required by the Elections and Qualifications Committee. If within the period of fourteen days following the day of hold-

ing any election the ballot papers be not applied for or required by the Elections and Qualifications Committee the Registrar shall then forthwith cause the sealed packet containing all used and rejected ballot papers to be destroyed by fire without the said packet being unsealed.

IF NO ELECTION OCCUPANTS OF OFFICE TO CONTINUE.

13. In the event from any cause whatsoever of any election not being held at the time or in the manner directed by Ordinance or Resolution of Synod, the person or persons, if any, then occupying such office or offices, shall continue to perform the duties pertaining thereto until a successor or successors shall have been duly elected or appointed in accordance with the provisions of this Ordinance.

14. All matters affecting the validity of any election held or of any vote taken under this Ordinance shall be referred to the "Elections and Qualifications Committee" appointed under the Standing Orders of Synod. Provided that no question as to the validity of any election or of any vote taken shall be raised unless so raised within seven days of the holding of such election or of the declaration of the result thereof.

NOT TO APPLY TO APPOINTMENT OF BISHOP.

15. Nothing in this Ordinance shall be held to apply to any Ordinance relating to the appointment of the Bishop.

SCHEDULE.

Date of Ordinance	Title of Ordinance	Extent of Repeal
1914	Synodal Elections Ordinance	The Whole
1916	Synodal Elections Amendment Ordinance	The Whole