

ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF TASMANIA

SYNOD ORDINANCE 2012

(Amended 2013, 2014)

BE IT ENACTED by the Bishop, Clergy and Laity of the Diocese of Tasmania in Synod assembled as follows:-

Title

1. This Ordinance may be cited as the Synod Ordinance 2012

Definitions

2. In this Ordinance unless the contrary intention appears:
 - “Synod” means the Synod of the Diocese of Tasmania pursuant to Section 8 of the Anglican Church of Australia Constitution Act 1973
 - “Constitution Act” refers to the Anglican Church of Australia Constitution Act 1973 in the State of Tasmania.
 - “Clerical Members” refers to clerks in holy orders who are members of Synod according to Section 4(b)
 - “Lay Members” refers to lay representatives who are members of Synod according to Section 4(c)
 - “Trustees” refers to the Trustees of the Diocese of Tasmania referred to in Section 10 of the Constitution Act
 - “Represented Ministries” are areas of ministry listed in Schedule 1 of this Ordinance for which Members of Synod and Observers can be selected.
 - “Appointed Members” means Members of Synod referred to in Section 16(b) of this Ordinance.
 - “Parish Administration Regulations” means the Regulations set out in Schedule 1 of the Parish Administration Ordinance 1995
 - “Clerk” means a clerk in holy orders.

Constitutional Arrangements

3. Upon the Bishop's assent to this Ordinance the Chancellor shall certify to His Excellency, the Governor of Tasmania that Schedules 4 and 5 of the Constitution Act are, pursuant to Section 25 of the Constitution Act, considered to be superseded for all practical purposes.
4. The Members of Synod are:
 - (a) the Bishop; and
 - (b) clerks in holy orders according to Section 16 of this Ordinance.
 - (c) representatives of the laity according to Section 16 of this Ordinance.
5. The Bishop may at any time prorogue or dissolve the Synod and issue mandates for a new Synod to be formed according to the provisions hereinafter.
6. The Bishop shall within 3 years after the day on which the Synod first meets dissolve the Synod and issue mandates for a new Synod to be formed according to the provisions hereinafter.

7. The Bishop shall at least once in every year summon the Synod to meet.
8. A meeting of Synod may adjourn from time to time as may be decided by a majority of the Members present.
9. The Bishop may summon a meeting of the Synod for any special purposes.
 - (a) In the summons for that meeting, or by notice to the Members in some other manner, the Bishop shall state the special purpose for which the Synod has been summoned, and that meeting shall be deemed to be a special session of Synod.
 - (b) No business may be transacted at a special session of Synod other than that which the Synod has been summoned to consider.
 - (c) The term of office, powers, and duties of committees appointed at any ordinary session of Synod to meet during the recess are not limited or otherwise affected by a special session of Synod.

Fundamental Operations

10. At meetings of the Synod the Bishop shall preside, or in the Bishop's absence –
 - (a) the Assistant Bishop, if any, or the senior of them, if more than one, being present; or
 - (b) failing any such person, the archdeacon, being present, or the senior archdeacon present, if more than one; or
 - (c) failing any such person, a chairperson appointed by the Members then present
11. In the operation of Synod
 - (a) Ordinances and resolutions shall be made with the assent of the Bishop and of a majority of the Members present, except as provided in subclause (b)
 - (b) On the order of the Bishop, or on the request of 3 Clerical Members or 3 Lay Members, the votes of the Clerical Members present and the votes of the Lay Members present shall be taken separately and instead of a majority of the Members present a majority of the Clerical Members present and a majority of the Lay Members present is then required.

