

DIOCESE OF RIVERINA

Diocesan Governance Ordinance 2025

No. 2 of 2025

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Preamble

AN ORDINANCE to revise, consolidate and repeal certain Administrative Ordinances for the Diocese of Riverina into a single Diocesan Governance Ordinance to provide clear and consistent governance of the Diocese of Riverina and the Parishes and Ministries therein.

- A. The Constitution of the Anglican Church of Australia states in Section 7: 'A diocese shall in accordance with the historic custom of the One Holy Catholic and Apostolic Church continue to be the unit of organisation of this Church and shall be the see of a bishop'.
- B. The Constitution of the Anglican Church of Australia states in Section 51: 'Subject to this Constitution a diocesan synod may make ordinances for the order and good government of this Church within the diocese, in accordance with the powers in that behalf conferred upon it by the constitution of such diocese'.
- C. It is desirable to amend, update and consolidate the law for the governance and administration of the Diocese.

NOW THEREFORE BE IT ENACTED by the Bishop, Clergy and Laity of the Diocese of Riverina in Synod assembled as follows:

Chapter 1 – Preliminary

1.1 Short Title

This Ordinance may be cited as the *Diocesan Governance Ordinance 2025*.

1.2 Commencement

This Ordinance shall commence and take effect on the date on which it shall be assented to by the Bishop.

1.3 Repeal

All the Ordinances listed in Schedule One of this Ordinance are hereby repealed.

The repeal of any Ordinance by this Ordinance shall not:

- (a) affect any appointment, regulation, order, power, licence or authority made, exercised or given by such repealed Ordinance
- (b) revive anything not in force or existing at the time at which such repeal takes effect
- (c) affect the previous operation of any Ordinance so repealed or anything duly done or suffered under any Ordinance so repealed.

1.4 Structure of the Diocese

- (a) The Diocese of Riverina is, according to the ancient practice of the Church, led and administered by the Bishop who is the chief minister and pastor of the Church in the Diocese.
- (b) The principle governing body of the Diocese is the Synod, called and presided over by the Bishop. The membership of Synod consists of Clergy licensed by the Bishop and elected Lay Representatives from every Parish within the Diocese summoned by the Bishop.
- (c) The Executive Committee of Synod is the Diocesan Council chaired by the Bishop and responsible for the Administration of the Diocese between sessions of Synod.
- (d) The Diocese is divided into geographical Parishes and Mission Districts containing one or more Churches (places of worship) at and from which Clergy and Laity minister in Christ's name.
- (e) The Bishop may appoint one or more Archdeacons to assist him or her in overseeing the administration of the Diocese.

1.5 **Not-for-profit status**

- (a) Neither the Synod, the Diocesan Council, nor the officers of Diocese or any of its committees or entities may distribute any income or assets of the Diocese directly or indirectly to its members, except where, in good faith, they are:
 - (i) paying a member for goods or services they have provided or expenses they have properly incurred at fair and reasonable rates or rates more favourable to the Diocese
 - (ii) making a payment to a member in carrying out the Diocese charitable purpose(s).
- (b) If, on the winding up of Diocese or the Riverina Diocesan Trust, there is any property owned beneficially by Diocese or the Riverina Diocesan Trust, left after paying all debts and other liabilities, that property must not be distributed among its members but must be paid or transferred to the corporate trustee of another Diocese within the Anglican Church of Australia, provided that it be offered first to the corporate trustees of the Diocese of Canberra Goulburn and the Diocese of Bathurst proportionate to the portions of those Diocese surrendered by those Dioceses upon the creation of the Diocese, provided further that the recipient Corporate Trustee is not carried on for the profit or gain of that Diocese's members.
- (c) The charitable purpose of the Diocese of Riverina, for the purposes of the Charities Act 2013 (Cth), is for the advancement of religion, namely the Christian religion according to the Constitution and traditions of the Anglican Church of Australia, within the geographical area of the Diocese.

1.6 **Meaning of words and Expressions used in this Ordinance**

- (a) Unless a different meaning appear from the context, words and expressions used in this Ordinance (or in any particular provision of this Ordinance) that are defined in the Dictionary contained in Schedule Two have the meanings set out in the Dictionary.
- (b) Words importing the masculine gender shall include the feminine and the singular number shall include the plural and the singular.

Chapter 2 – The Bishop

2.1 Authority and Responsibility of the Bishop

- (a) The Bishop as Ordinary and Chief Pastor of the Diocese:
 - (i) is pastor to the clergy
 - (ii) is responsible for the spiritual ministry directions of the Diocese
 - (iii) is responsible for the Church work within a Parish or other Mission District during any vacancy in the office of Rector, Priest-in-Charge or Chaplain
 - (iv) has full and free access to all places used for public Anglican worship in the Diocese
 - (v) is entitled to attend all general meetings of members of Parishes and Mission Districts
 - (vi) may convene general meetings of members of Parishes and or Ministry
 - (vii) shall be deemed to have, and may exercise within the Diocese, all and singular the powers and prerogatives which are inherent or vested in a Bishop of a Diocese of the Anglican Church of Australia, subject to the synodical ordinances of this Diocese, and such Ordinances as shall be passed from time to time by the Provincial and General Synods and accepted by this Diocese.
- (b) The Bishop shall exercise episcopal authority and responsibility in matters spiritual concerning Ordinations, Confirmations, Dispensations, Licensing and similar and related matters and may take counsel of any type on such matters.
- (c) The Bishop, in the role of President and chair of Synod, chair of Diocesan Council and ex-officio chair of the Riverina Diocesan Trust, is responsible for providing leadership in the work of the Diocese.
- (d) The Bishop's exercise of his or her authority and responsibility is subject to the laws of this Church.

2.2 Prerogative Powers of the Bishop

Without limiting the generality of the foregoing, the Bishop shall have the powers as are hereinafter mentioned:

- (a) the allocation of all moneys received by him or her as Bishop for Diocesan purposes

- (b) the Ordination of clergy as provided for by the rites, traditions, practices and the Safe Ministry Policy of the Anglican Church of Australia
- (c) the granting and revoking of licences to clergy to officiate in the Diocese subject to any Ordinances regulating the same
- (d) the granting of permission or the issue of Faculties for alterations in, additions to, or the rebuilding or enlargement of any Church or other building used for the purpose of public worship erected on any site.

2.3 Official Records

The Bishop shall cause to be kept the following records (which shall be the property of the Diocese):

- (a) a register of the clergy of the Diocese
- (b) a record of all his official acts
- (c) a statement to be laid before each Synod and recorded in its minutes, containing the following information:
 - (i) the names of all the Churches he or she has licensed, dedicated, or consecrated, and of the other parochial or diocesan buildings which he or she has licensed or dedicated for any purpose
 - (ii) the numbers of persons confirmed
 - (iii) the names of lay ministers who have been licensed or who have ceased to be licensed
 - (iv) the names of candidates for Holy Orders adopted for training
 - (v) the names of deacons and priests ordained
 - (vi) the changes that have taken place among the clergy by death, removal or otherwise.

2.4 Leave of Absence for Clergy

The Bishop shall have the right to require that such provisions as he or she may deem sufficient shall be made for the conduct of services of the Church during the absence of the Rector or Priest-in-Charge of the Parish or Mission District, and to require that no such priest allow services to lapse for any Sunday without notifying the Bishop, nor be absent from his or her Parish for any Sunday without first obtaining the permission of the Bishop.

2.5 Bishop's Residence

The Riverina Diocesan Trust must provide and maintain an adequate house for the Bishop.

2.6 Annual Leave

The Bishop is entitled to annual leave for a total of four weeks in each calendar year, including four Sundays.

2.7 Bishop's Stipend and Allowances

The Bishop's stipend and allowances are determined by the Diocesan Council meeting without the Bishop.

2.8 Absence of the Bishop

The Bishop shall not be absent from the Diocese for a period exceeding one month without notifying the Diocesan Council.

2.9 Incapacity of the Bishop

In the event that the Bishop is incapable of fulfilling his or her office, the provisions of the *Bishop (Incapacity) Canon 1995 Adopting and Assenting Ordinance 1996* shall apply.

Chapter 3 – Election of the Bishop

3.1 Vacancy of the See

The See of Riverina shall be deemed to be vacant whenever:

- (a) the Bishop dies
- (b) the Bishop shall be declared incapable of managing his or her affairs in accordance with the provisions of a Canon of the General Synod
- (c) the Bishop resigns the See by notice in writing to the Metropolitan nominating a date on which the Resignation will become effective (The Resignation Date)
 - (i) the Resignation Date must be no later than 6 months following the date that the letter to the Metropolitan is received by the Metropolitan
 - (ii) the Bishop must send a copy of the letter of resignation to the Administrator of the Diocese and to the Registrar
 - (iii) the Bishop may withdraw the notice of resignation at any point before the Resignation Date by notice in writing to the Metropolitan
- (d) the Bishop shall be deprived by competent authority

3.2 Nomination

In accordance with the Constitution of the Anglican Church of Australia, any Priest or Bishop in Communion with the Anglican Church of Australia shall be eligible for nomination for election to the office and dignity of Bishop of Riverina. The written consent of the person so nominated shall be furnished by the nominator to the Administrator at the time of nomination in Synod.

3.3 The Bishopric Nomination Committee

- (a) When a vacancy of the See of Riverina shall have occurred, the Administrator shall call together the Bishopric Nomination Committee forthwith and convene the Synod of the Diocese, or call a special Session of Synod, for the purpose of electing an eligible person to the office and dignity of Bishop of Riverina. Four weeks' notice at least shall be given to members of Synod. The period intervening between the vacancy and the beginning of the Session of Synod so convened, or called, shall not be longer than four months, but the Diocesan Council may, for urgent cause, extend this period for such further period as the Diocesan Council shall determine.

- (b) The Bishopric Nomination Committee shall consist of the Administrator of the Diocese together with five Clergy and nine Lay members of Synod who shall be elected at the first session of each Synod. There shall also be elected two Clergy and two Lay members as reserves in the event of any member of the Committee being unavailable to serve. Any Clergy member whose name is considered for nomination as Bishop shall cease to be a member of the Committee. In the event of the Administrator being nominated, the Committee shall elect one of its members to chair the Committee.
- (c) The Bishopric Nomination Committee, after consideration, will bring any nominations to the full Synod. Any nomination brought by the Committee will have been approved by a two-thirds vote by each house of the Bishopric Nomination Committee (at least four clergy and six laity). The Bishopric Nomination Committee will do all propriety checks (including medical health checks) of the nominee.

3.4 Voting and the Method of Voting

- (a) When the Synod shall have met, the election of a person duly qualified to fill the office of Bishop of Riverina shall proceed.
- (b) Synod shall thereupon resolve itself into a Committee of the whole behind closed doors. The President shall announce the names as submitted with the names of the proposers and seconders and place them on a list in alphabetical order. Synod shall then receive such information as may be available concerning each and every person so nominated, including an audio/visual display. Provided that should the President of Synod or any other member of Synod be nominated, he or she shall withdraw from Synod until he or she is subsequently removed from the ballot paper whereby they may be invited to participate in the remaining session of the election Synod.
- (c)
 - (i) When Synod in Committee is prepared to vote, the Chairman of Committees shall direct the Secretaries to prepare and distribute ballot papers, even if there is only one nomination properly received.
 - (ii) The Synod in Committee shall proceed to vote by Houses. The votes of each House shall be taken by secret ballot.
 - (iii) No person duly nominated shall be deemed to be elected unless he or she receive two thirds of the votes of the members of each House then present and voting.
 - (iv) In case the required majority be not given on the first ballot for any nominee, a second and, if necessary, further ballot shall be taken.

