

BISHOP-IN-COUNCIL ORDINANCE, 1934

AN ORDINANCE

To amend the law in relation to the Bishop-in-Council and to make provision for the appointment of certain officers in connection therewith.

PREAMBLE.

Whereas it is expedient to make better provision for the conduct of the temporal affairs of the Diocese. Be it therefore enacted by the Bishop, Clergy and Laity of the Diocese of Grafton in Synod assembled, as follows, that is to say:—

SHORT TITLE.

1. This Ordinance may be cited as the Bishop-in-Council Ordinance, 1934.

DECLARATION.

2. All acts matters and things done or commenced by the Diocesan Council in pursuance of the powers conferred upon it by the Diocesan Council Ordinance 1914 and the Delegation of Powers Ordinance 1918 and all acts and appointments done or made or purporting to be done or made by the said Council under the provisions of any Synodical Ordinance are hereby validated and confirmed.

REPEALS.

3. The Ordinances mentioned in the Schedule to this Ordinance are hereby repealed, but notwithstanding the said repeal the present members of the Council shall be and continue members of the Council hereinafter constituted subject to the provisions of this Ordinance.

THE NAME OF THE COUNCIL.

4. The name Bishop-in-Council shall be substituted and read in all Ordinances Acts deeds and other instruments now in force or in existence for and instead of the name Diocesan Council whenever occurring in any such Ordinance Act grant deed or other instrument.

FORMATION OF COUNCIL.

5. In matters pertaining to the temporal affairs of the Church the Bishop shall be assisted by a Council to be constituted as hereinafter provided, and in all such matters he shall act with the consent of the said Council.

DEFINITIONS.

6. In this Ordinance the terms "Bishop", "Council", and "Bishop-in-Council", shall throughout bear the following meanings—

- (a) "Bishop" shall mean the Bishop of the Diocese for the time being or in his absence a commissary appointed by him or in the case of the vacancy of the See the Administrator of the Diocese.
- (b) The "Council" shall mean the advisors of the Bishop whether elected or appointed as hereinafter provided.
- (c) The "Bishop-in-Council", shall mean the Bishop and the Council acting together in the temporal affairs of the Diocese.

CONSTITUTION.

7. The Council shall consist of—
The Administrator of the Diocese.
The Archdeacons of the Diocese.
The Treasurer of the Diocese.

The Registrar of the Diocese.

The Chairman of Committees of Synod (ex-officio) and thirteen other members to be elected or appointed as hereinafter provided.

ELECTION OF MEMBERS.

8. The Synod shall at the first session of each successive Synod elect from among its members five clergymen and five laymen to be members of the Council.

APPOINTMENT OF MEMBERS.

9. The Bishop after the elections by Synod as aforesaid shall within one month appoint three persons members of Synod to be members of the Council.

DURATION OF OFFICE.

10. The members of the Council elected or appointed shall hold office until the election or appointment of their successors, except as hereinafter provided.

11. The Bishop may remove any member appointed by him and shall fill up all vacancies however caused in the number of appointed members.

12. Any member of the Council may by writing under his hand addressed to the Bishop resign his office. Nevertheless any elected member who absents himself from three consecutive meetings of the Council shall be deemed to have resigned unless sufficient reason be shown for such absence.

13. The Council shall during the recess of Synod fill up all vacancies however caused in the number of elected members.

14. No vacancy or vacancies in the members ex-officio or in the elected or appointed members shall from any reason whatever affect the validity of the proceedings of the Council and which notwithstanding such vacancy or vacancies shall be deemed to be a properly constituted Council under this Ordinance.

15. The Council shall be convened by the Bishop and shall meet four times a year at least or oftener at the discretion of the Bishop. No business may be brought before the Bishop-in-Council except with the consent of the Bishop or by direction of Synod.

16. Seven members of the Council shall form a quorum.

17. The Council may make rules and regulations for the conduct of its business.

DUTIES OF BISHOP-IN-COUNCIL.

18. It shall be the duty of the Bishop-in-Council—

- (a) To discharge such of the powers and functions as have been or shall hereafter be delegated to it under the provisions of any Synodical Ordinance under the provisions of the Church of England Trust Property Act 1917.

and duties except those relating to acts and things done under the provisions of the Church Property Ordinance. Such delegation of powers may be made with or without the consent of the Council, but the powers so delegated shall be strictly defined and shall be revocable by the Bishop-in-Chief at pleasure.

INTERESTED MEMBER.

26. No member of the Council shall be present during any discussion or decision of any question not under section (a) in which he or his parish or parochial district is interested unless he be specially requested to be present by the Council.

DATE OF COMMENCEMENT.

27. This Ordinance shall come into force immediately after the Bishop signifying his assent thereto.

SCHEDULE.

Date of Ordinance.	Ex- Re
1914 Diocesan Council Ordinance.	The
1915 Diocesan Council Amendment Ordinance.	The
1921 Diocesan Council Amendment Ordinance.	The
1926 Diocesan Council Amendment Ordinance.	The

We hereby certify that this Ordinance was passed by the Synod of the Diocese of Grafton on the 25th day of September 1934.

W. S. DUTTON, Clerical Secretary.
I. C. DIGHT, Lay Secretary.

I assent to this Ordinance,

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