

**GRAFTON DIOCESAN GOVERNANCE ORDINANCE 2008
AMENDING ORDINANCE (BISHOP - RESIGNATION AND ELECTION) 2019
Ordinance No. 6 of 2019**

An Ordinance to amend the Grafton Diocesan Governance Ordinance 2008 with regard to the processes to be employed upon vacancy of the See and for the election of a new Bishop of Grafton.

PREAMBLE

Whereas the arrangements relevant upon vacancy of the See and to be employed for the election of a new Bishop of Grafton are principally contained within Chapter 6 of the Grafton Diocesan Governance Ordinance 2008; and

Whereas it is desirable to have the Ordinance amended with respect to the arrangements relevant upon vacancy of the See and to be employed for the election of a new Bishop of Grafton;

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

AMENDMENTS

That the Grafton Diocesan Governance Ordinance 2008 be amended as follows:

1. In sub-clause 23.1(a), replace "Office" with "office".
2. In sub-clause 23.1(d), delete the phrase ", reprinted as the Sixth Schedule to this Ordinance" and delete the Sixth Schedule.
3. Clause 23.2 to become "For the purposes of holding a Discernment Synod, for the forming of the Bishop Appointment Board and for the actions of the Bishop Appointment Board, and for no other purpose, any vacancy occurring under clause 23.1(a) shall be deemed to have occurred six months before the date of the completion of the Bishop's term in office and any vacancy under clause 23.1(b) shall be deemed to have occurred as from the date of the receipt of the letter by the Metropolitan."
4. In place of clause 23A.1, a clause 23.3 which reads "Upon a vacancy of the See, the See Finance and Information Canon 1966 of General Synod applies and the Administrator shall ensure that each requirement of that Canon is considered and reported within two months of the vacancy."
5. In clause 24.1, delete the phrase "of the Province of New South Wales,".
6. In clause 24.2, replace the words "within the" with "no later than".
7. Delete clause 25.1.
8. Replace the subject header immediately preceding clause 26.1 with "Discernment Synod".
9. In clause 26.1, replace "special session of Synod (Discernment Synod)" with "Discernment Synod".
10. In clause 26.1, delete the phrase "for the purpose of discerning the qualities sought in the person desired to fill the vacancy".

11. In clause 26.2, replace the words "who shall" with "to" and delete the words "procedure for".
12. In clause 26.3, insert the words "and answer questions" immediately before "on the role of a Diocesan Bishop" and delete the sentence "The President shall invite such person to address the Synod and may invite questions of the speaker."
13. In clause 26.4, replace the phrase "A Synod Eucharist shall precede the Discernment Synod" with "The Discernment Synod shall commence with a Eucharist".
14. In clause 26.7, insert the words "and the President may choose to remain in the chair at this time or ask the Chair of Committees to chair the deliberations of the Committee-of-the-Whole" immediately following the word "resolves"
15. For the subject header immediately preceding clause 27.1, insert the words "Bishop Appointment" immediately before the word "Board" and "(BAB)" immediately following the word "Board".
16. In clause 27.1, replace both instances of the words "9 members" with "6 members".
17. In clause 27.1, replace "(the Board)" with "(the BAB)" and replace all subsequent references to "Board" in Chapter 6 with "BAB" except where they appear in subject headings.
18. Clause 27.3 to become "The election process for members of the BAB shall be conducted in accordance with clauses 24, 25 and 26 of the Standing Orders of Synod."
19. Delete clauses 27.4, 27.5, 27.6, 27.7 and 27.8.
20. For the subject header immediately preceding clause 28.1, insert the words "Bishop Appointment" immediately before the word "Board".
21. In Clause 28.1, delete the word "or" in sub-clause (c) and insert the following as sub-clauses immediately following sub-clause (c) and re-number accordingly:
 - (d) if the member is ineligible to hold office in the Anglican Church arising from a professional standards determination;
 - (e) if the member is removed from the BAB, in accordance with clause 28.2; or"
22. Clause 28.2 to become "If the BAB resolves that one of its members is acting in a manner not conducive to the protocols of the BAB, the Administrator may, after consultation with that member, cease their membership of the BAB."
23. Clause 28.3 to become "A vacancy on the BAB shall be filled by a clerical or lay person, as the case requires, at the discretion of the Bishop-in-Council which shall make every endeavor to make such appointments from those synod members who were present at the Discernment Synod."
24. For the subject header immediately preceding clause 29.1, insert the words "for Bishop" immediately after the word "Nominations".
25. In clause 29.1, replace "after conclusion of the Discernment Synod and not later than 45 days thereafter" with "not later than 45 days after the conclusion of the Discernment Synod".
26. In clause 29.2, delete sub-clauses (d) and (e) and insert the words "with acknowledgement that they have the permission of the nominee to make the nomination," after the word "nominator" in sub-clause (b).
27. Replace the subject header immediately preceding clause 30.1 with the words "Administrator and the Bishop Appointment Board".