- (v) If there are more than three nominations properly received, the three nominees with the most votes after the first ballot will proceed to second and subsequent ballots. Any nominee who does not gain sufficient votes to proceed to the second and subsequent ballots will not be balloted for again.
- (vi) All ballot papers shall be destroyed at the conclusion of each ballot.
- (d) If attempts to elect a person to the office and dignity of Bishop of Riverina prove ineffectual, Synod may decide at any time to postpone the election of a Bishop to a further Session of Synod. Whereby the Bishopric Nomination Committee shall have prepared a further set of nominations for Synod. The Synod is to be called by the Administrator in accordance with the provisions of Clause 3.3(a) and 3.3(b) of this Ordinance. In such case, any nomination already received by Synod shall be void. Nominations of eligible persons (which may include persons previously nominated) shall be made in accordance with the provisions in Clause 3.3(c) of this Ordinance.
- (e) If the person elected as aforesaid shall decline to accept the See, the Synod shall proceed again under this Ordinance.
- (f) If no such election of a Bishop as provided for by clause 3.4 of this Ordinance or no appointment of a Bishop under any delegated power and authority hereinbefore referred to shall be made within a period of twenty-four months from the date of the vacancy of the See, then the appointment of a Bishop shall for this occasion pass to the Primate conjointly with the Bishops of the Tri-Diocesan Covenant (Dioceses of Bathurst and Canberra & Goulburn) and with consultation with the Provincial Archbishop.

3.5 Declaration of Election

When a two-thirds majority of the votes of the members of each House then present and voting has been given for any one person nominated, the Chairman of Committees shall report that fact to the President, who shall thereupon announce the name of such person to the Synod.

3.6 Confirmation of Election

- (a) When a person has been duly elected to the office and dignity of Bishop of Riverina as hereinbefore provided, the Administrator shall transmit the name of that person, together with a certificate of his election, to the Metropolitan and no publication of the election shall be made except by the Administrator and until the election has been confirmed by the Metropolitan and Diocesan Bishops of the Province of New South Wales.

- (b) The election of a fit and proper person to the office and dignity of Bishop of Riverina having been made and confirmed, the person elected shall be consecrated (if such consecration be necessary) in accordance with the Canon made by the General Synod and adopted by the Synod of this Diocese. The Administrator shall and may, subject to the Canon aforesaid, take all necessary steps for giving effect thereto. The person so elected and confirmed shall take the oath of due obedience to the Metropolitan of the Province and his successors for the time being.
- (c) During deliberations of the Election Synod no member shall at any time disclose any information concerning the proceedings of the Election Synod or the names of the candidates or the details of any ballot.

3.7 Installation

- (a) Where 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 as amended of General Synod.
- (b) The Administrator of the Diocese is responsible for taking all of the steps required to effect the consecration of the Bishop-elect.
- (c) When the Bishop-elect has been consecrated (if consecration is necessary), the Bishop-elect shall be recognised as Bishop of Riverina by the Administrator and installed in the Cathedra by the Dean of the Cathedral Church of St Alban the Martyr, Griffith.
- (d) The Bishop-elect must make the following declaration during the installation:

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 this Diocese and by the canons, statutes, ordinances and rules (however described) from time to time of the Synod of this Diocese, and of the General Synod and Provincial Synod which have force in this Diocese.
- (e) The Bishop-elect, having been duly installed in accordance with this section, becomes for all purposes the Bishop of Riverina and successor to the last preceding Bishop of Riverina.
- (f) 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 member of the Clergy determined in accordance with Section 4.2.

Chapter 4 – Episcopal Appointments

4.1 The Vicar-General and Administrator

- (a) The Bishop may, at his or her discretion by writing under his hand and seal registered in the Registry of the Diocese, appoint a member of the clergy who is licensed for service within the Diocese to be Vicar-General of the Diocese.
- (b) The Vicar-General holds office at the pleasure of the Bishop and ceases to hold office:
 - (i) if his or her appointment is terminated by the Bishop
 - (ii) if the Vicar-General tenders a written resignation to the Bishop
 - (iii) if the Vicar-General ceases to be licensed by the Bishop for service within the Diocese.
- (c) Where there is a vacancy in the See, the person who held the office of Vicar-General immediately before the vacancy occurred continues to hold that office until the appointment of a new Bishop is complete.

4.2 Vacancy in the Office of Vicar-General

- (a) In the event of no Vicar-General having been appointed and commissioned as aforesaid, or in the event of his or her having been so appointed, and of his or her dying or becoming incapable or unwilling to act or being absent from the Diocese, the said authorities, powers, acts, matters and things shall and may be used, exercised, done, and performed by the next most senior Clergy in the Diocese.
- (b) The order of seniority of the clergy shall be:
 - (i) the Vicar-General
 - (ii) the Dean of the Cathedral
 - (iii) the Diocesan Archdeacon
 - (iv) the other Archdeacons, if any, by order of their years in Holy Orders
 - (v) the Cathedral Clerical Canons, by order of their years in Holy Orders
 - (vi) all other stipendiary Clergy, by order of their years in Holy Orders.

4.3 Powers and Functions of the Vicar-General

- (a) The Vicar-General shall become the Administrator of the Diocese and shall administer the Diocese:
 - (i) during the vacancy of the See

- (ii) at other times at the request of the Bishop
 - (iii) when, owing to unforeseen circumstances, the Bishop is unable to administer (in which case the acts of the Administrator shall be subject where possible to reconsideration by the Bishop).
- (b) Until his or her appointment is revoked, the Vicar-General, the while acting as Administrator, may exercise the powers and perform the functions vested in the Bishop under any ordinance of the Diocese except those that may not be lawfully used, exercised, done and performed by a person other than the Bishop or in Episcopal Order.
 - (c) Every authority, power, act, matter, or thing so used, exercised, done, and performed by the Vicar-General under or by virtue of his or her office, shall be as good and effectual to all intents and purposes as if the same had been used, exercised, done, or performed by the Bishop.
 - (d) The Vicar-General may exercise and perform such other powers and functions as are conferred on the Vicar-General by or under an ordinance.
 - (e) The Vicar-General may exercise the powers and perform the functions under Clause 4.3(a) during the absence from duty of the Bishop due to incapacity or otherwise, whether the Bishop is within or outside the Diocese.
 - (f) The person for the time being holding the office of Vicar-General is appointed for the purpose of Section 39 of the *Anglican Church of Australia Trust Property Act, 1917* (NSW).

4.4 Administrator's Stipend

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.

4.5 Archdeacons

- (a) The Synod hereby recognises and confirms the right of the Bishop to appoint and collate an archdeacon of the Diocese and other archdeacons as he or she deems appropriate, for the purpose of assisting the Bishop in the administration of the diocese. It shall be the duties of the said Archdeacon or Archdeacons:
 - (i) to visit the parishes of his archdeaconry annually, and to inspect the registers, terriers, and inventories; and the fabrics of churches, rectories, and other parochial buildings and properties; and to consult with the Churchwardens on such repairs as may be necessary
 - (ii) to examine and report to the Bishop upon all proposals for the building, restoration or alteration of churches and other parochial buildings

- (iii) to inform the Bishop of any parish needing the exercise of his or her episcopal ministry or authority.
- (iv) to represent the Bishop and the Diocese on special occasions in any Parish, and to execute any particular commission entrusted to him or her by the Bishop
- (v) to examine, in conjunction with such examining chaplains as the Bishop may appoint, candidates for Holy Orders, and to present such candidates to the Bishop at the time of ordination
- (vi) to perform such other duties as the Bishop may determine from time to time.

- (b) The necessary travelling expenses of the said Archdeacon or Archdeacons may be paid from the Funds of the Diocese at the discretion of the Diocesan Council.

4.6 Tenure and Removal from Office

A person holding office as an Archdeacon under this Chapter 4 shall continue in office until:

- (a) that person resigns in writing to the Bishop
- (b) the Bishop revokes the appointment as Archdeacon
- (c) one year has passed since the installation of a new Bishop at which time that person is taken to have resigned, unless reappointed by the Bishop.

4.7 Archdeacon Emeritus

The Bishop may at any time confer the title of Archdeacon Emeritus upon any Archdeacon who has ceased to hold office as Archdeacon.

4.8 The Chancellor

- (a) A Chancellor of the Diocese may be appointed by the Bishop pursuant to the *Chancellors Canon 2001 Adoption Ordinance 2002*
- (b) The Chancellor shall be the principal confidential adviser to the Bishop of the Diocese in legal and related matters.
- (c) Subject to the Chancellor's overriding duty to the Bishop, the Chancellor may provide advice to the Synod and other agencies of the Diocese.

4.9 Deputy Chancellor

A Deputy Chancellor may be appointed by the Bishop pursuant to the *Chancellors Canon 2001 Adoption Ordinance 2002* to assist the Chancellor in fulfilling his or her duties under Clauses 4.8 (b) and (c) of this Ordinance.

Chapter 5 – The Synod

5.1 Mission and Objectives

The Synod is a meeting together of the Bishop and the representatives of the Clergy and the Laity of the Diocese:

- (a) to affirm and celebrate our common life in the Lord Jesus Christ
- (b) to conduct the business of the Synod which is:
 - (i) the expression, through the resolutions of the Synod, of the mind of the people of the Diocese on matters of common concern relating to this Church in the Diocese and to the world in which this Church is called to exercise its mission and ministry
 - (ii) the ordering of our common life by the making of ordinances
 - (iii) the oversight of the conduct of the affairs of this Church in the Diocese by the agencies and officers of the Diocese.

5.2 Functions and Powers of the Synod

- (a) The Synod has the function of making ordinances concerning the order and good government of this Church and the regulation of its affairs within the Diocese in accordance with Article 2 of the *Constitutions of the Anglican Church of Australia in the Province of New South Wales*.
- (b) The Synod also constitutes a forum in which the members of Synod may consult together on all matters concerning the life of this Church in the Diocese.
- (c) The Synod exercises oversight over the administration of the institutional affairs of this Church in the Diocese by requiring those responsible for the conduct of those affairs to account to the Synod when required to do so
 - (i) by ordinance, or
 - (ii) in accordance with a resolution of the Synod.
- (d) The Synod also has the power conferred by Article 3(2) of the *Constitutions of the Anglican Church of Australia in the Province of New South Wales* to call, by resolution, on any person holding church property to account for that property and its administration.
- (e) The term church property in Clause 5.2(d) means property:
 - (i) belonging to or held in trust for this Church in the Diocese or any part of the Diocese, or

- (ii) in which this Church in the Diocese or any part of the Diocese has an interest.

5.4 The Convening of Synod

- (a) The Synod shall, in accordance with Article 1(2) of the *Constitutions of the Anglican Church of Australia in the Province of New South Wales*, be convened for a session at least once in each year.
- (b) The Bishop convenes a session of Synod by summons stating the time and place of meeting.
- (c) The Bishop must convene a Session of Synod when requested to do so in writing by such number of members of the Synod as are, in accordance with rules made by the Synod, sufficient to constitute a quorum of Synod.
- (d) A Session of Synod is the period of the time when Synod convenes in accordance with a summons of the Bishop and the time when, in accordance with rules made by the Synod, Synod adjourns until the date on which it is next summoned by the Bishop.

5.5 Membership of Synod

- (a) The Synod intends that:
 - (i) the composition of the Synod should be representative of this Church in the Diocese so that the outcome of a meeting of the Synod might truly enliven the ministry of this Church
 - (ii) those charged with the responsibility for electing or appointing members of Synod should choose those able to make a significant contribution to its work
 - (iii) members of Synod accept responsibility for effective communication between Synod and the people of this Church in the Diocese.
 - (b) For these purposes, the Synod is composed of:
 - (i) the Bishop
 - (ii) the ex officio members:
 - (a) The Registrar
 - (b) The Chancellor
 - (c) The Deputy Chancellor
- who shall have the same rights, powers and privileges as other members of Synod

- (iii) each member of the Clergy licensed to a separate Cure of Souls in the Diocese
- (iv) each Assistant Priest and Associate Priest and Deacon licensed to a Parish in the Diocese
- (v) certain Lay representatives elected as hereinafter provided
- (vi) such members of the Clergy holding distinct official positions in the Diocese as the Bishop may determine; provided that, for every member of the Clergy so summoned, a Lay person who is a resident of the Diocese may be elected by the Diocesan Council as a member.

