







## **ORDINANCES REPEALED**

Grafton Bishopric and Administration Ordinance 1936 -1996

The Synod Ordinance 1972 - 1999

The Bishop-in-Council Ordinance 1934 - 1991

Parochial Ordinance 1969 – 2001

Licensed Lay Minister's Ordinance 2005

The Church Trust Property Ordinance 1934 - 1999

Diocesan Property Board Ordinance 1991

Cathedral Ordinance 1972 - 2001

Grafton Diocese Investment Fund Ordinance 1996

Records and Archives Ordinance 2000

## CHAPTER 1 - SHORT TITLE

### Short Title

- 1.1 This Ordinance may be cited as the Grafton Diocesan Governance Ordinance 2008.

## CHAPTER 2 - PREAMBLE

### Fundamental Declarations and Ruling Principles

- 2.1 The Synod is mindful of the status of the Diocese as a member Diocese of the Anglican Church of Australia and affirms the Fundamental Declarations and Ruling Principles outlined in the Constitution of the Anglican Church of Australia.
- 2.2 The Synod acknowledges that the Church, which is God's, finds its expression in the world through people and organisations. In enacting this Ordinance, Synod, by providing structures, processes and procedures which give life and purpose to the community of faith, seeks to reflect the openness of God to a changing world.
- 2.3 It is the intention of Synod that all that is done pursuant to this Ordinance is done to the glory of the triune God, and for the building up of God's kingdom.

### Objectives

- 3.1 In enacting this Ordinance, Synod seeks to establish a system of governance of the affairs of the Church in the Diocese that is
- (a) flexible, to permit the Church to work in new ways to meet the differing needs of different parts of the Diocese, the differing needs of the different groups of people within the Diocese and differing needs at different times;
  - (b) responsive, to enable the Church to respond to new opportunities for outreach and mission;
  - (c) responsible, to ensure that those who direct the affairs of the institutions of the Diocese are accountable for their stewardship; and
  - (d) Anglican, reflecting the Episcopal nature of our Church, our commonality with the World Wide communion and, Anglican tradition and practice.









- 4.49 **Separate Trustee** means any trustee or trustees or body of trustees, whether incorporated or not, other than The Corporate Trustees or the Bishop.
- 4.50 **session** means a meeting of the Synod convened by the Bishop.
- 4.51 **sitting** means a meeting of the Synod on the day on which Synod is convened or on a subsequent day of that session.
- 4.52 **Stipendiary Lay Minister** means a minister appointed pursuant to chapter thirteen of this ordinance
- 4.53 **Synod** means the Synod of the Diocese.
- 4.54 **Synod Representative** means a person elected by a Ministry Unit at an Annual General Meeting to represent that Ministry Unit at Synod.
- 4.55 **the Clerk** means the Clerk of Committees of the Synod.
- 4.56 **the President** means the President of the Synod.



## CHAPTER 5 – BISHOP

### Mission and Ministry

- 7.1 The Bishop's Mission and Ministry as Ordinary and Chief Pastor of the Diocese includes–
- (a) spiritual and episcopal leadership, oversight and vision;
  - (b) leading in a way that is personal, collegial and communal;
  - (c) supporting the initiatives of Synod and Bishop-in-Council; and
  - (d) consulting and acting cooperatively with Synod and Bishop-in-Council on matters temporal.
- 7.2 The Bishop's exercise of authority and responsibility is guided by the traditional rights, roles and responsibilities of an Anglican Diocesan Bishop, as set out in the Ordinal, and is subject to the laws of the Church
- 7.3 The Bishop shall exercise episcopal authority and responsibility in matters spiritual concerning Ordinations, Confirmation, Dispensations, Licensing and similar and related matters and may take counsel of any type on such matters. In matters temporal the Bishop shall exercise episcopal authority and responsibility only after due and appropriate consultation, in particular with senior clergy and lay leaders or, where this Ordinance so requires, with the relevant Diocesan body and in accordance with the relevant procedures.
- 7.4 The Bishop, in the role of Ordinary and Chief Pastor of the Diocese–
- (a) is pastor to the clergy;
  - (b) is responsible for the spiritual and ministry directions of the Diocese;
  - (c) approves or licenses all ministers, ministries and places of worship within the Diocese;
  - (d) is responsible for the Church work within a Parish or other Ministry Unit during any vacancy in the office of Rector, Priest-in-Charge or Chaplain;
  - (e) has full and free access to all places used for public Anglican worship in the Diocese;
  - (f) is entitled to attend all general meetings of members of Ministry Units; and
  - (g) may convene general meetings of members of Ministry Units.
- 7.5 The Bishop, in the role of President and Chair of Synod, Chair of Bishop-in-Council and The Corporate Trustees of the Diocese of Grafton is responsible for providing leadership in the work of the Diocese.

### Prerogative Powers of the Bishop

- 8.1 Without limiting the generality of the foregoing the Bishop shall have the powers as are hereinafter mentioned:
- (a) the Ordination of clergy as provided for by the rites, traditions, practices and the Safe Ministry Policy of the Anglican Church of Australia;
  - (b) the granting and revoking of licences to Clergy to officiate in the Diocese subject to any Ordinances regulating the same;
  - (c) the exercise of all such powers of an Ordinary as are created or instituted either expressly or by implication by the provisions of the Book of Common Prayer and by forms of service agreed to by General Synod and authorised by Synod for use in this Diocese and the power to put forth or sanction additional services and to adapt the services in the said book and forms of service and to direct or sanction the use of additional prayers; provided that such additional services or prayers shall be subject to such limitations as may be imposed by General Synod or other lawful authority and shall not affect the doctrinal teaching or value of the services contained in the said book and forms of service, and provided always that in case any manner of question or dispute shall arise touching the nature of such doctrinal

- teaching contained in such adaptation or additional service an appeal shall lie to the tribunals established under the Constitution of the Diocese and under the Constitution of the Anglican Church of Australia;
- (d) the approval of plans for the erection of Churches and other buildings used for the purpose of public worship to be erected on any site vested in The Corporate Trustees of the Diocese of Grafton or in any other person or persons upon trust for the benefit of the Anglican Church of Australia; and
  - (e) the granting of permission or the issue of Faculties for alterations in or additions to or the rebuilding or enlargement of any Church or other building used for the purpose of public worship erected on any site so vested as aforesaid; and for the installation of furniture, display screens, data projection units and furnishings, musical instruments, public address systems or other means of amplification and emission of sound for the purpose of or in connection with public worship therein.

### **Resignation and Election**

- 9.1 The procedures for the resignation and election of a Bishop are set out in Chapter 6.

### **Consecration and Installation**

- 10.1 Where following election the Bishop-elect is not a Bishop and the election has been confirmed, the Bishop-elect must be Consecrated in accordance with the Consecration of Bishops Canon 1966 of General Synod.
- 10.2 The Administrator of the Diocese is responsible for taking the steps required to effect the Consecration of the Bishop-elect.
- 10.3 When the Bishop-elect has been Consecrated (if Consecration is necessary), the Bishop-elect is Installed in the Cathedral.
- 10.4 The Installation is carried out by the Administrator of the Diocese.
- 10.5 The Bishop-elect must make the Declaration set out in clause 38.1 of this Ordinance.
- 10.6 The Bishop-elect, having been duly Installed in accordance with this clause, becomes for all purposes the Bishop of the Diocese of Grafton and successor to the last preceding Bishop of the Diocese of Grafton.
- 10.7 If the Administrator of the Diocese is the Bishop-elect, the duties of the Administrator under this section are to be carried out by the next most senior member of the clergy as set out in 20:5 and this appointment remains in place until a meeting of the Bishop in Council is able to appoint an Administrator who is a licensed and active Priest or Bishop from within or from outside the Diocese.

### **Conditions of Service**

- 11.1 The Grafton property consisting of the residence and grounds known as Bishopsholme shall be the official residence of the Bishop of the Diocese of Grafton unless a resolution of Synod or Bishop-in-Council shall determine otherwise. Bishopsholme shall be managed and maintained by The Corporate Trustees of the Diocese of Grafton and the Diocese shall provide, from the Grafton Bishopric Endowment Fund, to The Corporate Trustees such sum or sums of money as may from time to time be required to pay rates and taxes thereon and the costs of all maintenance and repairs to the property.

- 11.2 The Bishop is entitled to annual leave for a total of 28 days in each calendar year, including four Sundays, and sick leave for a total of 14 days in each calendar year, including two Sundays. This sick leave may accumulate to 28 days.
- 11.3 Annual leave should be taken within the year following its accrual and in no case shall it accrue to a balance exceeding 56 days without the express approval of Bishop-in-Council.
- 11.4 Other conditions of service of the Bishop, including stipend and allowances, are as determined by Bishop-in-Council meeting without the Bishop.

### **Tenure and Review**

- 12.1 The appointment of the Bishop of the Diocese of Grafton shall be for a period of ten years or until the Bishop's seventieth birthday, whichever shall come first, and for such extended period or periods, not exceeding three years, as may be determined from time to time by the Bishop's Tenure Review Committee as constituted under clause 12.2 of this Ordinance provided that in no event shall the tenure of the Bishop extend beyond the Bishop attaining the age of 70 years.
- 12.2 A Bishop's Tenure Review Committee shall be constituted as follows:
- (a) The Metropolitan of the Province of New South Wales or the Metropolitan's nominee. This nominee must be in Episcopal Orders;
  - (b) A person nominated by the Bishop of Grafton; and
  - (c) One cleric and one lay person elected by the First Session of the Synod of the Diocese held immediately prior to the tenth year of the Bishop's tenure and then at each subsequent first session of the Synod.
- 12.3 The Metropolitan or his or her nominee shall be the Chair of the Bishop's Tenure Review Committee and shall have both a deliberative and a casting vote.
- 12.4 Subject to clause 12.1 during the first six months of the last year of any period of the tenure of the Bishop, including any extension, the Bishop's Tenure Review Committee shall meet to determine whether the tenure shall be extended by a further period not exceeding three years.
- 12.5 The Bishop (or the Bishop's representative) may appear before and make submissions to the Bishop's Tenure Review Committee before any determination is made but neither the Bishop, nor the Bishop's representative, shall be present at the time the determination is made.
- 12.6 The Bishop's Tenure Review Committee shall have the authority, on behalf of Synod, to extend the tenure of the Bishop by a further period not exceeding three years and not exceeding the Bishop's 70th birthday.

### **Removal from Office**

- 13.1 The Bishop may be removed from office only in accordance with the Anglican Church of Australia Constitution and the Canons of General Synod.
- 13.2 Procedures relating to the removal of the Bishop from office for incapacity are provided by the Bishop (Incapacity) Canon 1995 of General Synod.

### **Absence**

- 14.1 The Bishop must not be absent from the Diocese for a period of more than three months without the consent of Bishop-in-Council.

**Bishopric Endowment Fund**

- 15.1 The income of the See of Grafton shall be the income from investment of the trust fund held by The Corporate Trustees and known as the Grafton Bishopric Endowment Fund (the Fund). The Bishop's reasonable costs of office, Diocesan administration relating to the Bishop, salary, superannuation, allowances, travel, entertainment and similar costs as agreed by Bishop-in-Council from time to time will be paid from the Fund. The Fund will be held and administered by The Corporate Trustees and declared to be Church Trust Property. The Fund may be merged and managed with other trust funds. Should in any year the gross receipts from the Fund be insufficient to fund the recurrent costs of the See of Grafton, the shortfall shall be met from the budget of the Diocese of Grafton.

**Chair of Bishop-in-Council**

- 16.1 The Bishop shall be the Chair of Bishop-in-Council.
- 16.2 In the absence of the Bishop from Bishop-in-Council otherwise than in the circumstances set out below, the Commissary shall preside and if the Commissary shall not be present, the next most senior member of the clergy shall be Chair for that meeting only.
- 16.3 During
- (a) a vacancy in the office of Bishop;
  - (b) the absence from the Diocese of the Bishop for a period exceeding thirty days; or
  - (c) the incapacity of the Bishop arising from illness or any cause other than absence as aforesaid,
- the Administrator shall preside at Bishop-in-Council and if the Administrator shall not be present the next most senior member of the clergy shall be Chair for that meeting only.
- 16.4 If the Chair be other than the Bishop or the Administrator, the decisions of the Council shall not take effect without the consent of the Bishop or the Administrator.
- 16.5 The Bishop's dealings with property and major financial matters of the Diocese are to be in accordance with clause 53 of this Ordinance.

**Records to be Kept**

- 17.1 The Bishop must keep, or cause to be kept, the following records-
- (a) a register of the clergy of the Diocese; and
  - (b) a record of all the Bishop's official acts.
- 17.2 The register of the clergy of the Diocese must contain, in respect of each clergyperson –
- (a) the dates of ordination as deacon and (if relevant) priest or (if relevant) consecration as Bishop and the name of the ordaining Bishop or consecrating Bishops;
  - (b) the name of the university or college or institution attended by the clergyperson and the title and date of each degree, diploma or certificate (if any) awarded to the clergyperson;
  - (c) the appointments held by the clergyperson;
  - (d) the record of the transfer of the clergyperson from any other diocese;
  - (e) the date on which the clergyperson entered the Diocese; and
  - (f) the date on which the clergyperson transferred to another Diocese.
- 17.3 The records kept by the Bishop in accordance with this section are the property of the Diocese.

**Report to Synod**

- 18.1 The Bishop must cause to be laid before each ordinary annual session of Synod a statement containing the following information in respect of the period since the previous ordinary annual session of the Synod-
- (a) the names of the churches which the Bishop has licensed, dedicated or consecrated;
  - (b) a list of the other Parish or Diocesan buildings which the Bishop has licensed or dedicated for any purpose;
  - (c) the numbers of persons confirmed;
  - (d) the names of Licensed Lay Ministers who have been licensed or who have ceased to be licensed;
  - (e) the names of candidates for Holy Orders accepted for training;
  - (f) the names of the Deacons and Priests ordained or Bishop's consecrated; and
  - (g) the changes that have taken place among the clergy by death, change of appointment, departure from the Diocese or otherwise.
- 18.2 The statement referred to in sub-clause 18.1 must be recorded in the minutes of the Synod by the Synod Secretaries.

**Commissary**

- 19.1 The Bishop may by writing, registered in the Registry Office, appoint a person named therein being a Priest, licensed and active in the Diocese, to be the Bishop's Commissary. The Bishop may in like manner revoke the appointment. The office of Commissary shall become vacant upon the Commissary ceasing to be a Priest licensed in the Diocese.
- 19.2 When so requested by the Bishop, the Commissary may exercise the powers and perform the functions vested in the Bishop under any Ordinance of the Diocese during the absence from duty of the Bishop due to leave, incapacity or otherwise, whether the Bishop is inside or outside the Diocese.
- 19.3 Where the Commissary is not a bishop, the Commissary shall not exercise any authorities, rights and powers belonging solely to the order of bishops
- 19.4 Where the Bishop is unable through incapacity or absence to request the Commissary to act in accordance with clause 19.2, any two of the Commissary, the Chancellor and the Registrar shall confer with the Bishop-in-Council Executive who shall determine whether the Commissary should act in accordance with clause 19.2.
- 19.5 To the extent permitted by the Anglican Church of Australia Trust Property Act 1917 ('the Act'), the person for the time being acting in the office of Commissary in accordance with 19.2 may exercise all the powers and functions and do and make all the things referred to in the Act in place of the Bishop.