Fundamental Aspects of Synod Membership

12. A person is capable of being a Lay Member of Synod only if that person is –
 - (a) above the age of 18 years, except where specifically provided for
 - (b) a communicant of the Church; and
 - (c) resident in the Diocese.
13. A person is capable of being a Clerical Member of Synod only if that person is a clerk in holy orders and holds a current licence from the Bishop.
14. A Member of Synod ceases to be a Member of Synod if that Member
 - (a) gives written resignation to the Bishop's Registrar, the secretary of the Diocesan Council, or the Secretary or Synod; or
 - (b) dies; or
 - (c) is absent from the Diocese for 12 months; or
 - (d) ceases to be capable of being a Member of Synod as provided for in Sections 12 or Section 13.
15. If a doubt arises as to
 - (a) whether or not a person is a Member of Synod; or
 - (b) in what capacity, or under what qualification a person is a Member of Synod; or

- (c) whether a vacancy exists in the Membership of Synod; or
- (d) any other matter relating to the Membership of Synod

the Bishop's written decision on the matter is conclusive.

16. The Lay and Clerical Members of Synod shall be determined by:
 - (a) the selection of Members provided for in Schedule 1 of this Ordinance; and
 - (b) the appointment of some Lay and Clerical Members by the Bishop provided for in Section 18 of this Ordinance.
17. The Membership of Synod shall not change except in the event that:
 - (a) The Synod is re-formed upon the Bishop's mandate; or
 - (b) A Member ceases to be a Member; or
 - (c) A provision for Membership that had previously not been applicable becomes applicable; or
 - (d) Schedule 1 is amended such that new provision exists for the determination of Members of Synod

in which case the Membership of Synod referred to in Section 16 shall be newly determined, and take effect immediately, unless the summons for a meeting of Synod have been issued, in which case the determination will take effect from the conclusion of the meeting of Synod for which the summons were issued.

Appointed Members

18. The Appointed Members of Synod shall be:
 - (a) up to 3 persons in holy orders holding a current licence from the Bishop and who are not otherwise determined to be Members of Synod; and
 - (b) up to 3 lay persons who are communicants of the Anglican Church, resident in the Diocese of Tasmania, and not otherwise determined to be Members of Synod provided that no more than 5 persons in total are appointed under this section.
19. At any time within the life of a Synod or in the nine months preceding the first session of a Synod the Bishop may appoint the Members referred to in Section 18 by:
 - (a) Naming the persons intended for appointment at an ordinary meeting of Diocesan Council; and
 - (b) Informing the Registrar that those named should be included in the Membership of Synod.
20. Notwithstanding other provisions legally provided by an Ordinance of this Diocese, an Appointed Member once appointed under Section 19 shall remain an Appointed Member of Synod unless:
 - (a) the Member ceases to be a Member pursuant to Section 14; or
 - (b) the Member is determined to be a Member of Synod by some other provision apart from Section 16(b) of this ordinance.
21. The Bishop is not required to make a minimum number of appointments, or ensure a minimum number of Appointed Members, or fill any vacancy, and can seek to make an appointment under Section 19 at any time an appointment is available.
22. Notwithstanding the powers conferred by Section 12[3] of the Bishops Retirement and Election Ordinance 1985, the Administrator of the Diocese, exercising the powers of the office of the Bishop when the office of the Bishop is vacant, shall not have the power to

Appoint Members under section 16(b) of this Ordinance.

Represented Ministries

23. Schedule 1 of this Ordinance may be amended only by ordinary resolution of the Synod together with the assent of the Bishop.
24. Notwithstanding Section 23 of this Ordinance, Schedule 1 of this Ordinance may not be amended such that the Schedule fails to
 - (a) recognise the membership of the Bishop of Tasmania; or
 - (b) provide for the membership of all those who by virtue of their office are able to preside at a meeting of Synod pursuant to Section 10 of this Ordinance; or
 - (c) provide sufficient membership for a quorum to be present, as defined by any Standing Rule of Synod; or
 - (d) provide for the membership of any person holding any of the following offices:
 - (i) the Chancellor of the Diocese
 - (ii) the Church Advocate
 - (iii) the Diocesan Treasurer
 - (iv) the Chairperson of the Trustees