5.6 Term

Persons elected or appointed to be members of Synod hold office for the term of the Synod to which they are elected or appointed.

5.7 Lay Representatives

- (a) Each Parish shall be entitled to elect two persons as lay representatives and two supplementary representatives. They shall be adult Lay members of the Parish and must have completed Safe Ministry Training, and hold a current Working with Children Check or be eligible to hold one.
- (b) Where a Parish has more than one member of clergy summoned to Synod, either being an assistant clergy or the joint holder of a Cure, at the discretion of the Bishop the Parish may be entitled to be represented by additional representatives.
- (c) Upon the issuance of the Bishop's Mandate, each Parish shall elect their Lay Representatives at the Annual General Meeting of the Parish, or at some other General Meeting of Parishioners as required, for the three-year period of the Synod.
- (d) The Mandate for the election of Lay Representatives shall specify the period within which the election shall be held. The Bishop may, if he or she thinks fit, extend the period.
- (e) The Rector/Priest-in-Charge or, in the Rector/Priest-in-Charge's absence, some other person appointed by the Bishop shall call the meeting, and all Members of the Parish as defined in Section 9.8 shall have a vote in the election. Before taking part in the meeting, all such persons shall subscribe to following declaration:

"I, the undersigned [full name], do declare that I am a member of the Anglican Church of Australia."

- (f) The Rector/Priest-in-Charge, or person chairing the meeting, shall sign and furnish to the Registrar a certificate giving the names, addresses, and contact information, of each of the persons elected.
- (g) A complete list of all Lay Representatives shall be laid on the table at the Synod.

5.8 Death, Incapacity, Resignation or Removal

- (a) Upon the death, incapacity or resignation of a Member of Synod, the Bishop may issue a Mandate for a special election to fill the vacancy.
- (b) The Bishop may suspend a Lay or Clerical Representative if they are the subject of a matter being investigated under the *Professional Standards Ordinance 2022* or the *Diocesan Discipline Ordinance 2022*.

5.9 Standing Orders

The *Standing Orders* as passed in the year 1888 shall remain, but these may be amended at any time by a resolution of Synod. Such amendment shall have the force of an ordinance of Synod.

5.10 Eligibility to Participate in Proceedings

Notwithstanding anything to the contrary in this Ordinance, the Clergy and Lay Representatives from any Parish that, in the opinion of the Diocesan Council, has failed to meet its Diocesan obligations, shall not be entitled to vote in Synod provided that no such action shall be taken until after due notice be given to the Rector/Priest-in-Charge and Parochial Council of any Parish in default.

5.11 Elections in Synod

- (a) All elections to any office to be filled by Synod shall take place on the first or second day of the first meeting of a new Synod.
- (b) In all cases where Clergy and Lay Representatives are to be elected, Clergy representatives and Lay Representatives shall be elected by the Clergy and the Laity respectively voting separately.

5.12 Errors Not to Vitate Proceedings

No ordinance or other business of Synod shall be vitiated by reason of the non-election or non-appointment or non-summoning of any person necessary to be elected or appointed or summoned thereto, respectively, or of any informality in or respecting any such election, appointment or summoning.

5.13 Ordinances to be Sent to the Metropolitan

Two copies of every ordinance passed by Synod shall be sent to the Metropolitan.

5.14 Delegation of Powers to Diocesan Council

- (a) During the recess of the Synod, the Diocesan Council, in the place of the Synod, may exercise all or any of the powers and functions and do and make such of the things as are referred to in the following Sections 11, 12, 14, 15, 16, 19, 24, 25, 26, 27, 32, 32B and 37 of *The Anglican Church of Australia Trust Property Act 1917*.
- (b) In exercising the powers and functions and doing and making the things, referred to in the sections of *The Anglican Church of Australia Trust Property Act 1917* referred to in Section 10.1, the Diocesan Council must follow the procedure in the Standing Orders of the Synod and Chapter 10 of this Ordinance, so far as that procedure can be applied.
- (c) The Diocesan Council must report to the Synod from time to time on any exercise of the powers and functions, or the doing or making of such of the things, as are referred to in the sections of *The Anglican Church of Australia Trust Property Act 1917* referred to in Clause 5.14(a).
- (d) During the recess of the Synod, the Diocesan Council may consider any proposed Ordinance notwithstanding that permission to introduce the proposed Ordinance has not been obtained from the Synod.

Chapter 6 – Diocesan Council

6.1 Membership

- (a) The Diocesan Council shall consist of the following members:
 - (i) ex-officio
 - (a) the Bishop
 - (b) the Vicar-General
 - (c) the Dean
 - (d) the Archdeacon (*or senior Archdeacon by collation if there is more than one*)
 - (e) the Chancellor
 - (f) the Deputy Chancellor
 - (g) the Registrar
 - (ii) appointed by the Bishop:
 - (a) one member of the Clergy being members of the Synod
 - (b) two Lay Representatives being members of the Synod
 - (iii) elected by the Synod:
 - (a) two members of the Clergy being members of the Synod
 - (b) four Lay Representatives being members of the Synod.

6.2 Term

The Nominated and Elected members of the Diocesan Council shall hold office for the three-year period of the Synod and until the appointment of their successors.

6.3 Termination of Membership of Diocesan Council

- (a) Because Diocesan Council is also the Standing Committee of Synod exercising legislative powers delegated by the Synod, a person may not become or remain a member of Diocesan Council unless that person is and remains a member of Synod.
- (b) A Clergy member of Diocesan Council ceases to be a member if he or she becomes ineligible to be summoned to Synod.
- (c) A Lay member of Diocesan Council ceases to be a member if he or she ceases to be a member of Synod.
- (d) A member of Diocesan Council ceases to be a member if he or she ceases to be a member of this Church.

- (e) A member of Diocesan Council appointed by the Bishop may be removed at any time by the Bishop, and another person appointed in the place of the member so removed.
- (f) A member of Diocesan Council elected by Synod may be removed by a resolution of Synod.
- (g) An elected or appointed member of Diocesan Council:
 - (i) may resign in writing to the Bishop and the resignation take effect when it is received by the Bishop
 - (ii) ceases to be a member of the Council if that person is absent from three consecutive meetings of the Council without the leave of the Council.
- (h) A person who is a member of Diocesan Council by virtue of holding an office ceases to be a member of the Council when the person ceases to hold that office.
- (i) The Bishop may suspend a member of the Diocesan Council if they are the subject of a matter being investigated under the *Professional Standards Ordinance 2022* or the *Diocesan Discipline Ordinance 2022*.

6.4 Casual Vacancy

Should a vacancy occur, it may be filled, in the case of a nominated member, by the Bishop, and in the case of an elected member, by the Council.

6.5 Functions

- (a) In all matters referred to the Council by the Bishop or the Synod, the decision of the Council shall be binding, but the Bishop shall have the right to veto any decision of the Council on matters initiated by other members.
- (b) The duties and functions of the Council in exercising its powers as aforesaid shall be:
 - (i) to provide counsel for the management and administration of the various diocesan funds
 - (ii) to set, on advisement from the Registrar and Bishop, the assessments payable by the parishes for the Church Management Fund, and any other purpose which Synod may from time to time determine
 - (iii) to set the grants payable from diocesan funds towards the support of the clergy and parishes
 - (iv) to make, with the consent of the Bishop, any special grants for other Church purposes

- (v) to appoint such committees as may be required, unless specified otherwise by way of Ordinance
- (vi) to report to the Synod at its first meeting on the above mentioned matters, and to present the appropriate Audited Financial Statements, including but not limited to: a Balance Sheet and Profit and Loss Statement for the Diocese, as well as a Balance Sheet and Profit and Loss Statement for each Parish for the previous Financial Year ending 31 December. Parish Financial Statements will be provided by the individual Parishes prior to Synod by no later than 1 April
- (vii) to lay on the table at Synod the minutes of its proceedings
- (viii) to act as the Executive Committee of Synod, and to perform any acts provided for by Section 5.14.

6.6 Relationship between the Bishop and Diocesan Council

- (a) The Bishop presides at the meetings of Diocesan Council.
- (b) A decision of Diocesan Council does not take effect unless the Bishop agrees to the decision.
- (c) The Bishop may not act in any matter that involves
 - (i) the disposition or management of property
 - (ii) the expenditure of money, other than money in respect of which the Bishop has sole discretion as to its application,
 unless the action is in accordance with a decision of Diocesan Council.
- (d) Clause 6.6(c) does not apply where urgent action is required and it is impracticable to obtain a formal decision of Diocesan Council.
- (e) Where, in accordance with Clause 6.6(d) the Bishop has taken action as a matter of urgency without first obtaining the agreement of the Diocesan Council, the Bishop must, as soon as practicable thereafter, report the action to the members of the Diocesan Council.
- (f) Nothing in Clause 6.6 will be taken to limit the position of the Bishop in Diocesan Council.

6.7 Accountability

- (a) Diocesan Council must report to each ordinary annual Session of Synod.
- (b) The report must set out the strategies and goals adopted by the Diocesan Council and the extent to which the Council considers that it has implemented those strategies and achieved those goals.

- (c) The report must include an audited statement of the financial affairs of the Diocese for the preceding calendar year and an estimate of the financial outcomes for the Diocese for the ensuing calendar year in accordance with the strategies adopted by Diocesan Council.

6.8 Procedures of Diocesan Council

- (a) Meetings of Diocesan Council are convened by the Registrar at the discretion of the Bishop or at the request of a quorum of the Council.
- (b) Diocesan Council must meet at least four times in each year.
- (c) A quorum of Diocesan Council consists of not less than half the number of the members of the Diocesan Council plus one.
- (d) The Bishop presides at meetings of Diocesan Council at which he or she is present.
- (e) In the absence of the Bishop from a meeting, the Administrator of the Diocese or a member of Diocesan Council designated by the Bishop presides.
- (f) Subject to this Section, the procedures to be followed at meetings of Diocesan Council are a matter for Diocesan Council.
- (g) A meeting of Diocesan Council may be held by audio or video telecommunication between the members of the Council or between members of the Council present together in one or more places and in audio or video telecommunication with other members of the Council not so present.
- (h) A vote of members of Diocesan Council otherwise than at a meeting of the Council may be taken by mail, electronic mail, telephone or other means of communication.
- (i) A resolution on which a vote is taken in accordance with Clause 6.8(h) is to be taken to have been agreed to by the Council if a majority of members vote in favour of the resolution.
- (j) Where a vote is taken in accordance with Clause 6.8(h) the Registrar must record the vote of each member who votes.

Chapter 7 – The Diocesan Office and Registrar

7.1 The Registry

A suitable building shall be appointed by the Diocesan Council and shall be registered as the Diocesan Office for use as a registry and for other administrative purposes.

7.2 The Registrar

- (a) The Bishop shall appoint a Registrar of the Diocese by writing under his or her hand and seal registered in the Registry of the Diocese. The Registrar shall be a communicant member of the Anglican Church of Australia.
- (b) The Registrar shall, at the direction of the Bishop, be employed by the Diocese of Riverina.
- (c) The Diocesan Council shall determine the terms and conditions on which the Registrar shall be employed and hold office.
- (d) The Diocesan Council shall determine the salary of the Registrar.

7.3 Duties of the Registrar

The duties of the registrar shall be as follows:

- (a) to issue all licences, faculties, and other official documents granted by the Bishop, to keep a record of the same, and to collect the fees in respect thereof
- (b) to keep a terrier of all lands and property belonging to the Church in the Diocese, and to act as custodian of all deeds held by the Bishop
- (c) to be responsible for the proper and methodical keeping of all accounts under the control of Synod
- (d) to act as secretary to the Diocesan Council and the Corporate Trustees
- (e) to administer and keep a register of all insurances on Church Property in the Diocese
- (f) to make all arrangements for and prepare the business of Synod, subject to the direction of the Bishop
- (g) to collect any parochial returns ordered by the Synod or the Bishop
- (h) to discharge and carry out all such work as shall properly attach to the office.