**Administrator**

- 20.1 During:
- (a) a vacancy in the office of Bishop; or
  - (b) the absence from duty of the Bishop for a period exceeding 45 days due to leave, incapacity or otherwise, whether the Bishop is inside or outside the Diocese,
- the Commissary shall be the Administrator of the Diocese and shall administer the affairs of the Diocese and shall exercise the authorities, powers, rights and duties conferred or imposed upon the Bishop.

- 20.2 Where there is no Commissary, or the Commissary is not willing or able to act as Administrator, then the next most senior member of the clergy licensed, active and resident within the Diocese, such being defined in clause 20.5, but excluding the Commissary, able and willing to act, shall be Administrator and shall exercise the authorities, powers, rights and duties conferred or imposed upon the Bishop. This appointment remains in place until a meeting of the Bishop in Council is able to appoint an Administrator who is a licensed and active Priest or Bishop from within or from outside the Diocese.
- 20.2A Where the Administrator is not a bishop, the Administrator shall not exercise any authorities, rights and powers belonging solely to the order of bishops.
- 20.3 During a period of vacancy in the office of Bishop, the Administrator's stipend shall be that which would have been payable to the Bishop should a Bishop have been in place.
- 20.4 To the extent permitted by the Anglican Church of Australia Trust Property Act 1917 ('the Act'), the person for the time being acting in the office of Administrator in accordance with 20.1 may exercise all the powers and functions and do and make all the things referred to in the Act in place of the Bishop.
- 20.5 For the purpose of this Ordinance the order of seniority of the clergy shall be:
- (a) the Commissary;
  - (b) the Diocesan Archdeacon;
  - (c) the Dean of the Cathedral;
  - (d) the other Archdeacons, if any, by order of their years in Holy Orders;
  - (e) clergy appointed with regional responsibility pursuant to clauses 70.3 and 70.4 of this Ordinance, by order of their years in Holy Orders;
  - (f) all other full time stipendiary Priests licensed in the Diocese, by order of their years in Holy Orders.

### **Chancellor**

- 21.1 A Chancellor of the Diocese may be appointed by the Bishop pursuant to the Chancellors Canon 2001 Adopting Ordinance 2002.
- 21.2 The Chancellor shall be the principal confidential adviser to the Bishop of the Diocese in legal and related matters.
- 21.3 Subject to the Chancellor's overriding duty to the Bishop, the Chancellor may provide advice to the Synod and other agencies of the Diocese.

### **Diocesan Advocate**

- 22.1 A Diocesan Advocate, who must be a qualified and practising lawyer, may be appointed by the Bishop in consultation with Bishop-in-Council.
- 22.2 The Diocesan Advocate shall be the principal legal adviser to the Diocese and Registrar and undertake or advise on the legal work of the Diocese and its agencies.
- 22.3 All conveyances and other legal work needed by Parishes and other agencies shall normally be undertaken by the Diocesan Advocate or an appropriate solicitor.



## **CHAPTER 6 - BISHOP - RESIGNATION AND ELECTION**

### **Vacancy of the See**

- 23.1 The See of Grafton shall become vacant:
- (a) at the completion of the Bishop's term in office; or
  - (b) on the Resignation Date nominated by the Bishop; or
  - (c) on the death of the Bishop; or
  - (d) on the Bishop being declared incapable of managing his or her affairs in accordance with the provisions of the Bishop (Incapacity) Canon 1995 of the General Synod; or
  - (e) for cause, in accordance with the Constitution and Canons of General Synod in force from time to time in the Diocese.
- 23.2 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.
- 23.3 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.

### **Resignation of the Bishop**

- 24.1 The Bishop may resign the See by notice in writing to the Metropolitan, nominating a date, on which the resignation will become effective (the Resignation Date).
- 24.2 The Resignation Date must be no later than 6 months following the date that the letter to the Metropolitan is received by the Metropolitan. If no date, or a longer date, is specified, the Resignation Date shall be the date 6 months from the date the letter is received by the Metropolitan.
- 24.3 The Bishop must send a copy of the letter of resignation to the Administrator of the Diocese and to the Registrar.
- 25.1 (Deleted 2019)

### **Discernment Synod**

- 26.1 Within four months of the Vacancy of the See, the Administrator shall summon a Discernment Synod of which not less than 60 days' notice shall be given. Such special session shall not be held more than three calendar months before the vacancy takes effect by resignation.
- 26.2 The Administrator shall determine the procedure such discernment should follow and in making that determination may appoint a consultant to facilitate a discussion focused on the future of the Diocese and leadership requirements to achieve that result and bring a report to the Synod.
- 26.3 The Administrator may, prior to the Discernment Synod, invite a Bishop or other appropriate person to address the Discernment Synod and answer questions on the role of a Diocesan Bishop.

- 26.4 The Discernment Synod shall commence with a Eucharist 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 discerning the qualities sought of a Bishop for the Diocese, we earnestly seek God’s will in guiding us in our deliberations that the person selected will be a shepherd after your own heart who will walk in your ways and with loving care watch over your people.”

- 26.5 At such special session of Synod the Administrator shall preside at all times during the proceedings of the Synod relating to the discernment process and if for any reason the Administrator shall be unable to preside the person next in ecclesiastical rank or degree licensed within the Diocese who is willing to preside shall preside.
- 26.6 Upon the Discernment Synod being duly constituted the President of the Discernment Synod, or a person appointed by the President, shall deliver an address during which Synod members will be reminded of the significance of their duties.
- 26.7 Synod may move into Committee-of-the-Whole at any time if it so resolves 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.
- 26.8 The Secretaries of Synod shall record the decisions of the Synod so that the Bishop Appointment Board can be advised of the qualities desired of a new Bishop. Such decisions shall be scheduled for the Synod’s approval prior to the closing of Synod.

#### **Election of the Bishop Appointment Board (BAB)**

- 27.1 Upon completion of the discernment process and Synod’s approval of the record of decisions (clause 26.8), or at a time earlier as determined by Synod, the Synod, voting by houses, must elect by ballot 6 members of the house of clergy and 6 members of the house of laity to be members of a Bishop Appointment Board (the BAB).
- 27.2 The Synod shall determine the closing time for nominations for positions on the BAB.
- 27.3 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.

#### **Vacancy on the Bishop Appointment Board**

- 28.1 The office of a member of the BAB is vacant:
- (a) if the member fails to attend a meeting of the BAB without leave of the BAB;
  - (b) if the member resigns by notice given to the Bishop or the Administrator;
  - (c) if the member ceases to be eligible to be a member of Synod;
  - (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
  - (f) upon the death or incapacity of the member.
- 28.2 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.

28.3 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 endeavour to make such appointments from those synod members who were present at the Discernment Synod.

28.4 A decision of the BAB shall not be invalid by reason only of a vacancy or vacancies in the membership of the BAB.

#### **Term of Office**

28A.1 The term of office of a member of the BAB expires upon installation of the person appointed as Bishop of Grafton.

#### **Nominations for Bishop**

29.1 Any member of Synod may, not later than 45 days after the conclusion of the Discernment Synod, nominate any one person of canonical fitness to be appointed Bishop of Grafton.

29.2 Such nomination, to be valid, shall be:

- (a) in writing in the form set out in the Third Schedule,
- (b) signed by the nominator with acknowledgement that they have the permission of the nominee to make the nomination,
- (c) signed by a seconder who is also a member of Synod; and
- (d) Delivered to the Registrar before 5.00pm on the last day for nomination.

#### **Administrator and the Bishop Appointment Board**

30.1 As soon as practicable after the closing of the Discernment Synod, the Administrator shall convene the BAB.

30.2 If the Administrator has not consented to nomination as Bishop of Grafton in accordance with Clause 32, the Administrator shall be convenor of the BAB and its Chair, but shall not vote unless otherwise elected as a member of the BAB and in that case shall have a deliberative but not a casting vote.

30.3 If the Administrator has consented to nomination as Bishop of Grafton in accordance with Clause 32, the board shall elect a chair from amongst its members who shall have a deliberative but not a casting vote and shall be the convenor of the BAB.

#### **Procedures of the Bishop Appointment Board**

31.1 Except as otherwise provided in this Ordinance, the BAB shall have power to order its own procedure.

31.1A In consultation with the Registrar, the BAB may incur reasonable expenses in executing its role.

31.2 A quorum of the BAB shall be 5 clerical members and 5 lay members, except in the case of a ballot referred to in clause 33.6, in which case a quorum shall be all 6 clerical members and all 6 lay members of the BAB.

31.3 The proceedings of the BAB shall be confidential and except as expressly provided by this Ordinance no member of the BAB may reveal to any person, information received by him or her as a consequence of his or her membership of the BAB.

- 31.4 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.
- 31.5 Subject to clause 33.6 no person shall be nominated as Bishop of Grafton to the Metropolitan unless that person has received the votes of at least 4 of the clerical members and 4 of the lay members of the BAB.

### **Consent of the Candidate**

- 32.1 Any person under consideration as Bishop of Grafton must consent in writing to nomination in accordance with the Fourth Schedule and complete a Safe Ministry Check in the form that is required for the appointment of clergy in the Diocese.
- 32.2 Any person who does not provide such documents within 14 days of a request to do so shall be deemed to have declined to be considered as Bishop of Grafton.

### **Professional Standards**

- 33.1 The Administrator, in respect of any person whose name is being considered by the BAB and who has consented in accordance with clause 32, shall cause all inquiries to be made as necessary to determine whether:
- (a) there is professional standards information entered in respect of the person in the National Register; or
  - (b) the person is or has been subject to disciplinary proceedings in any Diocese of the Anglican Church of Australia or of any other Church; or
  - (c) the person is or has been the subject of a complaint or investigation under the Professional Standards legislation of any Diocese of the Anglican Church of Australia or of any other Church; or
  - (d) the person is or has been the subject of investigation or legal proceedings in any State or Territory of Australia or other country, including civil proceedings, in respect of Professional Standards matters
- and must have a report on the results of those inquiries provided to the BAB as soon as practicable.
- 33.2 The Administrator, in respect of any person whose name is being considered by the BAB and who has consented in accordance with clause 32, shall cause a criminal history check and a current Working with Children's Check to be obtained and make the results of that check available to the BAB as soon as practicable.
- 33.3 If the Administrator is a nominee for the position of Bishop, the Administrator must not undertake the checks specified in clauses 33.1 or 33.2, nor prepare the reports to the BAB specified therein, but shall delegate responsibility for all such things to an appropriate person who is not a nominee.
- 33.4 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.
- 33.5 In considering a report under clause 33.1 or under 33.2 the BAB must give the person under consideration a reasonable opportunity to respond to any adverse information contained in the report.
- 33.6 No person in respect of whom professional standards information is entered in the National Register may be elected Bishop of Grafton until that person has received the votes of all 6 of the clerical members and all 6 of the lay members of the BAB.

**Bishop Appointment Board Member under Consideration as Bishop**

- 34.1 A clerical member of the BAB, including the Administrator, who has consented to nomination as Bishop of Grafton in accordance with clause 32, ceases to be a member of the BAB and his or her position shall be filled in accordance with this Ordinance.
- 34.2 If the Administrator is absent from the BAB or ceases to be a member of the BAB, the BAB shall elect a chair from among its members who shall have a deliberative but not a casting vote.

**Canonical Fitness and Confirmation of Appointment**

- 35.1 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.
- 35.2 When the Metropolitan has notified the Administrator in writing that the appointment of a person has been confirmed, the person appointed (subject to consecration if necessary) shall be the Bishop of Grafton and may exercise the functions of the Bishop from the date of the person’s installation in the Cathedral Church of Christ the King, Grafton.

**Declaration of Appointment**

- 36.1 Upon the confirmation of the appointment of a Bishop, the Administrator must publish that fact as soon as practicable in such manner as he or she considers most appropriate and, in addition, must ensure that a Declaration is made in the Cathedral Church during each Divine Service on the Sunday following the confirmation.
- 36.2 The Declaration in the Cathedral must be in the following terms  

.....  
 (Title and name of the person appointed)  
  
 of .....

has been duly appointed Bishop of Grafton and the appointment has been confirmed.
- 36.3 Once a person has been publicly declared to be the Bishop of Grafton, the Administrator must take such steps to give effect to the appointment as the BAB may direct.
- 36.4 A Bishop of Grafton must, at the time of consecration (if necessary) and installation, make the following declaration:  

“I (full name) 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 the Diocese of Grafton and by the canons, statutes, ordinances and rules (however described) from time to time of the Synod of the Diocese, and of the General Synod and Provincial Synod which have force in this Diocese.”

- 36.5 Upon consecration (if necessary) and installation, a Bishop of Grafton, subject to law and all the Ordinances of the Diocese shall have and may exercise within the boundaries of the Diocese all the powers which a Bishop of the Anglican Church of Australia may exercise within the Diocese and shall be for all purposes the Bishop of Grafton.
- 36.6 Following the signing of the Declaration and Consecration the Bishop shall be installed as Bishop of the Diocese of Grafton in the Cathedral Church of Christ the King, Grafton.

#### **Delay, Non Acceptance of Nullity of Appointment**

- 37.1 If an appointment is not confirmed within three months of the receipt by the Metropolitan of the Certificate of Appointment, the Synod or Bishop-in-Council may resolve that the appointment is null and void.
- 37.2 If a person appointed as Bishop of Grafton does not accept such appointment within a reasonable time, the Synod or Bishop-in-Council may resolve that the appointment is null and void.
- 37.3 If an appointment is declared null and void the See is deemed to be vacant from the date of the declaration of nullity.
- 37.4 A declaration of nullity in respect of the appointment of a particular person does not prevent that person again being appointed as Bishop of Grafton in accordance with this Ordinance.
- 37.5 If a vacancy in the See is not filled for any reason not specifically provided for above, the See shall be deemed to be vacant from the date of a resolution of Bishop-in-Council declaring the failure to appoint.

#### **Reconvening of Bishop Appointment Board**

- 37A.1 If an appointment has been declared null and void the Chair of the BAB must reconvene the Board as soon as practicable and the BAB shall proceed afresh to the appointment of a Bishop of Grafton, in accordance with this Ordinance.

#### **Proceedings if Bishop Appointment Board Fails to Elect**

- 38.1 If any BAB fails to elect a Bishop and notify such election to the Administrator within 12 months of the date of the election of that BAB, the BAB shall report to Bishop-in-Council giving any reasons why the BAB should not be immediately dissolved. Bishop-in-Council shall consider such report and shall either:
- (a) resolve that an extension be granted to the BAB to a date not more than three months from the date of the resolution and if at that date the BAB has failed to appoint a Bishop, the BAB is deemed to be dissolved, or
  - (b) resolve that the BAB is deemed to be dissolved immediately.
- 38.2 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:
- (a) if members of Synod are to be asked to provide additional nominations to be considered with those already nominated, or
  - (b) the BAB is deemed to be dissolved immediately.