Miscellaneous Provisions

25. Nothing contained in this Ordinance shall derogate the rights and privileges of the Bishop of Tasmania

SCHEDULE 1 SCHEDULE OF REPRESENTED MINISTRIES

The Bishop of the Diocese and the following shall be Members of Synod

1. **Members from Parishes** as follows for each area of ministry defined as a Parish under Section 4 of the Parish Administration Ordinance 1995, and from the Cathedral Church of Saint David:
 - (a) Lay Representatives as determined by the Parish under Section 48 of the Parish Administration Ordinance 1995
 - (b) The Incumbent as a Clerical Member being
 - (i) the Rector of the Parish; or
 - (ii) the Priest-in-Charge or Deacon-in-Charge of the Parish appointed to a Parish where there is no Rector; or
 - (iii) one of any Co-Incumbent of a Parish, as defined under Section 51 of the Parish Administration Ordinance 1995, chosen to be the Member by mutual agreement of the Co-Incumbents; or
 - (iv) if the Parish has been mandated by the Bishop to be an Enabler Supported Ministry Parish, one of the clerical members holding the Bishop's licence as a member of the Local Ministry Support Team, chosen to be the Member by election of the Parish at the Parish Annual Meeting.
 - (c) As a Clerical Member, any Clerk stipended at half-time or more, specifically licensed to the Parish.

2. **Those who hold the following offices:**

- (a) An Assistant Bishop currently holding office under the Assistant Bishops Ordinance 2007
- (b) The Vicar-General as appointed under section 3 of the Administration of the Diocese Ordinance 1998
- (c) The Dean of the Cathedral appointed under the provisions of the Cathedral Ordinance 2003.
- (d) The Registrar pursuant to Section 7(3) of the Constitution Act.
- (Amended 2014) (e) The Director of Ministry Services holding office at the pleasure of the Bishop who is appointed at the Bishop's discretion as Executive Office of the Diocesan Mission Support Team under subsections (c) and (d) of Section 3 of the Diocesan Mission Support Team Ordinance 2000.
- (f) The Diocesan Treasurer appointed by Synod under section 2 of the Diocesan Officers' Appointment Ordinance 1959 pursuant to Section 14 of the Constitution Act.
- (g) The Church Advocate appointed under the provisions of Section 14 of the Constitution Act.
- (h) The Chancellor of the Diocese serving at the pleasure of the Bishop.
- (i) Archdeacons who, as Mission Support Officers, are Members of the Diocesan Mission Support Team under the provision of the Diocesan Mission Support Team Ordinance 2000
- (j) The Chairperson of the Trustees
- (k) Any clerk, stipended at half-time or more, specifically licensed by the Bishop to a Special Ministry District or Project defined as such under Section 54 of the Parish Administration Ordinance 1995

3. **Youth representatives according to the provisions of the Youth Involvement in Synod Ordinance 2009**

4. **Members from Community Ministries** as follows for each area of ministry defined as such under Section 57 of the Parish Administration Ordinance 1995:

- (a) A member of the Ministry Team as defined under section 30 of the Parish Administration Regulations, chosen by the Ministry Team.

5. **Members from Schools** where chaplaincy ministry occurs under the licence of the Bishop.

- (a) The Senior Chaplain who is licensed by the Bishop.
- (b) Any other chaplain licensed by the Bishop and remunerated for half-time or more.

6. **Members from Chaplaincy Ministries** under the oversight of Anglican Health & Welfare, as follows for each chaplaincy context:

- (a) The Senior Chaplain who is licensed by the Bishop.
- (b) Any other chaplain licensed by the Bishop and remunerated for half-time or more.

Added 2013 7. **Members from Tertiary and other Education Institutions** where chaplaincy ministry occurs under the licence of the Bishop.

- (a) The Chaplain who is licensed by the Bishop.

Assented to by Bishop John Harrower

22 June 2012