Chapter 8 – The Cathedral

8.1 Preamble

The Cathedral Church of St Alban the Martyr has the dual role as the Mother Church of the Diocese and as the focus of diocesan life, and as the parish church of the Cathedral Parish of St Alban the Martyr, Griffith. As part of its ministry, the Cathedral should be:

- (a) a resource of spirituality and a place of gathering for the whole of the Diocese
- (b) a centre of Christian witness in the City of Griffith and a place where Church and City may meet together to share in the things of God
- (c) a house of worship to strengthen the spiritual life of the Cathedral Parish and where individuals may find the power of the Holy Spirit.

8.2 Constitution of the Cathedral Church

The Church of St Alban the Martyr in the ecclesiastical Parish of Griffith is and shall be the Cathedral Church of the Diocese.

8.3 Overriding Duty

Every person or body having function under this Ordinance shall, in exercising those functions, have due regard to the fact that the Cathedral Church is the seat of the Bishop, a centre of worship and mission and the Mother Church of the Diocese.

8.4 Rights of the Bishop

- (a) The Bishop shall have and retain his or her rights and privileges as Ordinary and Visitor to the Cathedral Church.
- (b) The Bishop may, after due notice to the Dean:
 - (i) take such part in any service of worship held in the Cathedral Church as the Bishop specifies
 - (ii) preach, or appoint a preacher to preach, at any such service.
- (c) The Bishop may arrange, at such times as the Bishop considers appropriate and after due notice to the Dean, to use the Cathedral Church for holding Diocesan Services including but not limited to:
 - (i) ordinations
 - (ii) services during meetings of Synod
 - (iii) other services especially connected with episcopal and diocesan functions.

- (d) In holding Diocesan Services, the Bishop shall:
 - (i) have the ordering and control of the service and shall appoint the preacher
 - (ii) determine the order of procession at any service.
- (e) For the avoidance of doubt, due notice under this Clause is eight days' notice.

8.5 The Cathedral Chapter

There shall be a Chapter which shall consist of:

- (a) the Bishop (*ex-officio*)
- (b) the Dean (*ex officio*)
- (c) Archdeacon (*ex officio*). If more than one Archdeacon in the Diocese, the senior Archdeacon by date of Collation
- (d) the Diocesan Registrar (*ex officio*)
- (e) the Churchwardens of the Cathedral Parish (*ex officio*)
- (f) three Clerical Canons
- (g) three Lay Canons.

8.6 Function of the Chapter

The functions of the Chapter shall be:

- (a) to be available to the Bishop for consultation and advice
- (b) to foster the development of the Cathedral Church as the Mother Church of the Diocese and to facilitate the role of the Cathedral Church as a place of gathering for the Parishes and people of the Diocese
- (c) to promote and safeguard the function of the Cathedral Church as the parish church of the Cathedral Parish
- (d) to provide advice and consent to the Bishop on the filling of any vacancy in the incumbency of the Cathedral Parish
- (e) to recommend any alteration or additions to the fabric of the Cathedral Church or the furnishings thereof proposed by the Parish Council
- (f) to make recommendations to the Diocesan Council or the Parish Council on any matters concerning the well-being of the Cathedral Church.

8.7 Chair of Chapter

- (a) The Dean is the Chair of the Chapter.
- (b) When the Dean is absent from a meeting of the Chapter, the Bishop shall chair the meeting.
- (c) If both the Dean and the Bishop are absent from a meeting of the Chapter, a member of the Chapter appointed by the Bishop shall chair the meeting.
- (d) The Chair has a deliberative vote only.

8.8 Meeting of the Chapter

- (a) The Dean convenes meetings of the Chapter in consultation with the Bishop.
- (b) The Dean must convene a meeting of the Chapter at least twice every year.
- (c) A quorum for a meeting of the chapter shall be seven members of the Chapter.
- (d) A decision of the majority of the members of the Chapter at which a quorum is present is a decision of the Chapter.

8.9 Regulations of the Chapter

- (a) The Chapter may make regulations, not inconsistent with this Ordinance, for or with respect to any matter relating to the use and governance of the Cathedral Church.
- (b) The Chapter may amend or repeal any such regulation.

8.10 The Dean

- (a) The Rector for the time being of the Cathedral Parish shall during his or her incumbency be designated Dean of the Cathedral Church of St Alban the Martyr, Griffith.
- (b) The Dean, subject to the rights belonging to the Bishop, shall lead the mission and ministry of the Cathedral Church and shall:
 - (i) be, in the Cathedral Church, next in seniority to the Bishop
 - (ii) have all the rights and responsibilities belonging to an Incumbent of a Parish
 - (iii) ensure that Divine Services, which will include the Daily Offices are duly performed in the Cathedral Church
 - (iv) ensure that good order and proper reverence is maintained in the Cathedral Church
 - (v) secure the pastoral care of all members of the Cathedral Parish

- (vi) make all decisions necessary to deal with any emergency affecting the Cathedral Church, pending consideration of the matter by the Chapter and Parish Council
- (vii) have the ordering of Divine Service in the Cathedral Church
- (viii) may approve, subject to any direction by the Bishop, the use of the Cathedral Church for ecumenical or secular purposes.

8.11 Appointment of the Dean

- (a) The Bishop shall, with the advice and consent of the Chapter, appoint the Dean.
- (b) The Bishop may, with the advice and consent of the Chapter, appoint a priest as Acting Dean on such terms and conditions as may be determined by resolution of the Chapter during any period when:
 - (i) the office is vacant; or
 - (ii) the holder of the office is absent from the Cathedral Parish or otherwise unable to carry out the function of the office.
- (c) An Acting Dean, when acting in that capacity shall have all the powers and functions of the Dean.
- (d) If an Acting Dean is not appointed under Clause 8.11(b) during the period referred to in that section:
 - (i) the Bishop may appoint a priest to perform the functions of the Incumbent of the Cathedral Parish
 - (ii) the Bishop otherwise has all the powers and function of the Dean.

8.12 Vacancy of Office of Dean

The office of Dean becomes vacant if the Dean:

- (a) submits a written resignation to the Bishop
- (b) ceases to hold a licence from the Bishop to perform the functions of the office
- (c) ceases to be the Incumbent of the Cathedral Parish
- (d) dies.

8.13 Clerical Canons

- (a) A Priest is not eligible to be appointed or elected as a Clerical Canon unless he or she:
 - (i) has been in priest's orders for not less than five years
 - (ii) is resident within the Diocese
 - (iii) is licensed by the Bishop to an appointment in the Diocese.
- (b) An Archdeacon, other than the Archdeacon who is an ex-officio member of the Chapter, is eligible for this office provided he or she satisfies the requirements in subsection 8.13(a).

8.14 Lay Canons

A Lay person is not eligible to be appointed or elected as a Lay Canon unless he or she is:

- (a) is a practicing, and communicant member of the Anglican Church of Australia
- (b) is resident within the Diocese
- (c) is not in holy orders.

8.15 Appointment of Canon by the Bishop

- (a) The Bishop shall appoint one Clerical Canon and one Lay Canon.
- (b) When the See of Riverina is vacant, the Administrator of the Diocese may exercise the power of appointment under Clause 8.15(a).

8.16 Election of Canons by Synod

- (a) The Synod will elect, in accordance with this Clause:
 - (i) two Clerical Canons
 - (ii) two Lay Canons.
- (b) Election of the Canons under Clause 8.16(a) will take place at the First Ordinary Session of the Diocesan Synod.
- (c) Election of Canons by Synod will be conducted in accordance with Section 5.11 of this Ordinance.

8.17 Term of Office

- (a) Subject to Clause 8.18(a), the office of a Clerical Canon or Lay Canon will be for a term commencing on their election or appointment and ending at the commencement of the first day of the First Ordinary Session of the Diocesan Synod following his or her appointment or election.
- (b) At the commencement of the first day of the First Session of a Diocesan Synod all canonries shall be declared vacant.
- (c) A member of the Chapter, if qualified under Sections 8.13 or 8.14, is eligible for re-election or re-appointment.

8.18 Casual Vacancies

- (a) A Canon ceases to hold office if the Canon:
 - (i) tenders a written resignation to the Bishop
 - (ii) dies
 - (iii) is appointed to another office in the Diocese by virtue of which he or she is a member of the Chapter
 - (iv) in the case of a Clerical Canon, is absent from the Diocese for more than three consecutive months without permission of the Bishop
 - (v) in the case of a Clerical Canon, ceases to be eligible to be appointed or elected as a Clerical Canon under Section 8.13
 - (vi) in the case of a Lay Canon, ceases to be eligible to be appointed or elected as a Clerical Canon under Section 8.14
 - (vii) is declared by resolution of the Synod or Diocesan Council to be unfit by reason of the person's conduct to be a member of the Chapter, on proper cause being shown, and after the person has been given reasonable opportunity by the Synod or Diocesan Council to explain in writing why the resolution should not be passed
 - (viii) becomes insolvent under any law relating to the administration of the affairs of insolvent persons.
- (b) A casual vacancy of a canonry ordinarily filled under Section 8.15 shall be filled by the Bishop or, if the See of Riverina is vacant, the Diocesan Administrator.
- (c) A casual vacancy of a canonry ordinarily filled under Section 8.16 shall be filled by the Diocesan Council.

- (d) A person who fills a casual vacancy holds office for a term commencing on their election or appointment and ending at the commencement of the first day of the First Ordinary Session of the Diocesan Synod following his or her appointment or election.

8.19 Honorary Canons

- (a) The Bishop shall have the right to appoint licensed Clergy of the Anglican Communion, to be Honorary Canons of the Cathedral.
- (b) Honorary Canons are not members of the Chapter.
- (c) The Bishop may not appoint more than three Honorary Canons in any one calendar year.
- (d) The title of Honorary Canon may be used by those whom the Bishop appoints until such time as the Bishop, in writing, withdraws the right to use such title. An Honorary Canon may resign the title in writing at any time.

8.20 Canons Emeritus

- (a) Nothing herein contained shall prevent the Bishop from conferring the title of Canon Emeritus upon a Priest who immediately prior to his or her retirement has been a Canon.
- (b) Canons Emeritus shall retain the title and precedence but not the powers or functions of a Canon and shall not form part of the Chapter.
- (c) The title of Canon Emeritus may be used by those upon whom the Bishop confers the title until such time as the Bishop, in writing, withdraws the right to use such title. A Canon Emeritus may resign the title in writing at any time.
- (d) The Bishop may not confer the title upon more than three persons in any one calendar year.

8.21 Honorary Lay Canon

- (a) The Title of Honorary Lay Canon of the Cathedral is an honour to be conferred on Lay persons in the Diocese in recognition of outstanding service to the Church in the Diocese.
- (b) The Bishop may confer the title of Honorary Lay Canon of the Cathedral on such Lay persons as the Bishop thinks fit.
- (c) The Bishop may not confer the title upon more than three persons in any one calendar year.
- (d) An Honorary Lay Canon is entitled to such privileges as are determined by the Bishop in consultation with the Dean but is not a member of the Chapter.

- (e) The title of Honorary Lay Canon may be used by those upon whom the Bishop confers the title until such time as the Bishop, in writing, withdraws the right to use such title. An Honorary Lay Canon may resign the title in writing at any time.

8.22 The Cathedral Parish of St Alban the Martyr Griffith

The Rector, Churchwardens, Councillors and Parishioners of the Cathedral Parish for the time being shall retain all their respective rights and privileges in respect of that Cathedral Parish and Cathedral Church save where hereby expressly limited and except where otherwise herein provided, and the Cathedral Parish shall be regulated by the provisions of Chapter 9 in this Ordinance.