- 38.3 If Bishop-in-Council resolves to seek additional nominations the Administrator shall as a matter of urgency notify each member of Synod in writing, either by letter or by electronic means, that additional nominations are being sought and will be received 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.

A Synod member may nominate one person of canonical fitness in addition to any persons previously nominated. A nomination shall be in the form prescribed in clause 29.2.

Additional nominations received shall be processed as if they had been received following a Discernment Synod.

- 38.4 If the BAB has been dissolved, the Administrator must, as soon as practicable, summon a special session of Synod (a Discernment Synod) whereupon Synod shall proceed afresh to the discernment, election of a Bishop Appointment Board and calling for nominations, as prescribed by this Ordinance.

## CHAPTER 7 – SYNOD

### Mission and Objectives

- 39.1 Synod is the meeting together of the Bishop and the representatives of the clergy and the laity of the Diocese:
- (a) to affirm and celebrate their common life in the Lord Jesus Christ; and
  - (b) to conduct the business of the Synod which is:
    - (i) the expression, through the resolutions of Synod, of the minds of the people of the Diocese on matters of common concern relating to the Church and to the world in which the Church is called to exercise its mission and ministry;
    - (ii) the ordering of their common life by the making of Ordinances; and
    - (iii) the oversight of the conduct of the affairs of the Diocese by the agencies and officers of the Diocese.

### Functions and Powers

- 40.1 Synod has the function of making Ordinances for the management and good government and regulation of the Church within the Diocese in accordance with Article 2 of the Schedule to the Anglican Church of Australia Constitutions Act 1902 and Chapter VIII of The Constitution of the Anglican Church of Australia.
- 40.2 Synod also constitutes a forum in which the members of Synod may consult together on all matters concerning the life of the Church and its Ministry Units within the Diocese.
- 40.3 Synod exercises oversight over the administration of the institutional affairs of the Diocese by requiring those responsible for the conduct of those affairs to account to Synod when required to do so—
- (a) by Ordinance; or
  - (b) in accordance with a resolution of Synod.
- 40.4 Synod may by Article 3(2) of the Schedule to the Anglican Church of Australia Constitutions Act 1902 call, by resolution, on any person holding church trust property to account for that property and its administration.

### Term

- 41.1 The term of a Synod extends over three consecutive years. The term shall commence from the commencement of the first session and shall conclude immediately prior to the commencement of the first session in the term of the next Synod.
- 41.2 Prior to the commencement of each term of Synod the Bishop shall issue a Mandate requiring the election of Synod Representatives for the term of that Synod.

### Convening

- 42.1 Synod shall, in accordance with Article 1(2) of the Constitution of the Province, be convened at least once in every year by the issue of the Bishop's Summons.
- 42.2 The Bishop's Summons, stating the time and place of Synod, shall issue to those who by virtue of clause 43.2 are members of Synod.
- 42.3 The Bishop must convene a session of Synod when requested to do so in writing by such number of lay and clerical members of Synod as are, in accordance with rules made by Synod, sufficient to constitute a quorum of Synod.
- 42.4 The Bishop may, in consultation with Bishop-in-Council, convene a session of Synod for the purpose of considering particular items of business.



- 42.5 A session of Synod convened under 42.4 shall not be considered sufficient to satisfy the requirements of 42.1 and shall not cause the commencement of a new term of Synod.
- 42.6 A session of Synod is the period between the time when Synod convenes in accordance with a Bishop's Summons and the time when, in accordance with Synod's rules, it adjourns until the date on which it is next summoned by the Bishop.

### **Membership**

- 43.1 Synod intends that:
- (a) Synod shall consist of three Houses, namely the House of the Bishop, the House of Clergy and the House of Laity, (the three Houses shall sit together in full Synod and shall deliberate and transact business therein and shall vote together unless a vote by Houses is required);
  - (b) those charged with the responsibility for electing or appointing members of Synod should choose those able to make a significant contribution to its work;
  - (c) members of Synod accept responsibility for effective communication between Synod and the ministry units of the Diocese by reporting back to their Parish Council and other appropriate ministry groups; and
  - (d) members of Synod may be called upon to vote according to their Houses (other than the Bishop) and for a vote according to Houses to pass a majority is required in both the House of Clergy and the House of Laity.
- 43.2 The Synod is composed of:
- (a) the Bishop (who shall not vote in Synod)
  - (b) the ex officio members (with full participation and voting rights):
    - (i) the Archdeacons;
    - (ii) the Dean;
    - (iii) the Chancellor;
    - (iv) the Registrar;
    - (v) the Diocesan Advocate;
    - (vi) the Corporate Trustees: and
  - (c) all incumbents and full-time stipended clergy;
  - (d) all full-time stipended Lay Ministers;
  - (e) representatives of the Household of Deacons chosen in accordance with subclause 43.4;
  - (f) two lay Synod Representatives from each Parish;
  - (g) an additional lay Parish Synod Representative for each full-time stipended clergyperson (additional to the Incumbent) upon appointment of the clergy person to that ministry unit;
  - (h) the principals of Diocesan schools and the chief executive officer of Anglicare North Coast;
  - (i) one Chaplain from each Diocesan school nominated by the Bishop if not already appointed under subclause (c) or (d) above;
  - (j) one lay person, who is a communicant member of the Anglican Church, from each Diocesan school, appointed from and by the Council thereof;
  - (k) one lay person from Anglicare North Coast who is a communicant member of the Anglican Church, appointed from and by the Board thereof;
  - (l) Up to six additional members, either clergy or lay persons, appointed by the Bishop on an annual basis at the Bishop's discretion;
  - (m) such other persons determined by Synod or Bishop-in-Council to be members of Synod or have a seat at Synod from time to time, and who shall be subject to any restrictions placed upon them by Synod or Bishop-in-Council.

- 43.3 A person who is a member of Synod by virtue of subclauses 43.2(b)(iv) or 43.2(h) shall not have voting rights unless he or she is a member of the Anglican Church.
- 43.4 In accordance with 43.2(e), the representation of the Household of Deacons shall be up to 25 percent (then rounded up to the next whole number) of the licensed non-stipendiary Vocational Deacons not otherwise summoned to Synod, such calculation being made at the time of issue of the Bishop's Mandate, who shall be selected from and by any Household of Deacons or similar Synodically approved representative body including as the majority of their membership Non-stipendiary Vocational Deacons, or should no such Household or body exist (or should such body be unable or unwilling to select members to attend the Synod), then selected by the Bishop in whatever manner the Bishop chooses;
- 43.5 When by virtue of the Bishop determining that the position of a clergyperson creating an entitlement for representation under subclause 43.2 (g) has concluded, the entitlement created under 43.2 (g) shall conclude immediately prior to the commencement of the next session of Synod. Parish Council shall be responsible to determine which of the existing Synod representatives of the Parish continue as representatives.
- 43.6 Unless otherwise provided, persons elected or appointed to be members of Synod hold office for the term of the Synod to which they are elected or appointed unless they should resign or be removed from the position which entitled them to be a member of Synod.
- 43.7 The member of Synod, as soon as practicable following their appointment, qualification or election under subclauses 43.2 (b) to (e) inclusive and subclauses 43.2 (i) to (m) inclusive, but excepting subclause 43.2 (b)(iv), shall sign and date a declaration that:
- “I the undersigned (full name and address) do declare that I am a communicant member of the Anglican Church of Australia and will endeavour to faithfully perform the duties of a member of Synod to the best of my ability and will conform to the Ordinances and Standing Orders of the Synod of the Diocese of Grafton relating to this office.”
- 43.8 A member of Synod appointed qualified under subclauses 43.2(b) (iv) or 43.2(h) and eligible for voting rights as per clause 43.3, shall sign and date the declaration in clause 43.7.
- 43.9 An elected Synod Representative may be removed following a resolution of Bishop-in-Council, if the representative:
- (a) becomes mentally or physically incapable of undertaking duties as a Synod Representative;
  - (b) is convicted of an indictable offence in any court;
  - (c) ceases to be qualified under any provision of this Ordinance; or
  - (d) fails to attend any session of Synod without reasonable excuse or Leave of Absence granted by the Bishop.
- 43.10 If for any reason, one or more elections or appointments that compose the membership of the Synod is not completed, such failure will not invalidate the proceedings of Synod.





































































- 111.8 Neither the Parish Nominators, nor anyone on their behalf, may communicate with any Priest as to their suitability as a candidate for the Incumbent of the Parish, unless authorised by the Presentation Board.
- 111.9 Should the Presentation Board be unable to nominate a suitable person to the Bishop after nine months from the date of the first meeting of the Board, the Bishop may stand down the Presentation Board and request the Parish to elect three new Parish Nominators and the Bishop may appoint three new Diocesan Nominators forming a new Presentation Board.
- 111.10 The Parish Nominators after consultation with the Parish Council may in writing surrender their rights of nomination absolutely to the Bishop at any time after they are summoned to a meeting of the Presentation Board, and in place thereof the nomination may be made by the Bishop.

#### **Election of Diocesan Members of Presentation Boards**

- 112.1 At the first meeting of each Synod, the Synod shall elect a panel of eight clergy to be Diocesan Nominators who shall hold office for three years.
- 112.2 When selecting two Diocesan Nominators for a Presentation Board, the Bishop will take into account factors such as geography, availability, experience and avoidance of conflicts of interest between the Diocesan Nominators and potential candidates.
- 112.3 Where the process for the appointment of an Incumbent of a Parish has begun, the Diocesan Nominators involved in that process continue to be the Diocesan Nominators until an Incumbent has been appointed notwithstanding that the term of office of those members would otherwise have come to an end in accordance with the provisions of this clause. Should a Diocesan Nominator through illness, resignation from the Diocese or other cause be unable to continue to act the Bishop may replace that Nominator with another Diocesan Nominator for the on-going Presentation Board process.

#### **Meetings of the Presentation Board for the selection of an Incumbent**

- 113.1 The Bishop, or the Bishop's nominee, shall convene and Chair Presentation Board meetings, giving not less than seven days written notice, after the date of vacancy in a Parish has been determined.
- 113.2 The meeting will take place in Grafton in private unless alternative arrangements have been made with the members of the Presentation Board. A meeting may be by tele-conference or video-conferencing of any type.
- 113.3 The Bishop may arrange for a conference with the Parish members prior to the meeting of the Presentation Board at which time the members of the Parish may present information concerning the aims, ministry, mission and activities of the Parish and the experiences and talents likely to be sought and seen as appropriate in a new incumbent.
- 113.4 A quorum at a meeting of the Presentation Board shall be 3 members, including at least one Parish member.
- 113.5 Should a quorum not be present within one hour of the appointed time the Bishop shall call another meeting of the Board within a reasonable time.
- 113.6 Any member of the Presentation Board may nominate a Priest for consideration.













































**Books to Be Kept**

176.1 The Corporate Trustees shall cause the accounts of all their transactions to be regularly entered in proper books which shall be kept for the purpose by the Registrar of the Diocese or such other person as may be appointed by Bishop-in-Council and such books and accounts shall be audited by the Diocesan Auditor annually.

**Annual Financial Statements**

177.1 The Corporate Trustees shall provide to Bishop-in-Council after the close of its financial year Annual Financial Statements showing the whole of the transactions of The Corporate Trustees during the previous year in order that such Annual Financial Statements may be presented to Synod at its next session.

**Property Vested in the Bishop**

178.1 The Bishop may act as trustee of property and funds vested in him or her upon trust for Parish or Diocesan purposes. In all such cases during the vacancy of the See The Corporate Trustees shall become the trustee of such properties and or funds and shall have power to receive rents and interest and to recover the same to receive payment of principal moneys and to invest the same in securities authorised by law for the investment of trust funds and generally to act as trustees of the said properties with power to make any payments out of the income which may be necessary for the protection and preservation of any of the properties administered.

**Property Vested in Separate Trustee**

179.1 Any Church Trust Property which by the provisions of the instrument creating such Trust shall belong to or become vested in any trustee (hereinafter called Separate Trustee) other than The Corporate Trustees of the Diocese of Grafton shall be held managed and controlled by the said Separate Trustee subject to the provisions of the Anglican Church of Australia Trust Property Act 1917 and the due performance of duties by this Ordinance required to be performed by any Separate Trustee.

**Duties of Separate Trustees**

180.1 Whenever any Church Trust Property is vested in any Separate Trustee, it shall be the duty of such Separate Trustee to:

- (a) execute a Declaration of Trust in accordance with the purpose of the Trust and to lodge such declaration and a copy of the Deed, Will or other instrument creating the trust at the Bishop's Registry to be filed with the relative deeds or other documents the property of the Parish, Ministry Unit or other entity concerned;
- (b) keep proper accounts;
- (c) supply to Bishop-in-Council not later than 30 days after the close of each financial year a Financial Statement for the previous financial year for presentation to Synod and upon adoption by Synod for publication in the Year Book of the Diocese; and
- (d) permit any certificated auditor or firm of auditors authorised in that behalf by Bishop-in-Council to examine such accounts and relative documents and to audit any accounts relating to the Trust or Trusts.

**Names of Separate Trustees to be Registered**

181.1 The name of every Separate Trustee shall be entered in a book to be kept by the Registrar of the Diocese and the death removal or resignation of any such Trustee shall be duly entered therein.

**Trusts May be Conveyed to The Corporate Trustee**

182.1 Any Separate Trustee of Church Trust Property may if the trustee so desires convey such property to The Corporate Trustees upon the original trusts and such conveyance when it has been accepted by the Corporate Trustees shall discharge such conveying Separate Trustee from all subsequent duties in respect of such Trusts.

**Delegation of Powers in Certain Cases**

183.1 Bishop-in-Council is hereby appointed a Committee or Council under Section 40 of the Anglican Church of Australia Trust Property Act 1917 and may during the recess of Synod exercise in place of the Synod of the Diocese such of the powers and functions and do and make such of the things referred to in such Act as may be done by the Synod of the Diocese under the provisions of Section 12, 13, 14, 15, 19, 24, 25, 26, 27, 28, 31, 32, 32B, 37 and 39 of the Anglican Church of Australia Trust Property Act 1917 and shall report to the Synod at the next session all actions taken under this Section.

**CHAPTER 16 - THE DIOCESAN BUILDINGS AND PROPERTY COMMITTEE**

(Deleted 2022)



## CHAPTER 17 - THE CATHEDRAL CHURCH OF CHRIST THE KING

### Mission and Ministry

- 192.1 Christ Church Grafton is the Parish Church of the Parish of Grafton and the Cathedral Church of the Diocese of Grafton, to be known as 'the Cathedral Church of Christ the King' or 'Christ Church Cathedral Grafton', with a Mission and Ministry to provide leadership and a point of Diocesan unity for Anglican worship and the proclamation of the Gospel.
- 192.2 The mission and ministry of the Cathedral shall include supporting and reflecting the diversity of worship and theology within the community of Anglican faith in the Diocese of Grafton.