28. Clause 30.1 to become "As soon as practicable after the closing of the Discernment Synod, the Administrator shall convene the BAB."
29. Replace the subject header immediately preceding clause 31.1 with the words "Procedures of the Bishop Appointment Board".
30. Insert a new clause 31.1A following clause 31.1. which reads "In consultation with the Registrar, the BAB may incur reasonable expenses in executing its role."
31. Clause 31.4 to become "Voting with regard to the procedures and actions of the BAB may be conducted in any way that the BAB sees fit. However, any vote to confirm who the BAB has selected as Bishop of Grafton shall take place by secret ballot."
32. In clause 31.5, replace the words "declared Bishop of Grafton until" with "nominated as Bishop of Grafton to the Metropolitan unless".
33. In clause 32.1, replace the phrase "the Safe Ministry Check in accordance with the Fifth Schedule of this Ordinance" with "a Safe Ministry Check in a form that would be required for the appointment of clergy in the Diocese".
34. In clause 33.1 replace "shall cause to be made all inquiries necessary to" with "shall cause all inquiries to be made as necessary to".
35. In clause 33.2 replace "shall cause to be obtained a criminal history check and a current Working with Children's Check" with "shall cause a criminal history check and a current Working with Children's Check to be obtained".
36. Clause 33.4 to become "The result of any BAB ballot to select a Bishop of Grafton that is conducted prior to completion of the checks required under clauses 33.1 and 33.2 is conditional upon the outcome of those checks."
37. For the subject header immediately preceding clause 34.1, insert the words "Bishop Appointment" immediately before the word "Board".
38. Clause 35.1 to become "The Administrator, upon receiving the advice of the BAB that a suitable person has been elected as Bishop of Grafton in accordance with the provisions of this Ordinance, shall convey this election to the Metropolitan in accordance with the Provincial Ordinance for the Confirmation of Bishop's Elections (NSW) 1965."
39. Amend clause 38.1 by replacing the word 'appoint' with 'elect' and the word 'appointment' with 'election' and in the heading proceeding clause 38.1 replace the word 'appoint' with 'elect'.
40. For the subject headers immediately preceding both clause 37A.1 and 38.1, insert the words "Bishop Appointment" immediately before the word "Board".
41. In clause 38.2, replace the words "If within the first six months after its election any Board, by resolution passed by 4 clergy members and 4 lay members, agrees that it is unable to further consider any of the nominations it has remaining before it, the Chair of the Board shall report such to Bishop-in-Council who will by resolution determine:" with the words "Any BAB may, by resolution passed by 4 clergy members and 4 lay members, agree that it is unable to further consider any of the nominations it has remaining before it, and the Chair of the BAB shall report such to Bishop-in-Council who will by resolution determine:"
42. In clause 38.3 replace the words "up until 5.00pm on the next business day after thirty-three days from the date of the issue of such notification" with the words "during a period as resolved by Bishop-in-Council, such period being not less than 30 days from the issue of the notification by the Administrator".

43. Amend the Third Schedule as follows:

- a. Insert the words "having received their explicit permission to be nominated," immediately prior to the words "hereby nominate";
- b. Move the writing space immediately following the words "hereby nominate" to the next line and precede this space with the words "(nominee's name)"; and
- c. Replace the words "accompanied by a statement in writing of the relevant facts relating to the nominee and reach" with the words "received by".

44. Amend the Fourth Schedule as follows:

- a. Insert immediately following the words "(date of birth)", the words "holding the office of" followed by a new line with writing space concluded by the words "and residing at" and then followed by another new line with writing space concluded by the words "residential address";
- b. Increase the space below item 2 to create a gap of 2.5 cm between item 2 and item 3;
- c. Amend item 4, by replacing "current Working with Children's Check" with "current NSW Working with Children Check (or relevant equivalent)";
- d. Insert a new statement after item 5, numbered as 6 and reading "I declare that I can satisfy "Canonical fitness" as defined in section 74 (1) of The Constitution of the Anglican Church of Australia." and renumber 6 as 7.

45. Delete the Seventh Schedule.

COMMENCEMENT

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

SHORT TITLE

47. This Ordinance may be cited as the Bishop Election Amending Ordinance 2019.

ASSENT

We hereby certify that this Ordinance was passed by Synod on the 22nd day of June, 2019 and that the Ordinance as printed is in accordance with the Ordinance as passed.



Chair of Committees



Registrar

I assent to this Ordinance.



Bishop



Date