8.23 The Cathedral Church

- (a) The Cathedral Parish shall be responsible for the maintenance, cleansing and servicing of the Cathedral Church.
- (b) No variation of the structure or furnishings of the Cathedral Church or the locations of furnishings shall be affected without the approval of the Chapter and the sanction of the Bishop given by Faculty obtained by the Dean and churchwardens in the form provided in Schedule Five of this Ordinance.
- (c) The use of the Cathedral Church by the Bishop or the Dean shall include the use of the furnishings thereof and of all things appertaining to the celebration of Divine Service or the administration of the Sacraments.
- (d) No new tablets, brasses or other memorials of a like nature shall be erected or placed in the Cathedral Church save with the consent of both the Cathedral Parish Council and the Chapter, and the sanction of the Bishop given by Faculty.
- (e) The Churchwardens, with the consent of the Bishop and the Dean, may from time to time allot official seats in the Cathedral for special services to persons or corporate bodies and may with like consent revoke such allotments at pleasure.

8.24 Finances

- (a) The Diocesan Council shall provide out of Diocesan funds for any special outlay connected with the use of the Cathedral for Diocesan Services.
- (b) The collections at all Diocesan Services shall, except when the same shall be held at or take the place of any ordinary Sunday service in the Cathedral Church, be applied to such purposes as the Bishop shall from time to time direct.

Chapter 9 – Parishes and Mission Districts

9.1 Purpose of this Chapter

The purpose of this Chapter is to provide structures within which the members of this Church within the Diocese may be enabled to participate in the corporate life of the Church within their local area.

9.2 Constitution of Parishes

- (a) The Bishop, with the advice and consent of the Diocesan Council, may establish a Parish within a geographical area within the Diocese containing one or more Churches/places of worship.
- (b) A geographical area so specified shall be known as a Parish under such name as is approved by Diocesan Council.
- (c) The temporal affairs of a Parish shall be overseen by a Rector/Priest-in-Charge with the Parish Council and Churchwardens.
- (d) The Rector/Priest-in-Charge of a Parish shall have the Cure of Souls of the Parish or Mission District.
- (e) In establishing a Parish, Diocesan Council shall have regard to the most appropriate way of providing for the work of this Church in the area and shall take the following matters into account:
 - (i) the general community of interest of the people in the area
 - (ii) the financial capacity of the members of this Church in the area to support a parish ministry and to provide the buildings and other facilities required for parish life and to contribute to the wider life of this Church.
- (f) The Diocesan Council may from time to time constitute a new Parish, or unite adjoining Parishes, or alter the boundaries of any Parish, provided that at least three months before any such constitution, union or alteration be made, particulars thereof shall be forwarded to the Rector/Priest-in-Charge, Churchwardens and Parish Councillors of the Parishes concerned and an expression of their opinion obtained.
- (g) The Diocesan Council shall, by words of description, with or without maps or plans, declare in writing the boundaries of every Parish and every such description shall be preserved in the Diocesan Registry.
- (h) The Diocesan Registrar may, upon payment of a reasonable remuneration, furnish a copy of or extract from any declaration, map or plan aforesaid to any person who requires the same, and every such copy or extract may be compared with the original on the payment of a fee.

- (i) Those Parishes with their respective boundaries or responsibilities existing when this Ordinance comes into operation shall constitute the Parishes of the Diocese for the time being and subject to the operation of this Ordinance shall continue to exist with their present status and boundaries.

9.3 Parish Clergy

- (a) The appointment of a Rector/Priest-in-Charge shall be at the sole discretion of the Bishop.
- (b) In making an appointment of Rector/Priest-in-Charge, the Bishop may consult with the Archdeacon and Rural Dean of the area in which the Parish is located and the Churchwardens of the Parish concerned.
- (c) The appointment of assistant clergy shall be at the sole discretion of the Bishop after consultation with the Rector/Priest-in-Charge and the Churchwardens of the Parish concerned.
- (d) The Bishop may appoint a Priest-with-Oversight or a Locum Tenens of one or more Parishes, Mission Districts, or one or more Churches within a Parish or Mission District for such term as he or she thinks fit.
- (e) A member of the clergy who is a Priest-with-Oversight or a Locum Tenens shall temporarily have the rights and perform the duties of the Rector/Priest-in-Charge.

9.4 Accommodation

- (a) The Churchwardens shall provide the Rector/Priest-in-Charge and any other clergy licensed to the Parish, if any, with adequate housing accommodation, of a standard specified by Diocesan Council, together with such fittings for the residence as are specified by the Diocesan Council (herein after referred to as Clergy Accommodation).
- (b) The Churchwardens shall inspect the clergy accommodation, accompanied by the occupants of that clergy accommodation, having given the occupants seven days' notice of their intention to do so. On the basis of the inspection, a report of repairs required shall be made and presented to the Parish Council to be acted upon.
- (c) As the clergy person shall freely have, use, process and enjoy his or her respective clergy accommodation and its grounds, the privacy of the occupants must be respected during such inspections.
- (d) Upon vacation of the rectory, the Archdeacon or Bishop shall make an inspection and inform the Parish Council of any repairs or maintenance required to the clergy accommodation.

- (e) The Churchwardens shall arrange to have all clergy accommodation inspected annually by a qualified pest control inspector for white ants and vermin. Report of such inspections are to be reported to Parish Council.

9.5 Remuneration

- (a) The Stipend and allowances of the clergy appointed to a Parish shall be set by the Diocesan Council.
- (b) Included in their remuneration, the clergy are entitled to annual leave for a total of four weeks in each calendar year, including four Sundays.

9.6 Rights of the Rector/Priest-in-Charge

- (a) The Rector/Priest-in-Charge shall, at all times, have free access and admission into every church within his or her Parish and have use to any such church for the celebration of Divine Service, administration of the Sacraments, and performance of all other Rites and Ceremonies of the Anglican Church of Australia without any hindrance.
- (b) Except as provided for in Clause 9.7(a), the Rector/Priest-in-Charge shall be entitled to hold the keys of all churches and other parish buildings within his or her Parish.
- (c) Except as provided for in Clause 9.7(a), the Rector/Priest-in-Charge may use all other parish buildings for such parish purposes as he or she sees fit, but for all other purposes the Rector/Priest-in-Charge shall obtain the consent of the Churchwardens, and he or she shall have the custody of the keys thereof.
- (d) The Rector/Priest-in-Charge by virtue of his or her office shall be entitled to attend and act as chair at all Church meetings held within the parish, provided that the Rector/Priest-in-Charge at his or her discretion may decline to be chair.
- (e) Upon ceasing to hold his or her licence to officiate within a Parish or within the Diocese generally, the Rector/Priest-in-Charge shall ipso facto forfeit and be absolutely deprived of all and singular their rights under this Chapter 9.

9.7 Rights of Assistant Clergy

- (a) Assistant clergy who are provided with a clergy accommodation shall freely have, use, possess and enjoy the building, associated garden and appurtenances as defined by the Parish Council, and the privacy of the occupant(s) be respected.
- (b) Upon ceasing to hold his or her licence to officiate within a Parish or within the Diocese generally, the assistant clergy shall ipso facto forfeit and be absolutely deprived of all and singular his or her rights under this Chapter 9.

9.8 Membership of a Parish

- (a) In accordance with the Constitution, a Member of this Church for the purposes of this Ordinance is a baptised person who:
 - (i) attends the public worship of this Church
 - (ii) declares that he or she is a Member of this Church and is not a member of a church which is not in communion with this Church.
- (b) For the purposes of this Ordinance a person is a Member of a Parish if that person is a Member of this Church and is entitled to have his or her name on the Roll of Members of that Parish.

9.9 Roll of Members of the Parish

- (a) The Rector/Priest-in-Charge shall keep a register in which shall be entered the names and addresses of all Members of this Church in the Parish of which he or she has charge. A Roll of Members of the Parish shall also be kept, and both roll and register shall be revised by the Rector/Priest-in-Charge and Churchwardens annually.
- (b) A Member of this Church who customarily worships with a parish congregation or who ordinarily resides within a Parish is entitled to have his or her name entered on the Roll of Members of the Parish maintained for the purposes of this Ordinance.
- (c) Parishes are required to report to the Registrar on the information from the roll of members and on other activities as determined by Diocesan Council from time to time.
- (d) A Member of this Church may only be listed on the Roll of Members in one Parish and be an elector in no other Parish.

9.10 Churchwardens

- (a) Each Parish shall have three Churchwardens
- (b) Subject to Clause 9.11(c) and Sections 9.12 and 9.14, any person shall be qualified for appointment or election a Churchwarden who is aged not less than 21 years and is a Member of the Church and a Member of the Parish. Such person must have completed Safe Ministry Training, and hold a current Working with Children Check or be eligible to hold one.
- (c) A person may hold office as a Churchwarden for five consecutive terms. Any person who has done so shall not be eligible for appointment by the Rector/Priest-in-Charge or for election by the Annual Meeting of the Parish as a Churchwarden, but may be elected or appointed as a Parish Councillor. An

extension of the tenure of an incumbent Churchwardens may be granted by the Bishop in writing provided that a written request has been received from the Rector/Priest-in-Charge prior to the Annual General Meeting of the Parish.

- (d) Any person who previously held office as a Churchwarden but who has not held such office since the previous Annual General Meeting of the Parish shall be eligible for election by the Annual General Meeting or for appointment by the Rector/Priest-in-Charge as a Churchwarden.
- (e) One Churchwarden shall be appointed by the Rector/Priest-in-Charge and two Churchwardens shall be elected in accordance with Clause 9.24(c).
- (f) Nothing in this Ordinance prevents a Churchwarden being appointed or elected as a Parish Councillor.

9.11 Parish Councillors

- (a) There shall be a minimum of three and maximum of six Parish Councillors, elected or appointed in accordance with Clause 9.24(d).
- (b) The number of Parish Councillors for each successive Parish Council shall be either three or six and will be determined by the Parish Council at its last ordinary meeting prior to the annual general meeting.
- (c) Subject to Sections 9.12 and 9.14, any person shall be qualified for appointment or election as a Parish Councillor who is aged not less than 18 years and is a Member of the Church and a Member of the Parish and must have completed Safe Ministry Training, and hold a current Working with Children Check or be eligible to hold one.
- (d) Notwithstanding the provisions of Clause 9.24(d), the Bishop may, at his or her discretion, and upon application in writing from a majority of Parish Councillors, Churchwardens and the Rector/Priest-in-Charge, waive the requirement for a Parish to elect and or appoint Parish Councillors at the next Annual General Meeting of that Parish and the rights and obligations of the Parish Councillors under this Ordinance shall fall to the Churchwardens. Unless a subsequent request is made and granted by the Bishop, Parish Councillors must be elected and or appointed at the following Annual General Meeting of that Parish.
- (e) Nothing in this Ordinance prevents a Parish Councillor being appointed or elected as a Churchwarden.

9.12 No Spouses to Hold Office Together

No spouses or de-facto partners shall be eligible for nomination, election, or appointment to the same Parish Council, either as Parish Councillor or Churchwarden, to which their spouse or de-facto partner is at that time already elected or appointed or nominated for election or appointment as Parish Councillor or Churchwarden.

9.13 Casual Vacancies

- (a) Where there are insufficient nominations to fill the offices of Churchwarden or Parish Councillor at the Annual General Meeting of the Parish under Section 9.23, or where a Churchwarden or Parish Councillor vacate that office, there is a casual vacancy.
- (b) The casual vacancy shall be filled, and that person holding office until the next Annual General Meeting:
 - (i) in the case of an appointed Churchwarden or Parish Councillor, by a fresh appointment by the Rector/Priest in Charge
 - (ii) in the case an elected Churchwarden, by the Churchwardens
 - (iii) in the case of an elected Parish Councillor, by the Parish Councilprovided that, if an office be not so filled within fifty-six days of the Annual General Meeting, the Bishop may appoint some qualified person to fill the office.

9.14 Term of Office for Churchwardens and Parish Councillors

- (a) Churchwardens and Parish Councillors shall hold their office from the date of their election or appointment until the commencement of the next Annual General Meeting following their election or appointment at which time the positions shall be declared vacant.
- (b) Unless otherwise deemed ineligible under Clauses 9.10(b) and 9.10(c) or 9.14(d), all retiring Churchwardens and Parish Councillors shall be eligible for re-election or re-appointment.
- (c) A Churchwarden or Parish Councillor may, upon the motion of the Parish Council, be declared to have ceased to hold office if he or she be absent from meetings of the council for three months in succession without the permission of the Council.