### Objectives

- 193.1 To provide the means by which the Cathedral Church of Christ the King will be properly governed, administered and supported in proclaiming the Kingdom.
- 193.2 To provide certainty as to the different roles of the Parish Council and Cathedral Chapter in Ministry and Mission.

### The Cathedral

- 194.1 In accordance with the Constitution and traditions of the Church, the Cathedral is under the care and authority of the Dean with advice and assistance from the Parish Council of Grafton and the Cathedral Chapter.
- 194.2 The Cathedral is the place of the cathedra, the seat of the Bishop's See, and in consequence the spiritual base of the Mission of the Bishop.
- 194.3 The members of the Cathedral's congregation and members of the Diocesan family acknowledge the special place of the Cathedral as Parish Church but also the meeting place of the Diocese and the community on the great Diocesan and civic services, celebrations and festivals.

### The Bishop

- 195.1 In addition to his or her rights as Ordinary the Bishop shall take precedence in the Cathedral and shall take such part in Divine Service in the Cathedral and shall preach and may likewise invite preachers at such times as he or she shall think fit upon giving due notice to the Dean of his or her wish to do so.
- 195.2 The Bishop shall be in charge and have complete authority to order all such services as are connected with Episcopal and Diocesan functions and all matters pertaining thereto.
- 195.3 After consultation with the Dean the Bishop shall have the right to use the Cathedral Parish Centre for such Diocesan purposes as he or she thinks fit.
- 195.4 The Bishop shall have the right to appoint a qualified person to be the Bishop's Churchwarden of Christ Church Grafton and consequently a member of the Parish Council of the Parish of Grafton.

### The Dean

- 196.1 The Incumbent of the Parish of Grafton shall be the Dean of the Cathedral and shall be known as the Dean of Grafton. On ceasing to be the Incumbent of the Parish of Grafton, the Minister shall cease to be the Dean of Grafton.

- 196.2 The Dean shall have the next place after the Bishop in precedence in the Cathedral and subject to the rights of the Bishop as provided in this Chapter the Dean shall have the ordering of Divine Service in the Cathedral and all the rights privileges duties and responsibilities of Incumbents in the Diocese of Grafton.
- 196.3 The Dean shall have the right to appoint a qualified person as the Dean's Churchwarden of Christ Church Grafton and consequently a member of the Parish Council of the Parish of Grafton.

### **The Archdeacons**

- 197.1 Each Archdeacon within the Diocese, upon collation, shall be assigned a stall in the Cathedral and installed therein by the Dean. An Archdeacon will retain such place until the Archdeacon ceases to be an Archdeacon.
- 198.1 (Deleted)

### **The Parish Council**

- 199.1 Unless otherwise provided, the affairs of the Parish of Grafton shall be administered in accordance with the provisions of this Ordinance dealing with Parish Councils

### **Functions of the Cathedral Parish Council**

- 200.1 In addition to the Duties and Responsibilities of the Parish Council provided in clause 75.3 of this Ordinance, the Cathedral Parish Council shall have the following functions:
- (a) Development and fostering of the Ministry of the Cathedral within the Parish;
  - (b) Promoting and safeguarding the function of the Cathedral as the Parish Church in Sunday worship and other services;
  - (c) Assisting in the Cathedral's Parish ministry especially in the areas of evangelism, education, ecumenical endeavour, media communication, public witness, music and the arts;
  - (d) Ensuring periodical architectural appraisals of the Cathedral and associated buildings are conducted; and
  - (e) Advising Bishop-in-Council.

### **The Churchwardens**

- 201.1 There shall be:
- (a) two Churchwardens elected by the Annual General Meeting;
  - (b) a Churchwarden (known as the Bishop's Churchwarden) appointed by the Bishop; and
  - (c) a Churchwarden (known as the Dean's Churchwarden) appointed by the Dean;
  - (d) (Clause deleted 2015)
- all of whom shall be members of the Parish Council.

### **Role of Churchwardens**

- 202.1 Unless otherwise provided, the role of Churchwardens shall be in accordance with the provisions elsewhere in this Ordinance.

### **The Chapter**

- 203.1 There shall be a Chapter of the Cathedral which shall consist of:
- (a) The Bishop (who shall be President);
  - (b) The Dean (who shall be Chair);
  - (c) The Diocesan Archdeacon;
  - (d) (Deleted 2023);

- (e) Four Clerical Canons;
  - (i) two of whom shall be elected by the House of Clergy at the first session of each Synod and hold office for the life of the Synod,
  - (ii) one appointed by the Bishop to hold office for the life of the Synod, and
  - (iii) one appointed by the Dean to hold office for the life of the Synod.
- (f) Four Lay Canons;
  - (i) two of whom shall be elected by the House of Laity at the first session of each Synod and hold office for the life of the Synod,
  - (ii) one appointed by the Bishop to hold office for the life of the Synod, and
  - (iii) one appointed by the Dean to hold office for the life of the Synod.
- (g) A Cathedral Churchwarden as determined by the Cathedral Parish Council.

### **Casual Vacancies**

203A.1. A Casual Vacancy occurs when a Canon:

- (a) resigns; or
- (b) dies; or
- (c) ceases to qualify as a Canon under clause 209.2; or
- (d) becomes physically or mentally ill to a point that in the opinion of the majority of members of Chapter interferes with the Canon's ability to continue to carry out the functions of a Canon; or
- (e) becomes bankrupt; or
- (f) is convicted of an indictable offence; or
- (g) is ineligible to hold office in the Anglican Church arising from a professional standards determination; or
- (h) is absent without leave from three consecutive meetings of the Chapter.

203A.2. A casual vacancy for a Canon elected under either clause 203.1(e)(i) or 203.1(f)(i) shall be filled by either Synod or Bishop-in-Council, as convenience dictates, and the person elected or appointed to the casual vacancy shall serve the balance of the original Canon's term.

203A.3. A casual vacancy for a Canon appointed under either clause 203.1(e)(ii) or 203.1(f)(ii) shall be filled by the Bishop and the person appointed to the casual vacancy shall serve the balance of the original Canon's term.

203A.4. A casual vacancy for a Canon appointed under either clause 203.1(e)(iii) or 203.1(f)(iii) shall be filled by the Dean and the person appointed to the casual vacancy shall serve the balance of the original Canon's term.

### **Functions of the Chapter**

204.1 The Chapter of the Cathedral shall have the following functions:

- (a) development and fostering of the Ministry of the Cathedral within the Diocese;
- (b) promoting and safeguarding the place and function of the Cathedral as the parent church of the Diocese for Diocesan and civic services;
- (c) assisting in facilitating the Cathedral's wider ministry especially in the areas of evangelism, education, ecumenical endeavour, media communication, public witness, music and the arts;
- (d) to be available as possible facilitators of occasional major Diocesan events whether worship, learning or Synodical;
- (e) advocating to all members of the Diocesan family the responsibility of all for maintenance of the Cathedral;
- (f) to be available to the Bishop for consultation and resource.

### **Meetings of Chapter**

- 205.1 The Chapter shall meet as required and determined by the Dean but not less than once in any calendar year. The Dean shall have a deliberative and a casting vote on all questions. The Bishop however, shall have the right to convene a meeting at his or her discretion.

### **Quorum of Chapter**

- 206.1 A quorum for any meeting of the Chapter shall be not less than half of its members.

### **Chapter Clerk**

- 207.1 The Chapter may appoint from its number a Chapter Clerk who shall perform the duties of secretary and keep all necessary records of meetings of the Chapter.
- 207.2 The Chapter Clerk may be appointed for the life of the Synod, or such term as the Chapter decides not exceeding the life of the Synod. The person appointed may at the conclusion of this term be appointed for a further term.

### **Reporting to Synod**

- 208.1 The Dean shall provide, on behalf of the Chapter, an annual report to Synod on the activities of the Chapter.

### **Clerical and Lay Canons**

- 209.1 (Deleted)
- 209.2 Licensed clergy of the Diocese of at least five years standing from ordination may be elected or appointed to be Clerical Canons of the Cathedral and members of the Cathedral Chapter; and communicant lay members of the Church resident within the Diocese may be elected or appointed Lay Canons of the Cathedral and members of the Cathedral Chapter.
- 209.3 In electing or appointing Canons the Bishop, the Dean and the Synod will give consideration to the gifts of service and support that the Canon may bring to the Cathedral and the Dean in areas such as evangelism, ministry development, church administration, media, music, liturgy, welfare, social justice, finance or environment.
- 209.4 Canons accepting appointment to the Chapter will undertake to support the mission of the Cathedral.

### **Admission to Office**

- 210.1 The Canons shall be admitted to office according to a form prescribed by the Bishop. They shall be licensed by the Bishop, assigned a stall in the Cathedral, and installed therein by the Dean.

### **Tenure of Chapter Canons**

- 211.1 Canons may hold office for a maximum of three consecutive terms.

### **Honorary Canons**

- 212.1 The Bishop, after consultation with the Dean, shall have the right to appoint licensed clergy of the Anglican Communion, who have served in the Diocese of Grafton, to be Honorary Canons of the Cathedral.
- 212.2 Honorary Canons are not members of the Chapter.
- 212.3 There may be no more than six Honorary Canons at any time.

212.4 The title Honorary Canon may be used by those whom the Bishop appoints until such time as the Bishop, in writing and with three months' notice, withdraws the right to use such title. An Honorary Canon may resign the title in writing at any time.

**Canons Emeritus**

213.1 The Bishop, after consultation with the Dean, shall have the right to appoint licensed clergy and lay people who are communicant members of the Anglican Church of the Diocese of Grafton who have been either Chapter Canons or Honorary Canons of the Cathedral to be Canons Emeritus in recognition of service to the Diocese of Grafton.

213.2 Canons Emeritus are not members of the Chapter.

213.3 The title Canon Emeritus may be used by those whom the Bishop appoints until such time as the Bishop, in writing and with three months' notice, withdraws the right to use such title. The Canon Emeritus may resign the title in writing at any time.

214.1 (Clause deleted 2012)

215.1 (Clause deleted 2012)

216.1 (Clause deleted 2012)

217.1 (Clause deleted 2012)

**CHAPTER 18 - ANGLICAN FUNDS GRAFTON DIOCESE**

(Deleted 2021)

## CHAPTER 19 - DIOCESAN AUDIT COMMITTEE

### Objectives

- 226.1 The Audit Committee is appointed by Bishop-in-Council to provide independent assurance on the appropriateness of the Diocesan accountability and control framework, which, over time, is expected to enhance the quality and consistency of financial information provided to and issued by Bishop-in-Council.
- 226.2 The Audit Committee should primarily consider “big picture” strategic implications on the Diocese in undertaking its responsibilities.
- 226.3 The Audit Committee’s role is to discharge its responsibilities in respect of the specified entities by oversight of the following:
- (a) systems that ensure compliance with legal requirements, ethics and Diocesan policy relating to financial disclosure;
  - (b) the adequacy of internal controls and risk management procedures,
  - (c) the scope and performance of internal audit;
  - (d) the scope and performance of External Audit;
  - (e) financial reporting to and by the Bishop-in-Council; and
  - (f) other matters delegated by Bishop-in-Council from time to time.
- 226.4 The specified entities are:
- (a) Bishop-in-Council
  - (b) The Corporate Trustees Diocese of Grafton
  - (c) Any other Diocesan entity nominated by Bishop-in-council.

### Membership

- 227.1 The Audit Committee will be appointed by Bishop-in-Council and will comprise not less than three, and up to five members, all of whom will be non-executive members. At least one member will be a member of Bishop-in-Council.
- 227.2 None of the Bishop, Registrar, members of the Finance Committee, or those in similar position in any of the specified entities will be members of the Audit Committee.
- 227.3 Bishop-in-Council shall appoint one of the Audit Committee members to serve as the Audit Committee Chairperson.
- 227.4 At least one member of the Audit Committee shall have expertise in financial reporting.
- 227.5 At least one member shall have knowledge of the legal framework of the Anglican Church of Australia, particularly the Diocese and its organisations.
- 227.6 The Diocese will provide a suitable Secretary to the Audit Committee.
- 227.7 Each member of the Audit Committee should be capable of making a valuable contribution to the Committee. It is expected that each member will obtain an understanding of the detailed responsibilities of the Committee and of the operations and business-related risks the Diocese as a whole from any specified entities.

**Attendance at Meetings**

- 228.1 The quorum for any Committee meeting shall be two-thirds of the members.
- 228.2 The Committee may meet as necessary to meet its obligations under this Chapter, but in any event not less than three times per annum. The Committee may convene special meetings as required. The Bishop or Registrar may request meetings as they reasonably consider necessary.
- 228.3 The Audit Committee may invite such other persons to its meeting, as it deems necessary. However, Audit Committee members may not have a substitute representative attend on their behalf. The Registrar and Diocesan Accountant may be invited to attend Audit Committee meetings.
- 228.4 The Secretary shall provide the Committee with papers in relation to agenda items at least three working days prior to the meeting. The Secretary shall attend all meetings to ensure that a record of meetings is maintained and, after approval of the Chair of the Audit Committee, is circulated promptly to members, Bishop-in-Council, the External Auditor, and relevant Diocesan organisations as appropriate.

**Right to Access and Information**

- 229.1 Synod and Bishop-in-Council may authorise the Audit Committee, within the scope of its responsibilities, to:
- (a) seek any information it requires from:
    - (i) any employee (and all employees are directed to co-operate with any reasonable request made by the Audit Committee); and
    - (ii) external parties;
  - (b) obtain outside legal or other professional advice, subject to the appropriate delegations; and
  - (c) request the attendance of Diocesan officers at meetings as appropriate.

**Independence**

- 230.1 The Audit Committee has no executive powers in relation to the operations of the Diocese. It functions in an oversight and review role.
- 230.2 The primary responsibility for financial and other reporting, internal control and compliance with legislation, regulations and ethics within the Diocese rests with executive management.
- 230.3 The Audit Committee is directly accountable to Bishop-in-Council.
- 230.4 Members with real or perceived conflicts of interests will notify the Audit Committee as soon as these issues become apparent. Any members with an actual or perceived conflict of interest will excuse themselves from discussions at the point of decision.