- (d) The Bishop has the authority to suspend a Parish Council, Churchwarden, and/or Parish Councillor whilst investigations are undertaken under the *Diocesan Discipline Ordinance 2022*, or the *Professional Standards Ordinance 2022*, or where the Bishop is aware of extenuating circumstances.

9.15 Parish Council - General

- (a) It shall be the duty of Churchwardens and Parish Councillors to co-operate and share with the Rector/Priest-in-Charge in planning, organising and implementing the spiritual, pastoral, evangelistic, educational and missionary work of the Parish.
- (b) The first meeting of the Parish Council shall be called by the Rector/Priest-in-Charge and Churchwardens.
- (c) At the first meeting of the Parish Council, the members of Parish Council shall:
 - (i) elect a Secretary who may or may not be a member of the Parish Council. If the Secretary is not a member of the Parish Council he or she does not have a vote and may only speak if invited to do so by the Chair
 - (ii) elect a suitable person to be the Treasurer who may or may not be a member of the Parish Council. If the Treasurer is not a member of the Parish Council he or she does not have a vote and may only speak if invited to do so by the Chair
 - (iii) decide the number to constitute a quorum
 - (iv) determine the dates of subsequent meetings, held monthly when possible.
- (d) The Parish Council may, by majority vote, remove a Secretary or Treasurer from that role and elect a new person to fill the vacancy created.
- (e) The Rector/Priest-in-Charge or a majority of the Council may call a special meeting of the Council at any time by a written notice to each member thereof.
- (f) The Churchwardens and Parish Council shall keep minutes of their proceedings in a book which, together with the financial statement of the parish as presented at each meeting of Parish Council, at all reasonable times shall be open to the inspection of the Bishop or the Archdeacon or the Rector/Priest-in-Charge or any member of the Council.
- (g) Assistant Clergy, in addition to being eligible to be invited by the Rector/Priest-in-Charge to be Chair in his or her absence, shall be eligible to attend meetings and to speak, but may not vote except when acting as Chair, and may not be elected or appointed to the Parish Council.

- (h) The financial year of the Parish Council shall begin on the 1 January, and end on the 31 December.
- (i) A meeting of Parish Council may be held by audio or video telecommunication between the members of the Parish Council or between members of the Parish Council present together in one or more places and in audio or video telecommunication with other members of the Parish Council not so present.
- (j) A vote of members of Parish Council otherwise than at a meeting of the Parish Council may be taken by mail, electronic mail, telephone or other means of communication.
- (k) A resolution on which a vote is taken in accordance with Clause 9.15(j) is to be taken to have been agreed to by the Parish Council if a majority of members vote in favour of the resolution.
- (k) Where a vote is taken in accordance with Clause 9.15(j), the Secretary must record the vote of each member who votes.

9.16 Chair of Parish Council

- (a) The Bishop shall be President of the Parish Councils. The Rector/Priest-in-Charge shall be the Chair of Parish Council provided that at his or her discretion he or she may decline to be Chair.
- (b) If the Rector/Priest-in-Charge is absent from a meeting or has declined the chair, he or she may appoint any Assistant Clergy or one of the Churchwardens or a member of the Parish Council to Chair the meeting.
- (c) The Chair shall have a deliberative and a casting vote.

9.17 Role of Secretary

- (a) The Secretary shall take the Minutes of meetings of Parish Council and shall cause a record of such minutes to be kept. Copies of the minutes of each meeting shall be forwarded to each member of the Parish Council prior to the commencement of the next meeting.
- (b) The Secretary will assist the Chair in the preparation of an Agenda for each meeting of Parish Council.
- (c) The Secretary may write communications on behalf of Parish Council at Parish Council's direction.

9.18 Role of Treasurer

- (a) The Treasurer shall keep the accounts of the Parish for the Churchwardens.
- (b) The Treasurer shall prepare for the Parish Council financial statements indicating the income and expenses of the Parish during the period since the last meeting of the Council.
- (c) The Treasurer shall assist the Parish Council in causing the accounts for the year to be prepared for audit.
- (d) At the direction of the Churchwardens and Parish Council, the Treasurer shall make payments to the Diocese and any other business or persons to whom the Parish owes money. Such payments must be consistent with Clauses 9.19(a), (b), (d) and (e).

9.19 Role of Churchwardens

- (a) A fundamental duty of Churchwardens is to control and manage the financial affairs of the parish in order to provide funds from which to make regular payments of the stipend due to the Rector/Priest-in-Charge and other Clergy and/or church workers, if any.
- (b) If the Churchwardens should meet with serious difficulties in fulfilling the duty and obligation set out in Clause 9.19(a) hereof, they should open communication with the Bishop on the subject.
- (c) The Churchwardens shall, if directed by the Diocesan Council, regularly remit at such intervals as shall be expressed in such direction the amount due in each case for the payment of such stipends to the Diocesan Registrar who shall make payment of the same to the Clergy at the appropriate time.
- (d) The Churchwardens shall forward to the Diocesan Registrar such assessments as shall be charged by the authority of the Synod.
- (e) They shall report to the Bishop, in writing signed by a majority of the Churchwardens, any grave irregularities in the performance of Divine Service, any wilful neglect of duty, or any flagrant conduct on the part of the Rector/Priest-in-Charge.

9.20 Role of Parish Council

The duties of Parish Councils include:

- (a) to have the charge and, with the Rector/Priest-in-Charge, to have the administration of all funds and property belonging to the Parish, including any funds raised. This includes:
 - (i) funds raised through Op Shops

- (ii) funds raised through other parish-related organisations
- (iii) funds raised from the leasing of parish land.

Such organisations must regularly forward all funds raised to the Parish and report to the Parish Council as required by Parish Council.

N.B. The only exception is where there is any direction to the contrary in any trust or instrument creating the trusts under which such funds or property are held.

- (b) to ensure that the first charge upon all the funds of the Parish shall be the Stipends of the Clergy.
- (c) in relation to the Annual General Meeting:
 - (i) to prepare beforehand a statement of all moneys received and expended by them during the previous financial year, which shall be duly certified by the signatures of the Churchwardens and the auditor
 - (ii) to produce at the Annual General Meeting such statement so certified, and to forward a copy thereof to the Diocesan Registry
 - (iii) to deliver to their successors the book or books containing the account of such moneys, and likewise all vouchers for payments, together with such balance as shall appear by the said accounts to be remaining in their hands
 - (iv) to prepare and submit to the meeting an account showing any moneys which have been received and expended by them since the termination of the financial year, and the balance of such moneys shall be handed over to their successors
 - (v) to cause the statement of accounts mentioned in Clause 9.20(c), duly certified, to be printed and distributed among the parishioners at the Annual General Meeting.
- (c) to keep order in the church and churchyard.
- (d) to have the care of the church and its furniture, and of other things appertaining to the celebration of Divine Service, and to see that everything is fit and in proper order, provided that all sacred vessels used in celebrating the Sacraments shall be in the custody of the Rector/Priest-in-Charge.
- (e) to provide for the safe custody of all Parish registers and records.
- (f) to keep the church, clergy accommodation and the premises respectively attached thereto, and the fittings, fixtures and furniture therein, in good order and repair, and to pay all rates and taxes thereon, and, under the direction of the Diocesan Council, to insure the said buildings, fittings and fixtures, and to pay all charges for insurance thereon.

- (g) to cause to be forwarded by the Chair without delay to the Diocesan Registrar the names and addresses of all those elected and appointed to Parish Council, and those chosen in accordance with Clause 9.15(c) as Secretary and Treasurer. If the parish is unable to appoint a Secretary and Treasurer it shall forthwith inform the Bishop.
- (h) to make from time to time by-laws for the conduct of the Parish Council business as may be necessary.
- (i) to approve all activities of the parish other than that of the Rector/Priest-in-Charge. Approval of the Parish Council shall be received before such activities take place. The organisers of such approved activities shall be required to submit full financial statements and records of their activities to Parish Council upon request and shall transmit to Parish Council all moneys held by such organisers.

9.21 Establishment of Committees

- (a) A Parish Council may by resolution establish such committees as it deems expedient for Parish purposes.
- (b) Any committee established under this Section:
 - (i) shall be under the control of Parish Council and report to the Parish Council no less than once a quarter
 - (ii) shall submit full financial statements and records of their activities to Parish Council upon request and shall transmit to Parish Council all moneys held by the committee
 - (iii) may be dissolved by resolution of the Parish Council in their absolute discretion.
- (c) The management committee of all Op Shops operated by a Parish shall be considered a committee of Parish Council and shall report to Parish Council in the manner provided in this Section.

9.22 General Provisions Relating to Meetings of a Parish

- (a) No person shall be permitted to vote at any general meeting or Annual General Meeting of a Parish unless such person be a Member of this Church, above the age of 18 and a Member of the Parish.
- (b) (i) The quorum for any general meeting or Annual General Meeting shall consist of six persons eligible to vote or such other number as shall have been approved by the Bishop or Diocesan Council.

- (ii) As soon as a quorum is present, the meeting shall be held to be duly constituted.
 - (iii) If it shall not be constituted within half-an-hour of the appointed time, the meeting shall stand adjourned for seven days, the place and the hour for the adjourned meeting being the same as those for which the first meeting was convened.
 - (iv) Any meeting, once duly constituted, may from time to time be adjourned to such hour and place as the meeting may determine.
- (c) The Rector/Priest-in-Charge shall be Chair of any meeting at which he or she is present, provided that, at his or her discretion, he or she may decline to be the Chair. In that event, he or she may appoint a Churchwarden or an Assistant Clergy to Chair the meeting and, failing such appointment, the meeting shall elect a Chair before proceeding to business. The Chair shall have a deliberative and a casting vote.

9.23 General Meetings

General Meetings consisting of Members of a Parish may be convened by the Rector/Priest-in-Charge and the Churchwardens by at least seven clear days public notice given in such a way as they may deem best, and stating the hour and place of meeting for the consideration of any business or matter connected with the church.

9.24 Timing of Annual General Meeting

A general meeting, which shall be called the Annual General Meeting, shall be convened in respect of each Parish in every calendar year for some date before 31 March, unless the Bishop for urgent and special reasons sees fit to extend that date. Notice of this meeting shall be given at least 28 days prior to the date set for the meeting.

9.25 Business of Annual General Meeting

At an Annual General Meeting the following items of business shall be conducted:

- (a) The accounts of the Parish Council shall be received and passed, if audited and found correct.
- (b) A suitably qualified accountant and or financial auditor (the Auditor) shall be appointed to audit the Parish Council's accounts during the ensuing year. In the event that the Annual General Meeting is unable to appoint the Auditor due to the unavailability of a suitable appointee and/or the inability of the Parish to afford the services of a suitably qualified accountant and or financial auditor then the Annual General Meeting shall write to the Diocesan Council

explaining the inability to make the appointment. The Diocesan Council may at its absolute discretion resolve to:

- (i) appoint a suitably qualified accountant and or financial auditor as the Auditor of a particular Parish
 - (ii) pay part and or all of the Auditor's costs from the Church Management Fund
 - (iii) waive the requirement for appointment the Auditor under this Ordinance.
- (c) One Churchwarden shall be appointed by the Rector/Priest-in-Charge, and two Churchwardens shall be elected by the Parishioners.
 - (d) The meeting shall elect two-thirds of the members of the Parish Council and the Rector/Priest-in-Charge appoint one-third of the members of the Parish Council.
 - (e) The Synod representatives shall be elected when a Mandate for a general or a special election shall have been issued by the Bishop.
 - (f) A report covering aspects of parish life shall be presented by the Rector/Priest-in-Charge.
 - (g) Reports from the Churchwardens, parish bodies, and subcommittees of Parish Council shall be presented.
 - (h) Motions and subjects of which notice has been received by the Rector/Priest-in-Charge at least two weeks before the meeting shall be debated.
 - (i) Other business shall be permitted at the discretion of the Chair.

9.26 Appointment and Removal of Officers

- (a) All Lay officers of the Church and Parish shall be appointed from time to time by the Rector/Priest-in-Charge, and shall be subject to his or her control and direction, and may be dismissed by him or her with the concurrence of the Churchwardens.
- (b) All Lay officers shall be appointed only after having satisfied the professional standards requirements of the Diocese.
- (b) Any salary that may be paid to a Lay officer shall be determined by the Parish Council.

9.27 Establishment of Mission Districts

- (a) The Bishop, with the advice and consent of the Diocesan Council may establish a Mission District within a defined geographical area where he or she considers it impractical or unviable to establish or continue a formal Parish but it is appropriate to provide structure, oversight and pastoral arrangements similar to those provided by a Parish.
- (b) A geographical area so specified shall be known as a Mission District under such name as is approved by Diocesan Council.
- (c) In establishing a Mission District, Diocesan Council shall have regard to the most appropriate way of providing for the work of this Church in the area and shall take the following matters into account:
 - (i) the general community of interest of the people in the area
 - (ii) the financial capacity of the members of this Church in the area to support a parish ministry and to provide the buildings and other facilities required for parish life and to contribute to the wider life of this Church.
- (d) The Diocesan Council may from time to time constitute a new Mission District, or unite adjoining Mission Districts or a Mission District with another Parish, or alter the boundaries of any Mission District, provided that at least three months before any such constitution, union or alteration be made, particulars thereof shall be forwarded to the governing body of the Mission District and or any affected Parishes and an expression of their opinion obtained.
- (e) The Diocesan Council shall, by words of description, with or without maps or plans, declare in writing the boundaries of every Mission District and every such description shall be preserved in the Diocesan Registry.
- (f) The Diocesan Registrar may, upon payment of a reasonable remuneration, furnish a copy of or extract from any declaration, map or plan aforesaid to any person who requires the same, and every such copy or extract may be compared with the original on the payment of a fee.

9.28 Governance of Mission Districts

- (a) The Diocesan Council may provide that such conditions as it considers appropriate shall apply to such a Mission District, including but not limited to:
 - (i) the governance arrangements to apply for the Mission District
 - (ii) the staffing and financial arrangements for the Mission District
 - (iii) the conditions under which the Mission District may seek to apply to become a Parish.

- (b) The Diocesan Council may specify that Chapters, Clauses or Schedules, or parts of those provisions, of this Ordinance shall apply to the Mission District as if it were a Parish ministry unit for the purpose of the specified provisions and the Priest-in-Charge of the Mission District were a Rector.
- (c) Despite Section 5.10 of this Ordinance, the Diocesan Council may make provision for representation of the Mission District in Synod by the membership of lay persons from the Mission District provided that such membership does not exceed two lay members.

9.29 Appointment of Licensed Lay Ministers

Lay members of Parishes may be licensed by the Bishop as Licensed Lay Ministers if:

- (a) the Rector/Priest-in-Charge has confidence in the ability and calling of a Lay person to fulfil this ministry and presents his or her name to Parish Council for consideration
- (b) the Parish Council by vote supports and endorses the Rector/Priest-in-Charge's nomination of the Lay person
- (c) the Bishop receives the nomination in the prescribed form and agrees to issue such license.

9.30 Functions of Licensed Lay Ministers

Those who are licensed as Lay Ministers are under the direction of the Rector/Priest-in-Charge and assist in the liturgical and pastoral ministry of the Church. If so directed, they may:

- (a) assist in the administration of Holy Communion in Church.
- (b) lead a Service of prayers in the absence of the Rector/Priest-in-Charge.
- (c) take extended Holy Communion to Hospital patients and/or Aged Care Residents
- (d) preach, if licensed to do so by the Bishop.

9.31 Licensing

In issuing any licence under this Chapter, the Bishop may set any such requirements or limitations as the Bishop may, in his or her lawful discretion, choose.

9.32 Closure of Parishes

Unless the Bishop has agreed that the Parish may operate without Parish Councillors or has agreed to any other accommodations, in the event of any one or more of:

- (a) a Parish being unable to achieve a quorum for its Annual General Meeting as per Clause 9.22(b) of this Ordinance
- (b) a Parish failing to fill at least 2 of its churchwarden positions and at least three of its Parish Council positions by the later of 31 March of any year or any extension thereof by the Bishop under Section 9.23,
- (c) a Parish having insufficient income to enable payment of the Church Management Fund assessment under Clause 6.5(b)(ii)

then the following will apply:

- (d) the Bishop or an Archdeacon may investigate the circumstances of the Parish and write a report for the Bishop and Diocesan Council on the status and future of the Parish
- (e) the Bishop may appoint at his or her discretion a person or persons to administer the Parish in place of any Churchwardens or Parish Councillors elected or appointed by a Parish Annual General Meeting or by Parish Council or by the Rector/Priest-in-Charge
- (f) a plan for the restoration of appropriate governance may be developed for the approval of Diocesan Council and Diocesan Council may resolve that the Parish is exempted from these special provisions for such time, or is subject to such conditions, as is determined by Diocesan Council
- (g) Diocesan Council, having considered the report of the Bishop or Archdeacon in 9.31(d) and there having been no plan approved under 9.32(f), may recommend to the Bishop that a new structure for ministry in the area be developed and the Parish closed.

9.33 Assets Held upon Trust for a Particular Parish or Mission District

In the event that a Parish is closed under Clause 9.32(g), any assets held for that Parish will be dealt with as follows:

- (a) where a Parish is being subsumed into another Parish, then the said assets will be held upon trust for that other Parish
- (b) in all other cases, as the Diocesan Council by ordinance resolves.

Chapter 10 – Property Matters

10.1 Vesting of Property

- (a) All real property within the Anglican Diocese of Riverina is vested in the Riverina Diocesan Trust (the Trust) who are the Corporate Trustees for the Diocese. The Trust exercises its powers and responsibilities in accordance with the *Anglican Church of Australia Trust Property Act 1917 No 21* and the *Anglican Church of Australia (Bodies Corporate) Act 1938 No 15* of the State of New South Wales.
- (b) There may be established for each Church or Parish an Endowment Fund. These funds may be derived from:
 - (i) church collections specially invited for that purpose.
 - (ii) private donations, subscriptions, legacies and bequests or real or personal property.
- (c) All moneys and other gifts received for parish endowment shall be immediately conveyed to and held by the Riverina Diocesan Trust, to be held perpetually in trust for the sole use and benefit of the Parish for which the contribution is made.
- (d) The Trust shall administer the revenue from this fund in the manner prescribed in Clause 10.1(c).
- (e) When any parish is divided, the Diocesan Council shall determine the apportionment of the income from the fund, except where the endowment has been left by bequest to any particular part of the Parish.

10.2 Church Buildings

- (a) No church building, rectory, school or other buildings shall be erected nor any material alteration made to any existing building without prior approval in writing of the Diocesan Council. Every application for such approval shall be accompanied by proper plans, specifications and a written estimate of the maximum amount to be expended.
- (b) No building shall be licensed, dedicated or consecrated as a church until the site upon which it is erected has been so conveyed or transferred as aforesaid and it has been provided with such things as may be requisite for the celebration of Divine Service according to the law and usage of the Anglican Church of Australia, but the same shall not be consecrated so long as there remains any debt upon the site or building.
- (c) No debt shall be incurred upon any building or property belonging to the Church in any Parish without the consent of the Diocesan Council.

- (d) A consecrated church shall not be used for any purpose other than the celebration of Divine Service, the administration of the Sacraments, the performance of the Rites and Ceremonies of the Anglican Church of Australia, the giving of religious instruction, or for other sacred purposes. However, the Rector/Priest-in-Charge may approve, subject to any direction by the Bishop, the use of a church for ecumenical or secular purposes.
- (e) No person except the Bishop shall be allowed to perform any clerical office in a church except with the consent of the Rector/Priest-in-Charge and the Bishop unless they be Clergy authorised to officiate in the Diocese, in which case the consent of the Rector/Priest-in-Charge alone shall be necessary. Provided always that if such Rector/Priest-in-Charge is suspended ab officio, or if there shall not be a Rector/Priest-in-Charge for the time being, the consent of the Bishop alone shall be necessary.
- (f) No alteration shall be made in the fabric of the church when licensed, dedicated or consecrated, except with the sanction of the Bishop, to be given by Faculty, obtained by the Rector/Priest-in-Charge and Churchwardens in the form provided in Schedule Five of this Ordinance.
- (g) No ornament or internal fitting shall be placed in any church permanently, nor shall any such be removed from any church permanently except by the authority of the Rector/Priest-in-Charge and the sanction of the Bishop given by Faculty. An inventory of ornaments is to be prepared by the Churchwardens and kept in the church and is to be treated as an official church record.
- (h) The Churchwardens, with the consent of the Rector/Priest-in-Charge, may permit any monument to be placed in any part of the church or churchyard upon payment of such charges and subject to such regulations as shall be prescribed or approved by the Diocesan Council, and the person so placing such monument as aforesaid and his or her executors and administrators may maintain the same. Provided always that no monument shall be placed within or on the walls of the church without a Faculty from the Bishop.

10.3 Procedure to Initiate an Ordinance for the sale of Church Property

Where a Parish, Mission District, Diocesan Council, or the Synod wishes to sell, exchange, mortgage, lease or otherwise deal with Church Trust Property, it must lodge a proposal with the Registrar in a form approved by the Registrar but which must include:

- (a) the particulars of the proposal to deal with the property
- (b) the names and addresses of the applicants and signed by them or on their behalf

- (c) a demonstration that the proposal is within the provisions of the Trust Property Act
- (d) satisfactory evidence that the notice has been published or posted in accordance with Section 10.5 if required
- (e) an adequate written statement of evidence in support of the application
- (f) payment of such sum as the Diocesan Council may have last determined, by resolution, towards the costs of processing the proposed Ordinance
- (g) where sale of property used for the church purposes of a particular Parish or Mission District is involved, an Archdeacon's Certificate, which shall have been obtained by following the procedures set out in Section 10.4.

10.4 Archdeacon's Certificate

- (a) The Archdeacon of the area in which the Parish or Mission District that has requested to sell property is situated will chair a special general meeting of parishioners called specifically to discuss the matter and to resolve whether or not to proceed with the proposed sale of church property.
- (b) Where the Archdeacon of the area is the Rector/Priest-in-Charge of the Parish or Mission District which wishes to sell church property, the special meeting of parishioners will be chaired, and the Certificate will be provided, by the Rural Dean of the Rural Deanery in which the Parish or Mission District is situated, or by another nominee of the Bishop.
- (c) The Archdeacon will issue an Archdeacon's Certificate where the Archdeacon is satisfied that:
 - (i) the property proposed to be sold is truly surplus to the requirements of the Parish or Mission District or any foreseeable developments in the district
 - (ii) the sale of the property will not create serious pastoral problems for ministry in the Parish or Mission District
 - (iii) the proceeds of the sale of the property are to be applied to essential capital development in the Parish or Mission District, or are to be added to the endowments of the Parish or Mission District for the provision of ministry in the district.
- (d) The Archdeacon's Certificate will take the form contained in Schedule Three.