**Duties and Responsibilities - Internal Control**

- 231.1 With respect to the internal control environment, the Committee shall:
- (a) evaluate whether management has maintained a sound environment for financial administration, which inter alia will include a competent financial officer, an effective Diocesan finance committee and suitably experienced independent auditors who understand their role. Where this environment does not exist, the Audit Committee should encourage change towards best practices;
  - (b) evaluate whether management is providing the appropriate control environment by communicating the importance of internal control, and management of risk, including fraud risk, and ensuring that all employees



have an understanding of their roles and responsibilities. This includes the oversight of controls over the engagement and conduct of external parties including contractors, advisers and outsourcing arrangements;

- (c) review management's assessment of the adequacy of internal control processes and systems and plans for business continuity and review internal control policies and procedures;
- (d) confirm that internal control recommendations made by Internal Audit and the External Auditor have been implemented by management.
- (e) evaluate whether management has implemented appropriate systems to manage the risk of fraud, defalcation or theft.
- (f) Review management efficiency in minimising risk flowing from non-financial legislation, regulation or policy such as in the area of Work Health and Safety, Professional Standards or any other.

### **Financial Reporting - General**

232.1 With respect to the control of reporting of financial information and the appreciation of risk management policies the Committee shall:

- (a) satisfy itself, in consultation with the Bishop and the External Auditor, that management is effectively managing the current areas of financial and business risk;
- (b) immediately refer to the Bishop and the External Auditor the suspicion of any fraud or Identified fraud and the suspicion of any illegal activity or identified illegal activity brought to the Committee's attention
- (c) consider referring to the External Auditor any deficiencies in intercontrol issues or other similar issues that are brought to the Committee's attention
- (d) ensure management has considered significant accounting and reporting issues, including recent professional and regulatory pronouncements, and understand their impact on the financial statements;
- (e) consider any legal matters brought to its attention that could significantly impact the financial statements.

### **Annual Financial Statements**

233.1 The Committee shall review the annual financial statements of the specified entities and determine whether they are consistent with the information known to members.

233.2 The Committee shall assess whether the financial statements reflect appropriate accounting principles and the disclosure of appropriate financial performance measures. The Committee shall:

- (a) focus on judgmental areas, for example those involving valuation of assets and liabilities, guarantees, environmental liabilities, litigation reserves, commitments, contingencies and complex or unusual transactions;
- (b) meet with management and the External Auditor to review the financial statements and the results of the audit.
- (c) review the annual report before its release and consider whether the information is reasonably consistent with the Diocese and its operations.

### **Internal Audit**

234.1 The Committee shall review and approve the plans, activities and organisational structure of the Registry Office and other relevant entities and ensure that they have no unjustified restrictions or limitations. The Committee shall:

- (a) review the qualifications of the Registrar, Diocesan Accountant and other Registry personnel involved in risk and financial management;
- (b) ensure that management responds to recommendations by the Committee or External Audit.

**External Audit**

- 235.1 The Committee shall:
- (a) review the External Auditor's proposed audit scope and approach and ensure no unjustified restrictions or limitations have been made;
  - (b) review the performance of the External Auditor in its dealings with the Diocese;
  - (c) monitor the independence of the External Auditor, including the review and approval in advance of any non-audit services to be contracted by the Diocese from the External Auditor;
  - (d) make recommendations to Bishop-in-Council regarding the appointment and reappointment of the External Auditor.
  - (e) meet separately with the External Auditor to discuss any matters that the Audit Committee or auditors believe should be discussed privately. The Committee shall ensure that significant findings and recommendations made by the External Auditor are received and discussed on a timely basis; and
  - (f) ensure that management responds to recommendations made by the External Auditor.

**Compliance with Legislation and Regulations**

- 236.1 With respect to the oversight of the Compliance monitoring system, the Committee shall:
- (a) review the effectiveness of the system for monitoring compliance with legislation and regulations and the results of management's investigation (including disciplinary action) of any fraudulent acts or non-compliance;
  - (b) obtain regular updates from management, with legal advice as necessary, regarding compliance matters;
  - (c) be satisfied that all regulatory compliance matters have been considered in the preparation of the financial statements and annual report.
  - (d) Review compliance with the Australian Charities and Not-for-profits Commission Act 2012

**Reporting Responsibilities**

- 237.1 With respect to the Committee's reporting obligations the Committee shall:
- (a) regularly report to Bishop-in-Council on Audit Committee activities and make appropriate recommendations. In doing so, the Committee shall ensure that Bishop-in-Council is aware of matters that may significantly impact the financial condition or affairs of the Diocese from any of the specified entities;
  - (b) provide an open avenue of communication between Bishop-in-Council, Diocesan senior executive staff, Internal Audit, and the External Auditor. This includes, but is not limited to, regular de-briefs of Audit Committee activity with the Bishop, occasional presentations by the Audit Committee to Bishop-in-Council, and a standing invitation to the External Auditor to attend Audit Committee meetings.
  - (c) evaluate the Audit Committee's own performance on a regular basis and report to Bishop-in-Council at least annually on the Audit Committee's achievements against its proposed outcomes.
  - (d) Make recommendations to the Bishop-in-Council from time to time about changes to the Committee's Charter as expressed in the Grafton Diocese Governance Ordinance

**CHAPTER 20 - ACCOUNTS, AUDITS AND ANNUAL REPORTS**

**(Deleted 2016)**

## CHAPTER 21 – DIOCESAN RECORDS

### Ministry and Mission

243.1 The Diocese of Grafton seeks to be a good custodian of the records produced and collected to fulfil its obligations under law and under the Constitution of the Anglican Church of Australia and to provide a history of the development and major activities of the Anglican Church in this region.

### Ownership of Records

244.1 The records of the Diocese, its Parishes and organisations are and shall be the property of The Corporate Trustees of the Diocese of Grafton and shall be dealt with in accordance with the provisions of this Ordinance and any regulations approved by Bishop-in-Council.

### Delivery of Records

245.1 The disposition of records of the Church shall be in accordance with regulations approved by Bishop-in-Council.

245.3 Any person who has the custody of or possesses any Records of the Church must, on demand from the Registrar, deliver them up to the Registrar in accordance with such demand.

### Responsibility of Bishop-in-Council

246.1 Bishop-in-Council shall in accordance with this Ordinance and subject to any general or special direction of the Synod be responsible for the adequate preservation and conservation of the Records acquired by the Records Centre and for the general administration of the Records Centre.

### Registrar

247.1 The Registrar shall be responsible for managing the Records Centre under this Ordinance and any Regulations made or Policies adopted by Bishop-in-Council.

247.2 The Registrar shall be responsible for the staffing of the Records Centre, whether paid or voluntary, and shall make appointments and assign duties on such terms and conditions as the Registrar decides within the bounds of the approved budget.

### Disposal

248.1 The disposal of any Records of the Church, or of any other Records acquired by the Records Centre, may be done only in accordance with such Regulations as may from time to time be in force pursuant to this Ordinance.

### Records Centre Policies

249.1 The Bishop-in-Council may from time to time adopt policies not inconsistent with this Ordinance, providing for all or any of the purposes set out in this Ordinance.

249.2 Policies for access to records shall not be contrary to any law in force from time to time in the State of New South Wales.

249.3 The receipt of records other than records of the Church shall be subject to the approval of Bishop-in-Council and once received any policy direction or action in relation to such records shall not be contrary to any expressed direction given by or on behalf of any person who shall deposit such records except that the right to return the records to the giver or a legitimate successor of the giver shall be reserved.

## FIRST SCHEDULE - SYNOD STANDING ORDERS

### PART A - SYNOD MEETINGS

#### Notice of Meeting of Synod

- 1.1. When the Bishop convenes a session of the Synod the Registrar shall, subject to clause 1.2, cause to be forwarded to each member of the Synod not less than 14 days before the first sitting-day of the session
- (a) notice of the time and place fixed for the sitting;
  - (b) a copy of the agenda for the first sitting-day of the session;
  - (c) a copy of each of the reports and accounts required by these Standing Orders, by Ordinance or by resolution of the Synod to be laid before the Synod that are then available;
  - (d) a copy of any other report that has been furnished to the Registrar for laying before Synod; and
  - (e) a copy of each Bill included on the agenda.
- 1.2 When the Bishop has convened a session of the Synod under clause 42.4 of Chapter 7 of this Ordinance, the Registrar shall, when considering subclause 1.1(c) above, confine those matters to be provided to those pertaining to the particular business of that session of Synod.
- 1.3 Where these Standing Orders require business papers, including reports, motions and canons, to be sent or circulated to members, or the Registrar considers it expedient to provide information to members, that information may be provided to members by:
- (a) if the member so nominates, an electronic means by which the member is notified the information is available to be accessed by an electronic means (e.g. being available on a website or app); or
  - (b) by email to an email address provided by the member for that purpose; or
  - (c) prepaid post addressed to the member's address on the Synod roll.

#### Use of Information

- 1A.1 All material provided to members of Synod under clauses 1.1 and 1.2 of these Standing Orders is provided for the member's information to allow the member to prepare for participation in the business of the Synod. In doing so, a member may discuss the information within this material with other members of Synod or a Member of the Church in this Diocese, except that:
- (a) any material marked 'Confidential' shall not be discussed with or revealed to a person who is not a member of the Synod; and
  - (b) no material or part of any material shall be provided to any media outlet, social media platform or other distribution mechanism; and
  - (c) the member is responsible to take reasonable efforts to prevent an infringement of (a) and (b) above.
- 1A.2 Any variation to the provisions of clause 1A.1 of these Standing Orders requires the express permission of the Bishop.
- 1A.3 Following the adjournment of a session of Synod, members may use any of the materials received as a member of Synod, except those marked 'Confidential', to report on the Synod to members of their Ministry Unit and otherwise for the good conduct of the affairs of the Church in this Diocese.
- 1A.4 Following the adjournment of a session of Synod, members may engage with or respond to any report or comment regarding the business of the Synod, including a report or comment made by or through a media outlet or on a social media platform, but the member shall not purport to be a representative of the Synod or the Diocese and shall not disclose information made available to them as a member of Synod

except for information that has already been openly published by the Bishop, Registrar or other person authorised by the Bishop.

### **Members' Personal Information**

- 1B.1 Personal information gathered from members for the purpose of meeting the requirements of these Standing Orders will be confined to the information necessary for that purpose and will not be used for other purposes. Possible uses may include:
- (a) Providing a list of members, house and Ministry Unit for the information of members of the Synod; and
  - (b) Displaying information concerning candidates for elections to be held at that session; and
  - (c) Inclusion of the member's image in a photograph taken at the Synod venue and subsequently published.
- 1B.2 Any member who personally requires a variation of the provisions of clause 1B.1 may apply to the Bishop at least 21 days prior to a sitting of Synod for the protection of their personal information or image. The Bishop shall consider any such request with regard to the circumstances of the request.

### **Members Providing Information**

- 1C.1 Where these Standing Orders require a member to provide information in writing, including notices of motion and notices of amendments to motions or canons (but not nominations for elections), the member may provide that information:
- (a) if the Registrar so nominates, by another electronic means; or
  - (b) by email to an email address provided by the Registrar for that purpose; or
  - (c) in writing on paper signed by the member.

### **Hours of Meeting**

- 2.1 Unless the Synod otherwise orders, on a day other than the first day of a session the Synod shall meet at 9am.
- 2.2 If before the expiration of half an hour after the time fixed for a sitting there is not a quorum present, the President shall adjourn the Synod either to a later hour of the same day or to the next day of sitting and if, on that next day, there is not a quorum present before the expiration of half an hour after the time fixed for the sitting the President shall adjourn the Synod sine die.

### **Recording of Attendance at Synod**

- 2A.1 On each day of sitting of the Synod each member who is present shall complete their Attendance Slip for that day and lodge it in the box provided.
- 2A.2 The President may require lay members to sign any declarations that may be required under the Constitution of the Church in New South Wales before participating in the business of Synod.

### **Quorum**

- 3.1 The President, ten clerical members and twenty lay members shall form a quorum of the Synod.
- 3.2 If it is determined as a result of a division or of a count of the Synod that there is not a quorum present, the President shall adjourn the Synod for up to thirty minutes to seek a quorum. If no quorum is then present, the President shall adjourn the Synod until a later hour of the same day or to the next day of sitting.
- 3.3 *(Deleted 2020)*

### **Suspension of Sittings**

- 4.1 At its first sitting the Synod shall determine on motion without notice the hours at which each sitting will be suspended.
- 4.2 The President may, without motion being made, suspend a sitting of the Synod for a period of up to 30 minutes.

### **Meetings of Synod**

- 5.1 The members of the Synod shall meet in one chamber.
- 5.2 A meeting of the Synod is, subject to the next succeeding sub-clause, open to the public.
- 5.3 The President shall, at any time, upon request by five members, close the proceedings to the public.
- 5.4 Where the public have been ordered to withdraw, they shall be re-admitted when the item of business before the Synod at the time when they were ordered to withdraw has been disposed of or adjourned.

### **Health and Safety Provisions**

- 5A.1 For the purpose of the protection of members of the Synod and others from communicable diseases, the Bishop-in-Council may approve protocols for any or all of the following:
  - (a) the screening of members of the Synod and visitors for admission into the synod venue
  - (b) the exclusion of any persons, or category of persons, who are not members of the Synod
  - (c) practices in the venue for the maintenance of health and safety.
- 5A.2 A member of Synod or any other person may be excluded from the Synod venue, for part or all of the session, where such action is in accordance with the approved screening protocol.
- 5A.3 A member of Synod failing to adhere to the protocols for practices in the venue for the maintenance of health and safety has committed disorderly conduct which shall be considered under clause 33.1 of the First Schedule.

### **Officers of the Synod**

- 6.1 The Officers of the Synod are -
  - (a) the Chair of Committees, and a Deputy Chair of Committees;
  - (b) the Clerk of Committees and
  - (c) two Synod Secretaries, one of whom shall be a clerical member of Synod and the other a lay member of Synod.
- 6.2 The Officers shall be elected at the commencement of the first session of a Synod.
- 6.3 An Officer holds office, unless the officer resigns office by notice in writing to the President, or ceases to be a member of the Synod, until the commencement of the first session of the next Synod.
- 6.4 Subject to clause 6.6, where an Officer resigns or ceases to be a member of the Synod, the Synod shall, at the commencement of its next sitting, elect a member to fill the vacancy.

- 6.5 The Synod may elect a member to deputise for the Clerk of Committees, or the Clerical Secretary or the Lay Secretary. Such appointment shall be for that session of Synod.
- 6.6 Where the Chair of Committees resigns or ceases to be a member of the Synod, the Bishop-in-Council shall appoint a member of Synod to fill the vacancy until the commencement of the next session of Synod, at which Synod shall elect a member to fill the vacancy.

### **Duties of the Secretaries**

- 7.1 It is the duty of the Secretaries to ensure that:
- (a) minutes of the proceedings of the Synod, except when in Committee of the Whole, are taken;
  - (b) all Ordinances and Motions passed by the Synod are recorded;
  - (c) all reports and other papers so required are laid on the table of the Synod;
  - (d) the Notice Paper for each sitting day of Synod other than the first day of a session of the Synod, is prepared and available to members;
  - (e) the members' Attendance Slips for each sitting day are recorded on a Synod roll;
  - (f) for any election ballot papers are duly prepared and issued and the election is properly conducted,
  - (g) they certify the result of any election; and
  - (h) that all minutes, records and other documents of the Synod are given into the custody of the Registrar at the conclusion of the session.