10.5 Notice of a Proposed Ordinance

- (a) This section applies if a proposed Ordinance relates to church trust property that is held or that will be held, if the proposed Ordinance is passed, partly or wholly for the purpose of a Parish or Mission District (the “relevant parochial unit”).
- (b) Notice of an intention to apply for the proposed Ordinance (the Notice) must:
 - (i) be posted in the form prescribed in Schedule Four and remain continuously posted in a conspicuous position at the entry of the main church of the relevant parochial unit and in each other church in the relevant parochial unit that may be affected by the proposed Ordinance for a period of at least 21 days
 - (ii) have noted upon it the date on which it was first displayed.
- (c) Where a Notice is posted in a church, the attention of the congregation must be drawn to that notice at each service held in the church while the Notice remains posted.
- (d) Each Notice must:
 - (i) state the intention of the applicants to apply to the Synod or the Diocesan Council for the proposed Ordinance
 - (ii) list the general objects of the proposed Ordinance
 - (iii) contain a notification which:
 - (a) states that objections to the proposed Ordinance may be made by the Closing Date to the Registrar in accordance with this Ordinance
 - (b) specifies a Closing Date which complies with subclause 10.5(b)(i).
 - (c) If a Notice is not given in conformity with Clauses 10.5(b), (c), and (d), or the circumstances call for another or further Notice, the Diocesan Council may require such further or other Notice as the justice of the case requires.
 - (d) If the Diocesan Council thinks the requirements of Clause 10.5 are impossible or are unduly onerous to satisfy, it may give directions about what notice is proper and reasonable in the circumstances.

10.6 Objections

- (a) Any person may object to a proposed Ordinance by lodging a notice of objection with the Registrar by the Closing Date, as given on the Notice, as specified in Subclause 10.5(d)(iii) and in accordance with Clause 10.5(b).
- (b) Each notice of objection must:
 - (i) be in writing
 - (ii) distinctly specify the grounds of objection
 - (iii) state the name and address of the objector(s).
- (c) A notice of objection that does not comply with Clause 10.6(b) shall be taken not to have been made.
- (d) An objection on the basis that a portion of the proceeds from the sale of the property will be required to be paid to the Diocesan General Purpose Trust must be rejected by the Registrar.
- (e) An objection received by the Registrar and not rejected under Clause 10.6(d) must be forwarded as soon as practicable to the governing body of the Parish, Mission District, to the Area Dean or relevant Archdeacon and to the Riverina Diocesan Trust.

10.7 Enquiry and Report

- (a) Before the first reading of a proposed Ordinance the Diocesan Council, or a committee appointed by the Diocesan Council to act on its behalf, must hear the parties in person or by counsel or solicitor if it be desired and take such oral or other evidence as may be necessary. The Diocesan Council, or its committee, must prepare a report which states:
 - (i) the proposal is within the provisions of the *Trust Property Act* and if not in what respects
 - (ii) what amendments (if any) it considers are required to the bill
 - (iii) what matters are at issue between the promoters of the proposed ordinance and any objectors
 - (iv) whether the procedural requirements have been satisfied and if not in what respects
 - (v) its findings and recommendations, if any.

10.8 Preparation of Ordinance

- (a) Upon receiving the Report referred to in Section 10.7, the Registrar shall cause to be prepared an Ordinance to give effect to the proposal.
- (b) Each proposed Ordinance must contain a preamble that brings the matter within the provisions of the *Trust Property Act*.
- (c)
 - (i) Where the Ordinance is in respect of the sale of church property held wholly or partly for the purpose of a Parish or Mission District, the Ordinance shall require that 15% of the net proceeds of the sale be paid to the Diocesan General Purpose Trust.
 - (ii) The Parish or Mission District may apply to Diocesan Council for a reduction in, or exemption from, the payment of 15% of the net proceeds to the Diocesan General Purpose Trust
 - (iii) In considering such an application, Diocesan Council shall take into account:
 - (a) the financial position of the Parish or Mission District or Diocesan Agency
 - (b) How the property came to be church trust property
 - (c) Any trust provisions relating to the property
 - (d) The proposed use of the proceeds of the sale
 - (e) The Diocese's mission objectives.
 - (iv) Diocesan Council shall then determine whether:
 - (a) the amount, if it be less than 15% of the net sale proceeds, that shall be paid to the Diocesan General Purpose Trust
 - (b) The net sale proceeds shall be exempt from any payment to the Diocesan General Purpose Trust
 - (c) the amount of 15% of net sale proceeds shall be paid to the Diocesan General Purpose Trust.
- (d) The Ordinance shall be referred to Diocesan Council for its consideration under Subclause 6.5(b)(viii) of this Ordinance.
- (e) Notwithstanding Clause 10.8(d) Diocesan Council may refer the Ordinance to be dealt with by Synod.

10.9 Special Urgency Provisions

- (a) The Diocesan Council, by resolution, may declare a proposed Ordinance to be one of special urgency and may suspend all or any part of the procedural requirements specified in this Chapter.
- (b) A resolution under Clause 10.9(a) must state why a proposed Ordinance is of special urgency.

10.10 Diocesan Council may Prescribe Procedures

Subject to this Ordinance, the Diocesan Council by resolution may prescribe procedures for proposed ordinances.

10.11 Enquiry into Proposed Ordinances

While the Synod is in recess, the Diocesan Council may enquire into any proposed Ordinance notwithstanding that permission to introduce the proposed Ordinance has not been obtained from the Synod.

Chapter 11 – Transitional Provisions

11.1 Transitional Provisions

The person holding an office, role or title immediately before the commencement of this Ordinance continues to hold that office as if they had been appointed under this Ordinance.

Schedule One – Repealed Ordinances

- 1) Diocesan Administration Ordinance 1926-2015
- 2) The Parochial Administration Ordinance 1924-2020
- 3) The Cathedral Ordinance 2019
- 4) Delegation of Powers Ordinance 1996
- 5) Ordinance Procedure Ordinance 1996-1997
- 6) Assistant Chancellor Ordinance 2018

Schedule Two – Dictionary

“**Acting Dean**” means a priest appointed by the Bishop under Section 8.11

“**Administrator**” means the person who is entitled to act for the Bishop in the event of a vacancy in the See.

“**Bishop**” means the Bishop of Riverina.

“**Canon**” means a Priest or Lay person, as the case may be, who is elected or appointed as a Canon under this Ordinance, but does not include an Honorary Lay Canon or a Canon Emeritus.

“**Canon Emeritus**” means a Priest upon whom the Bishop has conferred that title under Section 8.20

“**Cathedral Church**” means the Church of St Alban the Martyr, Griffith

“**Cathedral Parish**” means the Parish of St Alban the Martyr, Griffith

“**Chair**” means the person presiding over and chairing a meeting

“**Chapter**” in the text of the Ordinance means the Chapter constituted in accordance with Section 8.5

“**Church**” when applied to a building means a building of which the whole or some part is set apart or intended to be set apart exclusively for the worship of Almighty God.

“**Church Trust Property**” has the same meaning as in the *Trust Property Act*.

“**Clerical Canon**” means a Canon appointed or elected under Sections 8.15 or 8.16

“**Collation**” means the appointment as Archdeacon by the Bishop

“**Commissary**” means the person who may at any time be duly appointed by the Bishop to act on his behalf in any matter.

“**Communicant**” means one who communicates at least three times a year.

“**Corporate Trustees**” means the Riverina Diocesan Trust.

“**Cure of Souls**” means the Priest who holds pastoral responsibility for a Parish or Mission District.

“**Daily Offices**” means the services of Morning and Evening Prayer as contained in the Book of Common Prayer or such form as may have been authorised in the Diocese .

“**Dean**” means the Person appointed as Dean under 8.11 and includes a priest appointed as Acting Dean.

“**Diocesan Council**” means the Executive Committee of the Synod exercising the authority of the Synod in accordance with its delegated function.

“**Diocesan Services**” means those services under Clause 8.4(c) being services of an episcopal or diocesan nature.

“Divine Services” means a service of Christian worship.

“Elector” means a Lay person aged 18 years or over duly qualified to vote at the election of a Lay Representative.

“Faculty” means a licence or authorization from the Bishop

“First Ordinary Session of the Diocesan Synod” means the first meeting of the Clergy and Lay Representatives of the Synod in Session with the Bishop, following the issuing of a mandate by the Bishop the Election of new Lay Representatives.

“Incumbent” means the Priest holding the office of Rector or Priest-in-Charge of a Parish.

“Lay Canon” means a Canon appointed or elected under Sections 8.15 or 8.16

“Lay Representative” means a Lay person aged 18 years or over duly elected.

“Mandate” a letter signed under hand and seal by the Bishop authorising certain acts

“Members of the Church” means members of the Anglican Church of Australia in the Diocese of Riverina.

“Mission District” means a geographical area of the Diocese that includes one or more churches pastorally cared for by either a Priest-in-Charge or a Priest-with-Oversight, and established under the provisions of Section 9.26.

“Month” means calendar month.

“Ordinary” and **“Visitor”** means the Diocesan Bishop

“Parish” shall mean any portion of the Diocese which shall be under the charge of a Priest duly licensed by the Bishop to the Cure of souls in the same.

“Parish Church” means the Church to which the Rector/Priest-in-Charge is instituted.

“Priest-in-Charge” means the priest who has been licensed to the cure of souls in any Parish or Mission District.

“Priest-with-Oversight” means the Priest who has been licensed to pastoral oversight of a Parish, Mission District or Church within a Parish or Mission District.

“Rector” means the Priest duly instituted and inducted to the Cure of Souls in any Parish.

“Rectory” means the dwelling house in any Parish provided for the permanent use of the Priest thereof and the land connected and occupied therewith.

“Sacraments” means the two Sacraments ordained in the Gospel, being Baptism, and the Eucharist, as set out in Article 25 in the Articles of Religion

“The Synod” means the Synod of the Diocese of Riverina duly assembled.

“Trust Property Act” means the Anglican Church of Australia Trust Property Act 1917.

Schedule Three – Archdeacon’s Certificate

The Anglican Church of Australia

DIOCESE OF RIVERINA

ARCHDEACON'S CERTIFICATE

for the sale of church property

Parish:

Archdeaconry:

Short description of the property which it is proposed to sell, with details of any buildings or other structures on it:

.....

I certify that at the Special General Meeting of the Parishioners of the Parish of

.....held at

.....on.....it appeared to me:

1. that the property is truly surplus to the requirements of the present Parish or any foreseeable development in the district;

Comments:

2. that the sale of the property will not create serious pastoral problems for a harmonious ministry in the Parish:

Comments:

3. that the proceeds of the sale of the property are to be applied to essential capital development in the Parish, or are to be added to the endowments of the Parish for the provision of ministry in the district.

Comments:

.....(signature)

Archdeacon ofDate:

Schedule Four – Notice of Intention

The Anglican Church of Australia

DIOCESE OF RIVERINA

NOTICE OF INTENTION

Date: / /

Notice is hereby given that the Rector/Priest-in-Charge and the Churchwardens of the Parish of

.....

intend to apply to:

the Diocesan Council / Synod of the Diocese of Riverina

for permission to dispose of by way of sale all/part of the land described in

Land Grant / Certificate of Title / (or whatever)

Volume

Folio

As Portion

County of

Parish of

With an area of (state size)

Situated at / with a street address of

Any objections to this proposed sale are to be made in writing to:

The Diocesan Registrar
Diocese of Riverina
P.O. Box 1377
Griffith NSW 2680

or via email to: registrar@anglicanriverina.com

not later than 21 days from the publication date on this notice.

.....(signature)

.....(name of Rector/Priest-in-Charge)

Schedule Five – Faculty Application

The Anglican Church of Australia

DIOCESE OF RIVERINA

APPLICATION FOR A FACULTY

To the Right Reverend, Father-in-God,..... , by the Grace of God,
BISHOP OF RIVERINA

The Petition of the Reverend Parish Priest
and of

.....

Churchwardens of the Parish of

who declare that it is desired to

make the following alterations and additions to

OR

introduce the following ornaments into

the Church of

at

namely:

.....

.....

and that the above named have been presented for the use of the congregation of the
above-named Church by

.....

in memory of

Particulars of the proposed inscription on the memorial plate is hereto attached.

Your petitioners pray that you will be pleased by virtue of your Pastoral and Episcopal
Authority to grant the Faculty this application seeks.

Parish Priest:

Churchwardens:

.....

.....

Dated this day of 20...

I hereby certify that this Ordinance was duly passed by the Synod of the Diocese of Riverina on Thursday 12th June 2025.

Diocesan Secretary

I assent to this Ordinance

Bishop of the Diocese of Riverina