### **Duties of the Registrar**

- 8.1 The Registrar has the custody of the books, papers, minutes and records of the Synod.

### **Members Conduct**

- 9.1 *(Deleted 2020)*
- 9.2 *(Deleted 2020)*
- 9.3 *(Deleted 2020)*
- 9.4 *(Deleted 2020)*
- 9.5 Members shall conduct themselves with care and respect for each other and a desire for the welfare of Christ's church. Particular notice shall be taken of "Being Together" (*General Synod Resolution 45/14*) as a benchmark for words and actions from members during the course of a session.

"Faithfulness in Service" provides further guidance for Synod to be conducted in an environment where "*the physical, emotional and spiritual welfare and safety of all people, particularly within its own community*" is created. Members shall take particular notice of Section 6 relating to "Personal Behaviour".

### **Acting President**

- 10.1 The President may, at any time, without motion being made, request a member of Synod to take the chair as Acting President of the Synod during the President's temporary absence from the sitting.
- 10.2 An Acting President has all the powers, and shall exercise all the functions, of the President under these Standing Orders during the absence of the President from the sitting.



**Elections and Qualifications Committee**

- 10A.1 At the first session of each Synod, the Synod shall elect an Elections and Qualifications Committee.
- 10A.2 The Elections and Qualifications Committee shall consist of not more than five members of Synod, including at least one Clerical and one Lay member.
- 10A.3 A member of the Elections and Qualifications Committee holds office, unless the member resigns the office by notice in writing to the President or ceases to be a member of the Synod, until the first session of the next Synod.
- 10A.4 Where a vacancy occurs in the Elections and Qualifications Committee, the Synod shall, at the commencement of its next sitting, elect a member to fill the vacancy.
- 10B.1 The Elections and Qualifications Committee shall inquire into and report upon all questions which shall be referred to it by Synod respecting the validity of any election or return of any member (including their election or return to any office by the Synod), and also respecting the qualification or disqualification of any person who has been returned as a member of the Synod to be so returned or to hold an office which is elected by the Synod.
- 10B.2 The Elections and Qualifications Committee may sit, if it thinks fit, while the Synod is sitting.
- 10B.3 The Elections and Qualifications Committee when inquiring into matters referred to it, may receive the best evidence it can procure or which is laid before it, whether it be such as would be admitted in cases at law or not and it may reject any evidence tendered to it which it may see fit to reject.
- 10B.4 The Elections and Qualifications Committee shall report the result of its inquiries to the Synod and shall report whether it finds that the election or return of the member whose case has been referred to it is valid or whether that person is qualified as the case may be, whereupon it shall be competent to move forthwith, without notice, or on any subsequent day, pursuant to notice, that the report be adopted.
- 10B.5 Upon the motion for the adoption of the report it shall be competent to substitute for it by way of amendment such resolution in respect to the matter referred to the Elections and Qualifications Committee as to the Synod shall seem proper, provided that such resolution shall state distinctly that the election or return of the member is or is not valid, or that the person is qualified or disqualified to be such member as the case may be. If by such resolution or by the adoption of the report, it be determined by the Synod that the member has not been properly elected or returned or that the person is not qualified to be a member, the person shall not henceforth sit (unless re-elected) as a member of Synod and that person's seat shall be declared vacant, but if the contrary be determined the member may forthwith may resume their seat.
- 10B.6 No member of the Elections and Qualifications Committee whose case has been directed to be referred to the Elections and Qualifications Committee, and is still undecided, shall sit thereon until their case shall have been finally dealt with by Synod.
- 10B.7 Nothing herein contained shall prevent the Bishop, if aware of any proceedings at any election which shall in the Bishop's opinion invalidate the return of any member, from referring such matter for the decision of the Elections and Qualifications Committee.

### **Minutes Committee**

- 11.1 At the first session of each Synod, the Synod shall elect a Minutes Committee to scrutinise the minutes of each sitting and certify whether or not the minutes are correct.
- 11.2 The Minutes Committee shall consist of three members.
- 11.3 A member of the Minutes Committee holds office, unless the member resigns the office by notice in writing to the President or ceases to be a member of the Synod, until the first session of the next Synod.
- 11.4 Where a vacancy occurs in the Minutes Committee, the Synod shall, at the commencement of its next sitting, elect a member to fill the vacancy.
- 11.5 The President shall, at each sitting of a session of the Synod other than the first sitting of the session, report whether or not the minutes have been duly certified by the Minutes Committee to be correct and, where the minutes have been so certified to be correct, they shall be taken to have been confirmed by the Synod.
- 11.6 The minutes of the Synod's last sitting shall be certified by the Minutes Committee which shall forward its certification to the next meeting of Bishop-in-Council for adoption.

### **Recording of Synod**

- 11A.1 No person may make an audio or video recording of any part of the proceedings of a session of Synod without the approval of the Synod.
- 11A.2 Any person wishing to make an audio or video recording of the Synod shall submit their request to a Secretary of the Synod. The President may either reject the request or submit it to a vote of the Synod, at a time of the President's choosing.

### **Participation of Non-voting Members**

- 11B.1 Any person designated in Chapter 7 of the Diocesan Governance Ordinance as a member of the Synod without a right to vote, may with the exceptions listed in 11B.2 participate fully in the Synod, including holding an office of the Synod, moving motions or amendments to motions, seconding motions or amendments to motions, moving bills or amendments to bills, seconding bills or amendments to bills, and participating in the debate on a motion or bill.
- 11B.2 Any person designated in Chapter 7 of the Diocesan Governance Ordinance as a member of the Synod without a right to vote may not participate in any vote on a motion, bill or in an election of the Synod. Such persons are not counted for the purpose of determining a quorum.

## PART B - ORDER OF BUSINESS

### Order of Business for First Sitting Day

12.1 The order of business for the first sitting-day of a session of Synod, except as convened under clause 42.4 of Chapter 7 of this Ordinance, is as follows:

- (a) Prayers;
- (b) Calling the Roll of Members of Synod
- (c) Receiving the apologies;
- (d) Election of Officers of Synod (if necessary);
- (e) Election of the Members of the Minutes Committee (if necessary);
- (f) Election of the Elections and Qualifications Committee (if necessary);
- (g) The President's Address;
- (h) Reports and Accounts required by these Standing Orders, by Ordinance or by a resolution of Synod to be laid before Synod to be laid on the table;
- (i) Petitions;
- (j) Notices of Questions;
- (k) Notices of Motion;
- (l) Formal Motions;
- (m) Adoption of the audited annual Financial Statements of Bishop-in-Council and The Corporate Trustees
- (n) Consideration of Bishop-in-Council's progress report on the development of the Diocesan Budget;
- (o) Motions relating to the reports and annual Financial Statements laid on the table;
- (p) Introduction of Bills having the approval of Bishop-in-Council to be introduced;
- (q) Introduction of other Bills;
- (r) Motions;
- (s) Such other Business as the President or Synod may by Motion determine.

12.2 The order of business for the first sitting-day of a session of Synod convened under clause 42.4 of Chapter 7 of this Ordinance is as follows:

- (a) Prayers;
- (b) Calling the Roll of Members of Synod
- (c) Receiving the apologies;
- (d) Election of Officers of Synod (if necessary);
- (e) Election of the Members of the Minutes Committee (if necessary);
- (f) Election of the Elections and Qualifications Committee (if necessary);
- (g) The President's Address;
- (h) Notices of Questions pertaining to the particular business of the Synod;
- (i) Notices of Motion pertaining to the particular business of the Synod;
- (j) Formal Motions;
- (k) Introduction of Bills having the approval of Bishop-in-Council to be introduced;
- (l) Motions pertaining to the particular business of the Synod;
- (m) Such other Business as the President may determine.

12.3 During the first sitting-day of any session in which elections are to be held Synod shall determine on motion without notice the time at which nominations shall open and close and the time(s) at which voting shall take place.

12.4 *(Deleted 2020)*

### Order of Business for Subsequent Days

13.1 Subject to the next succeeding sub-clause, orders of the day and motions, respectively, shall be listed in the order of business for the second or a subsequent day of a session in such order as the President, or Acting President, and the Secretaries consider most convenient.

- 13.2 Where the Synod has directed that an Order of the Day or Motion be taken at a particular time or following a specified matter, the order or motion shall be listed on the Order of Business accordingly.

### **Reports and Accounts to be laid before Synod**

- 14.1 The following reports and accounts shall be laid before Synod during each ordinary annual session of the Synod:
- (a) a report of the work of Bishop-in-Council since the last ordinary session of Synod;
  - (b) a report of Bishop-in-Council concerning its exercise since the last ordinary annual session of Synod of any powers of management conferred on it by Section 24 of the Anglican Church of Australia Trust Property Act 1917;
  - (c) a report of the work of The Corporate Trustees since their last report to Synod;
  - (d) the Financial Accounts of each fund under the control of Synod, Bishop-in-Council or The Corporate Trustees; and
  - (e) reports on the work of such of the Ministry Units, bodies, entities and committees of the Diocese as the Bishop or Synod by Ordinance determines.
- 14.2 The Registrar shall provide copies of the reports and accounts referred to in the last preceding sub-rule, as well as of any other report furnished to the Registrar for laying before the Synod, to each member of Synod and, where appropriate, such shall be included in the Diocesan Year Book.
- 14.3 All reports as provided under 14.2 shall be taken as read and received provided however that any member of the Synod may thereupon move that a particular report be not received, which motion shall forthwith be debated and if passed, such report shall not be received and shall not form any part of the record of Synod.

### **Notices of Motion**

- 15.1 A notice of motion, including a notice of motion for leave to introduce a Bill, shall not be included on the agenda for the first day of a session unless the notice is received by the Registrar not less than 21 days before the first sitting day of the session. The proposer of the motion may supply to the Registrar by the closing date for notices of motion an explanation paper limited to 150 words which shall be included in the Books of Synod and circulated to members.
- 15.2 A notice of motion submitted for a session of Synod convened under clause 42.4 of Chapter 7 of this Ordinance shall pertain to the business specified in the Summons for that session.
- 15.3 A notice of motion that is considered libellous, vitriolic or malicious, deliberately misrepresentative, or similar may be excluded from the Business Paper by the Bishop.
- 15.4 Motions for which less than 21 days' notice before the first sitting day of a session have been given shall not be included on the agenda unless:
- (a) Upon notices of motion being called for by the President the mover reads the proposed motion and succinctly gives reasons why the motion should be placed on the agenda; and
  - (b) Synod on motion without notice immediately resolves that such proposed motion should be placed on the agenda.
- 15.5 Notices of motion given on the last day of a session, and which have received approval under clause 15.4 above shall be dealt with as if they were included on the agenda for that day.

### **Motions Involving Expenditure**

- 15A.1 A notice of motion that would, if passed, have the effect of increasing diocesan expenditure or reducing diocesan income is not to be included on the order of business for a day unless it complies with 15A.2.
- 15A.2 A notice of motion to which clause 15A.1 applies must either set out, or be accompanied by a paper which sets out, a proposed source of funding to offset the effect of the motion on diocesan finances.
- 15A.3 (Deleted 2022)

### **Formal Motions**

- 16.1 Before the Orders of the Day or motions are proceeded with the President at each sitting shall call over all the motions on the business paper and any motion may be taken as a formal motion unless
- (a) the President determines the motion should not be taken formally, or
  - (b) someone other than the mover or the seconder calls "Object" whereupon, at the President's discretion, the President may request the objector to state their name and state succinctly that they intend in relation to the motion to oppose it, or to seek to amend it, or to seek further information in relation to it.
- 16.2 If a motion is to be taken formally, the mover may address the Synod for no longer than three minutes (with no extension) in relation to the motion, after which the motion shall be put forthwith without debate.
- 16.3 Where a motion is not to be taken formally and, in the opinion of the President, the business of Synod may benefit from interested members meeting "in a huddle" as described in clauses 47.2 to 47.4 of these Standing Orders, the President may instruct the mover of the motion to find a suitable time and place for a huddle or give specific directions in that regard, as the President sees fit.

### **Notice of Bills for Ordinances**

- 17.1 A motion for leave to introduce a Bill shall not be moved during a session unless a copy of the Bill had been received by the Registrar not less than 21 days before the first sitting.

## **PART C - PETITIONS**

### **Petitions**

- 18.1 A petition may be in writing or in type and must be legible.
- 18.2 A petition shall contain a succinct statement of its purpose and conclude with a prayer (a succinct statement of the action or prohibition sought).
- 18.3 A petition shall be signed by at least one person on the sheet on which the petition is inscribed and shall contain their name and address.
- 18.4 A petition shall be signed by the persons, with their own hands, whose names and addresses are appended to it on the petition or on a sheet containing the prayer.
- 18.5 A petition shall not have attached to it, or be accompanied by, a letter or any other document.

### **Petition to be Respectful**

- 19.1 A petition shall not be received if; in the opinion of the President it is not respectful, decorous and temperate in its language.

### **Presentation**

- 20.1 The member presenting a petition shall be acquainted with its contents and sign the petition at the top thereof before presenting it.
- 20.2 Upon presenting a petition, the member -
  - (a) shall state from whom it comes, its material allegations and its prayer(s) and
  - (b) may require it to be read by one of the Synod Secretaries.

### **Motion to Receive the Petition**

- 21.1 Upon the presentation of a petition, the member presenting it shall move, without notice, that the petition be received.
- 21.2 No other motion relating to the petition may be moved without notice.

## PART D - ELECTIONS

### Application

- 22.1 Unless the Synod otherwise orders, this Part does not apply to the election of officers of the Synod.

### Notice of Elections

- 23.1 The Registrar shall cause notice of each election due to be held at a Synod session to be given to each member of the Synod with the agenda for the first sitting-day of the session.

### Nominations

- 24.1 Any two or more members of Synod may, by writing under their hands, nominate a person or persons not exceeding the number of persons required to be elected, being a person or persons duly qualified to be elected to the office, for election.
- 24.2 A nomination -
- (a) shall have, in respect of the person or each person nominated for the election, the consent of the person nominated for the election written on it and signed by the nominee or bear a certificate, signed by one of the nominators, certifying that the person has consented to be nominated for the election; and
  - (b) shall be delivered to a Synod Secretary not later than the time Synod has determined for the close of nominations.
- 24.3 If the number of persons nominated is not sufficient to fill the vacancies, the President may extend the time for nominations and call for further nominations.
- 24.4 If the number of persons nominated is not greater than the number to be elected, the President shall declare the persons nominated to be elected but, in any other case, the Synod Secretaries shall conduct a ballot.
- 24.5 If a vacancy is not filled at Synod, Bishop-in-Council is hereby empowered to fill the vacancy by appropriate nomination or election process.

### Voting

- 25.1 Where a ballot is to be held -
- (a) the Synod shall, by resolution, appoint persons, who need not be members of the Synod, to be tellers;
  - (b) the Synod Secretaries shall notify the names of the persons nominated to the members of Synod;
  - (c) voting shall take place at times determined by Synod;
  - (d) the Synod Secretaries shall cause ballot papers containing the names of those nominated in alphabetical order of surname to be issued to the persons entitled to vote and record the persons to whom they are issued;
  - (e) a voter to whom a ballot paper for an election is issued is not entitled to receive another ballot paper for the election unless the person surrenders to a Secretary the ballot paper first issued; and
  - (f) a voter shall vote by marking a tick or a cross on the ballot paper opposite to the name of each person for whom the voter desires to vote and depositing the ballot paper in a locked box provided for receiving ballot papers. A voter may place no more ticks and crosses on the ballot paper than there are positions to be filled.

### Counting of Votes

- 26.1 The tellers shall, after the close of the poll, remove the ballot papers from the locked box in which they were placed and check each ballot paper for formality.

- 26.2 In the process of examining and counting ballot papers, the tellers shall ensure that they do not add any marks to, or remove any marks from, a ballot paper, whether considered formal or informal.
- 26.3 The tellers shall determine as informal a ballot paper that
- (a) does not appear to have been duly issued; or
  - (b) records votes for a greater number of persons than the number required to be elected; or
  - (c) is not marked in accordance with this Part.
- 26.4 The tellers shall count the number of votes duly cast for each candidate and report the result of the ballot to the Secretaries for certification and reporting to the President.
- 26.5 The tellers shall ensure that all ballot papers, whether considered formal or informal, are returned to the custody of the Secretaries when the count has been completed.
- 26.6 If two or more candidates receive the same number of votes but there are vacancies for some only of those candidates a new ballot to fill those vacancies shall be held among the candidates who received that equal number of votes.
- 26.7 The President shall report at a convenient time the result of any completed ballot-to the Synod.



**PART E - RULES OF DEBATE**

**Members to Stand**

27.1 A member shall stand when speaking, and address the President and Members of Synod.

**President's Privileges**

28.1 The President may take part in debate without leaving the chair.

When the President rises, a member speaking shall resume the member's seat and all members other than the President shall remain seated until the President is seated.

**Questions of Order**

29.1 A question of order shall be determined by the President whose determination is final unless altered by a vote of the Synod upon a motion moved without notice forthwith after the determination.

29.2 A member may speak to a point of order.

**Length of Speeches**

30.1 Unless the Synod otherwise orders, the following time limits apply to speeches in the Synod –

Motion other than a formal motion or a motion to adopt a report or a procedural motion-

Person	Time (minutes)
Mover	7
Other Speaker	4
Mover in Reply	3

Formal motion -

Person	Time (minutes)
Mover	3 (no extension)

Motion to adopt a report specified in clause 14 of these Standing Orders

Person	Time (minutes)
Mover	8
Other Speaker	4
Mover in Reply	3

Motion to adopt any other report -

Person	Time (minutes)
Mover	5
Other Speaker	3
Mover in Reply	3

Procedural motion -

Person	Time (minutes)
Any Speaker	2

30.2 The Synod may, except in the case of formal motions, on motion put without notice or debate, extend the time allowed to a speaker.

### **Limitation on Debate**

- 31.1 At any time during a debate on a motion, but not so as to interrupt a member who is speaking, a member who has not spoken may, without notice, ask the President "Whether in the opinion of the President the motion has been sufficiently debated?".
- 31.2 If, upon being asked the question, or at any other time, the President is of the opinion that the motion has been sufficiently debated, the President shall so inform the Synod.
- 31.3 Where the President informs the Synod that the motion has been sufficiently debated, a member who has not spoken may move, without notice, "that the motion be now put".
- 31.4 Upon such a motion being moved and seconded, the President shall put the motion without further debate.
- 31.5 If the motion "that the motion be now put" is carried, the President shall afford the mover of the motion an opportunity to reply, or, if the mover does not wish to reply, forthwith put the motion to the vote.

### **Speeches to deal only with the Motion under debate**

- 32.1 The President shall call to order any member who, in the opinion of the President, is digressing from the subject matter under discussion or who makes personal reflections on, or imputes improper motives to, another member.
- 32.2 A member shall not interrupt a speaker except to raise a point of order or when expressly permitted to do so by these Standing Orders.

### **Disorderly or Inappropriate Conduct**

- 33.1 If, in the opinion of the President, a member -
- (a) persistently digresses from the subject matter under discussion; or
  - (b) is guilty of disorderly conduct; or
  - (c) fails to conduct themselves as required by clause 9.5 of these Standing Orders;
- the President shall report the member to the Synod, which may suspend the member for the remainder of the session or a part of the session if the motion to do so is passed by a two thirds majority of the Synod voting collectively.
- 33.2 The President shall not report a member to the Synod for disorderly or inappropriate conduct unless the President has afforded the member an opportunity to withdraw any improper remarks made or otherwise apologise for the conduct and the member has refused to do so.

### **Adjournment of Debate**

- 34.1 Where the debate on a motion is adjourned and made an Order of the Day for a future sitting, the Synod may, upon motion made without notice and put without debate, determine that the resumption of the debate take preference over all or any motions or other Orders of the Day for that sitting.

### **Right of Reply**

- 35.1 A member shall not speak more than once on the motion to which the motion relates, except where, with the permission of the President, the member makes a personal explanation.
- 35.2 Where an amendment has been moved to a motion, a member who spoke on the motion before the amendment was moved may speak, once only, to the amendment.

- 35.3 A member, not being a member to whom the last preceding sub-clause applies, who speaks after an amendment has been moved to a motion may address both the original motion and the amendment but is not entitled to speak a second time to the motion or the amendment.
- 35.4 The mover of a motion (not being the mover of an amendment to a motion), may, speak a second time in reply.
- 35.5 When the mover of a motion has spoken in reply, the motion shall be put without further debate.

#### **Motions to be seconded**

- 36.1 A motion shall not be discussed or entered in the minutes unless it is seconded.
- 36.2 A member may second a motion pro forma and shall not be considered to have spoken on the motion by doing so.
- 36.3 *(Deleted 2020)*

#### **Notice to be given of Motion**

- 37.1 Except with the leave of Synod, or as otherwise provided in these Standing Orders, a motion shall not be moved unless Notice of the motion was duly given before the commencement of the session or on a previous day of sitting.

#### **Order of Motions**

- 38.1 Unless the President or the Synod otherwise orders, motions shall be taken on a sitting day in the order in which they are listed on the agenda for the day.
- 38.2 If a motion is not moved, or is not postponed by leave of the Synod, when it is due to be moved, the motion shall be deemed to have lapsed.

#### **Calling for Notices of Motion, Questions and Petitions**

- 39.1 The President shall at least once a day ask if there are any Notices of Motion, or Questions, or Petitions for presentation. The President shall provide an answer to any questions asked later in the session.
- 39.2 Any question a member proposes to ask shall be in written form and a copy lodged with the President before the sitting at which the member seeks to ask the question.
- 39.3 Where, in the President's opinion, the question is considered to not be respectful, decorous or in temperate language or is considered to be libellous, vitriolic or malicious, deliberately misrepresentative, or similar, the President shall advise the member that permission will not be given for the question to be asked as written.

#### **Amendments**

- 40.1 An amendment shall not be put unless it is seconded and a written copy of the amendment handed to a Synod Secretary.
- 40.2 Subject to the next succeeding clause, an amendment shall be in one of the following forms:
- (a) if the object of the amendment is to substitute a new motion for the motion moved, the amendment shall be "that all words after the word 'that' in the motion be omitted with a view to the insertion of the following words in their stead ...";
  - (b) if the object of the amendment is to alter the motion by omitting certain words only and inserting other words in their stead - the amendment shall be "that the word (or words)... be omitted with a view to inserting the following word (or words) in its (or their) stead...";

- (c) if the object of the amendment is to alter the motion by omitting certain words only - the amendment shall be "that the words .... be omitted"; and
- (d) if the object of the amendment is to alter the motion by inserting or adding certain words to it - the amendment shall be "that the words .... be inserted after the word.... (or added at the end)".

40.3 (Deleted 2020)

40.4 Where an amendment that certain words be omitted is lost, a further amendment proposing the omission of those words or any of them is out of order.

40.5 Where an amendment that certain words be inserted or added is lost, an amendment may be moved for the insertion or addition of other words.

40.6 An amendment to a motion shall be disposed of before another amendment to the motion is moved.

40.7 (Deleted 2020)

#### **Certain Amendments Not in Order**

41.1 An amendment shall not be moved to a motion:

- (a) if it is not relevant to the subject matter of the motion; or
- (b) if it would result in the motion as proposed to be amended being the opposite of the motion.

#### **Closure of Debate without Decision**

42.1 When it is desired to avoid or postpone a decision on a motion a member may move, without notice, "that the Synod proceed to the next item of business".

42.2 When moved, that motion shall be put without debate, and if agreed to, the Synod shall proceed forthwith to the next item of business.

#### **Motions, how resolved**

43.1 Subject to the next succeeding sub-clauses, a motion shall be resolved on the voices or by show of hands according to whether in the President's opinion, there is a majority voting "aye" or "no". If a count is required, the President shall appoint tellers to conduct such.

43.2 If the President, or twenty or more members, so require, voting may be by ballot. The President shall set a time for voting to take place, appoint tellers to count the votes, and shall adjourn debate on the motion.

The Secretaries shall:

- (a) prepare a ballot paper containing the words of the motion and provision of voting squares for "YES" and "NO",
- (b) distribute a ballot paper to each member, marking the member's name on a roll;
- (c) provide ballot boxes in which members may lodge their vote;
- (d) arrange for the tellers to count the ballot papers at the close of the poll;
- (e) report the result of the ballot to the President.

The result shall be resolved on the majority voting "yes" or "no" and, at a time determined by the President, the President shall advise Synod of the result of the ballot.

43.3 If the result of a vote held under clause 43.1 is determined by less than five votes and ten or more members so require, a division shall be held on the motion and the motion shall be decided according to the result of the division.

## 43.4 If a division is to be held -

- (a) the President shall put the question and, after a lapse of two minutes, shall direct the members then present to divide, "Ayes" to move to the right and the "Noes" to the left of the chair.
- (b) the President shall appoint tellers for each side;
- (c) the tellers shall count the votes for each side and report the count to the President; and
- (d) the President shall declare the result of the division, including the numbers voting for and against the question collectively, the result being resolved on the majority voting "Aye" or "No".
- (e) (Deleted 2020)

## 43.5 If ten or more members require a vote by orders or houses, the vote may be taken by a show of hands or a division or a ballot, such being determined by the President.

- (a) If a ballot is to be held it shall be conducted in the manner prescribed in sub-clauses 43.2 (a) to (e).
- (b) If the vote is by a show of hands, it will be conducted of first only the lay members and then only the clergy members (other than the Bishop) of the Synod, with the counts for each House being reported to the President.
- (c) If the vote is by a division, it will be conducted of first only the lay members and then only the clergy members (other than the Bishop) of the Synod, in the manner as described in sub-clauses 43.4(a), (b) and (c) above with the counts for each House being reported to the President.

## 43.6 Where a vote by Houses is taken, the question shall not be taken to be resolved in the affirmative unless a majority of the members voting in each House vote in favour of the question.

**Divisions**

## 44.1 Where a division is to be held:

- (a) a member may not leave the chamber after the President has directed members to divide;
- (b) a member may enter the chamber within two minutes of the President putting the motion and advising of the division; and
- (c) after the President has appointed the tellers, a member other than a teller may not change his or her place in the chamber until after the tellers have counted the votes.

**Withdrawal of Motion**

## 45.1 A motion may, with the leave of the Synod, be withdrawn by the mover.

**Motion previously Dealt With**

## 46.1 A matter that has been dealt with by the Synod at a session shall not be the subject of a further motion during that session.

**Adjournment – Including for Separate Consideration by Interested Members (a Huddle)**

- 47.1 A motion to adjourn the debate on a motion or to adjourn the Synod may be moved at any time without notice but not so as to interrupt a member who is speaking.
- 47.2 The Synod may, by motion without notice, adjourn debate on a motion to allow the motion to be considered separately by members interested in its subject matter.
- 47.3 Members who indicate their interest to the President in taking part in such a discussion by rising in their places when called on to do so, may meet separately to discuss the motion, whether during a sitting of the Synod or not.

- 47.4 If those members, or a majority of them, reach agreement with the mover of the motion on the text of that motion and so advise the Secretaries, the text as so agreed is taken to be the text of the motion for the further consideration by the Synod.

#### **President (Bishop) May Not Vote**

- 48.1 The President may not vote on any motion before the Synod or at any election at the Synod.

#### **Suspension of Standing Order**

- 49.1 A matter or thing may be done by or in the Synod notwithstanding the provision of a Standing Order if -
- (a) it is done by leave of the Synod without dissentient voice; or
  - (b) the provision of the Standing Order is suspended
    - (i) upon motion moved on notice; or
    - (ii) upon motion moved without notice, there being ten or less members voting against the motion.

#### **Need for Motion Before the Chair**

- 50.1 When no motion is before Synod, no member shall be at liberty to speak unless the member intends to conclude by moving a motion and any member rising to move a motion of which notice has not been given shall when called upon by the President forthwith state what motion it is intended to move.

#### **Electronic Voting**

- 50A.1 Despite any other provisions of this PART E:
- (a) the Bishop-in-Council may approve a method of voting using electronic or digital devices or systems and may at any time withdraw that approval;
  - (b) any vote to be taken in accordance with clauses 43.1 to 43.6 of these Standing Orders will be taken first on the voices under clause 43.2;
  - (c) any other vote to be taken must be taken by using the voting method which remains approved by the Bishop-in-Council unless a majority of the members present and voting collectively resolve otherwise on a motion by any member (which may be given without notice), provided that ten members stand in their places to support the mover; and
  - (d) the Secretaries shall report the voting outcome produced by the voting method to the President or Chair of Committees, who shall declare the outcome to the Synod or Committee.
- 50A.2 The Bishop-in-Council may only approve a method of voting using electronic or digital devices or systems if that method incorporates a system which:
- (a) is capable of recording a vote for or against and of identifying the house of the voter;
  - (b) prevents a member from voting more than once on the same matter; and
  - (c) can only be accessed by members who are on the floor of Synod and has adequate security mechanisms to prevent any person who is not a member from casting a vote;
  - (d) records and tallies votes anonymously; and
  - (e) is able to be audited to ensure that votes are taken in accordance with the Standing Orders.
- 50A.3 The President or Chair of Committees (if the vote is in Committee) may for any vote to be taken rule that the approved method not be used if the President or the Chair of Committees (as applicable) is satisfied that the approved method may not produce an accurate voting outcome for any reason, including because of technical difficulties. In such a case, the vote will be taken in accordance with clauses 43.1 to 43.6 of these Standing Orders as applicable.

## **PART F - COMMITTEE OF THE WHOLE**

### **Committee of the Whole**

51.1 The Synod shall, upon motion moved without notice, or, as provided by the Standing Orders, without motion, sit as a Committee of the Whole to consider a matter.

### **Chair and Clerk of Committees**

52.1 When the Synod is sitting as a Committee of the Whole -

- (a) the Chair of Committees (the Chair) shall preside unless the provisions of clause 53.1 prevail and provided however that the President may preside in Committee if he or she shall so desire;
- (b) the Chair has a casting but not a deliberative vote; and
- (c) the Clerk of Committees shall keep minutes of the proceedings of the Committee and a record of the matters agreed to by the Committee.

### **Deputy Chair**

53.1 In the case of the absence of the Chair, or by arrangement between the Chair and a Deputy Chair, a Deputy Chair shall act. In the case of absence, inability or unwillingness to act of any Deputy Chair, a member whom the Committee shall appoint shall act.

53.2 An Acting Chair has all the powers and shall exercise all the functions of the Chair under these Standing Orders, including a casting vote.

### **Quorum**

54.1 The quorum in Committee of the Whole is the same as the quorum of the Synod.

54.2 If, while the Synod is sitting as a Committee of the Whole, notice is taken that there is not a quorum present, the Chair shall leave the chair and report that fact to the President.

### **Motions in Committee**

55.1 A motion moved in Committee of the Whole need not be seconded.

### **Speaking in Committee**

56.1 A member may speak more than once on a motion before the Committee of the Whole.

### **Length of Speeches**

57.1 Unless the Committee otherwise orders, a member shall not speak for more than five minutes on any one occasion before the Committee of the Whole.

58.1 *(Deleted 2012)*

### **Clauses 27-50 to apply in Committee**

59.1 Except to the extent to which they are inconsistent with this Part, clauses 27-50 of these Standing Orders apply to proceedings in Committee of the Whole as if references to the President were read as reference to the Chair and references to Synod were read as references to the Committee.

59.2 The Committee may not suspend a member.

## PART G - ORDINANCES

### Leave to Introduce a Bill

- 60.1 A bill for a proposed Ordinance shall not be considered by the Synod unless its introduction has been approved
- (a) by Bishop-in-Council, or
  - (b) by resolution of the Synod by way of a motion for leave to introduce a bill for an Ordinance.

### Consideration by the Synod

- 61.1 At the time of moving a motion that a bill be approved in principle the mover may seek the leave of the Synod to introduce the bill with amendments to the bill as circulated to each member. If such leave is given the bill as so introduced shall be the bill to be debated.
- 61.2 When a motion that a bill be approved in principle has been moved and spoken to by the mover and seconded, the President shall ask if any member or members wish to ask the mover or seconder any question or questions to assist members to elucidate the purpose and intended effect of the bill, and any member may then ask any such question which may thereupon be answered by the mover or seconder. Further such questions may be asked and answered until the President announces that the debate shall proceed.
- 61.3 A person who has asked or answered a question during the period referred to in paragraph 61.2 shall not, for the purpose of the ensuing debate, be deemed to have spoken on the motion by virtue only of having asked or answered such question.
- 61.4 After the President shall have announced that the debate shall proceed, the general principle of the bill shall be debated.
- 61.5 If the motion that the bill be approved in principle be decided in the negative the bill shall lapse.
- 61.6 When the Synod has agreed to a motion that a bill be approved in principle, the President shall ask if any member wishes to debate the bill in Committee.
- 61.7 If any member shall answer "Yes" then the Synod shall, without motion being moved, forthwith be deemed to have resolved itself into Committee to consider the bill in detail, unless the Synod resolves that consideration of the bill by the Committee be an order of the day for another time.
- 61.8 If no member shall answer "Yes", the motion that the bill do now pass may be moved forthwith without notice or may be made an order of the day for another time.
- 61.9 If a bill is considered in Committee, the Chair may allow the bill to be considered:
- (a) as a whole;
  - (b) clause by clause;
  - (c) by groups of clauses or by groups of clauses and single clauses; or
  - (d) in a manner which the Chair considers will best facilitate consideration of the amendments of the bill that are to be proposed.
- 61.10 In Committee if the bill is not taken as a whole:
- (a) the title and short title and the preamble (if any) are postponed until after the clauses have been agreed to; and



- (b) the question shall be put by the Chair in respect of each clause or each group of clauses, as the case requires, that it be agreed to; and
- (c) when the clauses have all been agreed to either with or without amendment, the question shall be put, first in respect of the preamble (if any) then in respect of the title and short title, that it be agreed to.

61.11 Upon the Committee completing its consideration of a bill:

- (a) the Synod shall be deemed to be reconvened and the Chair shall report to the President the bill as agreed by the Committee;
- (b) the President shall, without a motion being moved, put to the Synod the question 'that the report be agreed to': which question shall be open to amendment that the bill, or a specified clause, be recommitted to the Committee to consider an amendment.

61.12 When the question that the report of the Chair be agreed to has been put to and passed by Synod, the motion that the bill do now pass may be moved forthwith without notice or made an order of the day for another time.

61.13 A motion that a bill do now pass shall be open to amendment that the bill, or a specified clause, be recommitted to the Committee to consider an amendment.

61.14 If a bill, or a clause of a bill, is recommitted to the Committee:

- (a) the Synod shall, without a motion being moved, forthwith be deemed to have resolved itself into Committee to consider the proposed amendment;
- (b) the procedure in Committee shall, as nearly as practicable, be the same as the procedure following the passing of the motion that the bill be approved in principle except that the Committee shall consider only amendments relating to the purpose of its recommittal; and
- (c) the procedure following completion of the consideration of the bill in Committee shall, as nearly as practicable, be the same as that following completion of consideration of the bill in Committee in the first instance.

### **Bishop's Assent**

62.1 When the Synod has agreed that a bill do pass, the bill shall be presented to the Bishop to be signified whether or not the Bishop assents to it.

## **PART H - CONFERENCE PROCEDURE**

### **Initiation by President**

63. The President may, whether or not he or she has given notice to that effect, at any time during a session of the Synod determine that the Synod go into conference for the purpose of consultation on any matter and the Synod shall thereupon be in conference for such purpose.

### **Initiation by Synod**

64. Any member of the Synod may upon notice duly given in accordance with this Ordinance move that the Synod desires to consult with the President on any matter specified in the notice of motion and upon the passing of such motion and if the President shall signify assent thereto the Synod shall thereupon be in conference for such purpose.

### **Procedure in Conference**

65. Whilst the Synod is in conference:
- (a) The provisions of Part E of these Standing Orders other than clause 27.1 thereof shall not apply;
  - (b) Any person may speak for five minutes or such longer period as the President may allow;
  - (c) The President may permit any person to speak more than once;
  - (d) It shall not be necessary to have any motion before the conference and any motion if moved –
    - (i) Shall only be moved with leave of the President;
    - (ii) Shall be in such a form as to express the opinion of the conference on a particular matter; and
    - (iii) Shall not form any part of the record of the Synod.

### **Conclusion of Conference**

66. A conference shall be concluded by:
- (a) The President so deciding; or
  - (b) By a resolution of the conference "That this conference be now concluded" which resolution may be moved at any time and if seconded may be debated provided however that no member may speak for more than one minute in such debate.

**SECOND SCHEDULE**

**(Deleted 2016)**













<b>Chapter No</b>	<b>Chapter Title</b>	<b>Amendment</b>	<b>Date of Amendment</b>
Twelve	Clergy – Licences, Appointments and Entitlements	Amendments to Income Protection Insurance Synod 2015	13 June 2015
Six Ten	Bishop-Resignation and Election Parish Administration	Amended clauses 33.2, 77.2 and 78.1(o) Bishop in Council	28 January 2016
Fourth Schedule	Form of Consent, Declaration and Release of a Candidate for Bishop of Grafton	Amended clause 4 Bishop in Council	28 January 2016
Fifth Schedule	Safe Ministry Check	Amended Bishop in Council	28 January 2016
Three	Dictionary	Amended Clauses 4.42, 4.43, 4.44 and 4.55 Bishop in Council	4 May 2016
Seven	Synod	Amendment to 43.4 and 123.1 Synod 2016	18 June 2016
Seventeen	The Cathedral Church of Christ the King	Replaced Synod 2016	18 June 2016
Sixteen	Diocesan Buildings and Property Committee	Replaced Synod 2016 and amended Clauses 97.7, 102.1, 105.1, 105.3, 130.17 and 154A.1	18 June 2016
Second Schedule	Diocesan Property Board Process for Approval of Building Works or Alterations	Deleted Synod 2016	18 June 2016
Five	Bishop	Amendments to clauses 19 and 20 Synod 2016	18 June 2016
Twenty	Accounts, Audits and Annual Reports	Deleted Synod 2016 Diocesan Organisation Reporting, Accounts and Audit Ordinance 2012 as amended applies	18 June 2016
Eighteen	Anglican Funds Grafton Diocese	Chapter 18 replaced Synod 2017. 62.1(b) amended.	18 June 2017
Eight	Bishop-in-Council	Creation of Finance Committee replacing Diocesan Treasurer	17 June 2017
Twenty-one	Diocesan Records	Replacement of Chapter	14 September 2017 15
Six	Bishop – Resignation and Election	Amendment of 29.1	16 November 2017
Seven	Synod	Amendment of 44.1	Correction by Registrar 19 December 2017
Eight Eighteen	Bishop-in-Council Anglican Funds Grafton Diocese	Amendment of clause 62.1 and replacement of clause 220.6	22 March 2018
Ten	Parish Administration	Replacement of clause 105.1	22 March 2018
Twelve	Clergy – Licences, Appointments and Entitlements	Amendment of clauses 130.22, 132.4, 132.5 and 133B.1	6 September 2018
Three	Dictionary	Amendment of clause 4.2A	

<b>Chapter No</b>	<b>Chapter Title</b>	<b>Amendment</b>	<b>Date of Amendment</b>
Six Fifth Schedule	Safe Ministry Check	Amendment of clause 32.1 Delete Schedule	21 February 2019
Six	Bishop – Resignation and Election	Various amendments of Chapter 6 Deletion of Fifth Schedule Deletion of Seventh Schedule	22 June 2019
Three Seven	Dictionary Synod	Replacement of Chapter 3 Deletion of clauses 44.1 to 44.12 and addition of new clauses 43.5 and 43.6	22 June 2019
Ten	Parish Administration	Replacement of Chapter 10	
Seven Ten First Schedule	Synod Parish Administration Synod Standing Orders	Amendments concerning synod including clarifying term and ability to hold a synod with a modified agenda.	6 February 2020
First Schedule	Synod Standing Orders	Inclusion of orders relating to Health and Safety, Use of Information, Members' Personal Information, and Recording of Synod.	16 July 2020
Seven	Synod	Inclusion of election of General Synod representatives and Provincial Synod representatives and declaration of members of synod	16 July 2020
Eighteen	Anglican Funds Grafton Diocese	Amendment of maximum service of 2017 Board and minimum number of Board meetings annually	16 July 2020
Seven	Synod	Inclusion of details regarding minimum age of members	20 August 2020
First Schedule	Synod Standing Orders	Revision of Health and Safety provisions	20 August 2020
First Schedule	Synod Standing Orders	General revision of Synod Standing Orders	26 September 2020
Eighteen	Anglican Funds Grafton Diocese	Chapter 18 replaced. Amendment of clause 43A.2	25 March 2021
Seven	Synod	Amendment of clause 43.2(h)	6 May 2021
Eighteen	Anglican Funds Grafton Diocese	Amendment of clauses 220.2, 220.4 and 222.1	
Twelve	Clergy – Licences, Appointments and Entitlements	Addition of clause 118.6	24 June 2021
Three Ten Twelve Sixteen	Dictionary Parish Administration Clergy – Licences, Appointments and Entitlements Diocesan Buildings and Property Committee	Amendment of clause 4.3 Amendment of clause 82.4 Amendment of clause 131.4 Amendment of clause 189.1(j)	16 September 2021
Fourteen	Licensed Lay Ministers	Replacement of Chapter 14	2 December 2021

Chapter No	Chapter Title	Amendment	Date of Amendment
Eighteen	Anglican Funds Grafton Diocese	Delete Chapter 18 Anglican Funds Grafton Diocese Amendment of clause 62.1(e) Amendment of clause 63.1 Amendment of clause 94.2	31 December 2021
Seven	Synod	Amendment of clauses 44.2 and 44.6	24 February 2022
Eight	Bishop-in-Council	Addition clause 56.3 Amendment of subclause 62.1(b)	
Ten	Parish Administration	Amendment of clauses 75.5 and 99.2 Replacement of clauses 99.1 to 104.3 Addition clauses 105.1 to 106.2	
Eleven	Parish Incumbent's Presentation Board	Amendment of clause 111.9	
Twelve	Clergy – Licences, Appointments and Entitlements	Amendment of clauses 118.6 and 130.7	
Fifteen	The Corporate Trustees of the Diocese of Grafton	Addition clause 165.3 Amendment of subclause 154A.1	
Sixteen	Diocesan Buildings and Property Committee	Delete Chapter 16 Diocesan Buildings and Property Committee	
Seventeen	The Cathedral Church of Christ the King	Amendment of subclauses 200.1(d) and 200.1(e)	
Eight	Bishop-in-Council	Amendment of clause 57.1	19 June 2022
Nineteen	Diocesan Audit Committee	Amendment of clause 226.4	19 June 2022
First Schedule	Synod Standing Orders	Amendment of clause 12.1 Deletion of clause 15A.3	19 June 2022
Four	Diocese	Charitable Not-for-profit provisions	23 February 2023
Ten	Parish Administration	New clause 5.5, 5.6, 5.7 New clause 75.7, 75.8, 75.9	
Fifteen	The Corporate Trustees of the Diocese of Grafton	Amendment of clause 151.1	
Eleven	Parish Incumbent's Presentation Board	Tenure Review Amendment of clause 114.1, 126.8 and 126.9	23 February 2023
Twelve	Clergy – Licences, Appointments and Entitlements	Amendment of clause 129.2	27 April 2023
Seven	Synod	Amendment of clauses 43.3, 43.7 and 43.8	Passed 27 April 2023 Effective 25 June 2023
Eight	Bishop-in-Council	New clauses 49.5, 49.6, 64.3 and 64.4 Amendment of clauses 53.2, 55.3, 60.1, 62.1(b) and 62.1(e)	

<b>Chapter No</b>	<b>Chapter Title</b>	<b>Amendment</b>	<b>Date of Amendment</b>
Seventeen First Schedule	The Cathedral Church of Christ the King Synod Standing Orders	Deletion of subclause 64.2(b) Deletion of subclause 203.1(d) Participation of Non-voting Members. New clauses 11B.1 and 11B.2	
Twelve	Clergy – Licences, Appointments and Entitlements	Pastoral Breakdown New clauses 129.6 to 129.12. Clauses 129.6 to 129.9 renumbered as 129.13 to 129.16	25 June 2023
Ten Twelve	Parish Administration Clergy – Licences, Appointments and Entitlements	New sub-clause 75.5(e) New clause 129.4 renumber all subsequent clauses and relevant internal numerical references.	30 November 2023