

Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014

No 38, 2014

Long Title

An Ordinance to amend the business rules of the Synod and for related matters.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the *Conduct of the Business of Synod Ordinance 2000 Amendment Ordinance 2014*.

2. Amendment of the Conduct of the Business of Synod Ordinance 2000

The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –

- (a) omit the words “each session of the Synod” in rules 2.2(1), 2.3(1) and 2.4(1) and insert instead the words “the first session of each Synod and, subject to rule 2.8, is to hold office until the first day of the first session of the next Synod”, and
- (b) omit the words “each session of the Synod” in rules 2.5(1), 2.6(1) and 2.7(1) and insert instead the words “the first session of each Synod and who, subject to rule 2.8, are to hold office until the first day of the first session of the next Synod”, and
- (c) insert a new rule 2.8 as follows –

“2.8 Casual vacancies

(1) A casual vacancy in any office or in the membership of any committee elected under this Part 2 arises if the person holding the office or membership –

- (a) dies,
- (b) resigns by written notice given to the President, or
- (c) ceases to be a member of the Synod.

(2) A casual vacancy in any office or in the membership of any committee held by a person elected under this Part 2 also arises if the Synod declares, as a result of a motion with or without notice passed by the Synod, the office or membership to be vacant.

(3) A casual vacancy arising under rule 2.8(1) or (2) may be filled by the Synod or, if the Synod is not in session, by the Standing Committee. A person who is elected by the Standing Committee to fill a casual vacancy holds office or remains a member of the committee until the next session of the Synod.”

- (d) omit the word “The” in rule 3.2(g) and insert instead the matter “Where required under Part 2, the”, and
- (e) omit the matter “at the time are known as ‘procedural motions’ and can rarely be notified in advance” in rule 4.3(2) and insert instead “are known as ‘procedural motions’”, and
- (f) insert a new rule 4.3(2A) as follows –

“(2A) Rule 4.3(1) does not apply to motions to amend a motion.”, and
- (g) omit rule 4.6(1) and insert instead the following –

“(1) The following time limits for speeches apply.

 - (a) For a motion that a proposed ordinance be approved in principle –
 - the mover may speak for up to 15 minutes, and up to 5 minutes in reply
 - other members may speak for up to 5 minutes.

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- (b) For other motions, except the motions referred to in paragraphs (c) and (d) –
 - the mover may speak for up to 10 minutes, and up to 5 minutes in reply
 - other members may speak for up to 5 minutes.
 - (c) For procedural motions and for motions to amend a motion, a member may speak for up to 5 minutes.
 - (d) For motions moved in a meeting of the Synod in Committee, a member may speak for up to 3 minutes.”, and
- (h) insert a new rule 4.9(2A) as follows –

“(2A) A motion to amend is not to be irrelevant to the principal motion or give rise to an entirely different subject matter from or a direct negative of the principal motion.”, and
- (i) in rule 4.10 –
 - (i) insert a new rule 4.10(1) as follows –

“(1) If, during the time for debate on a motion, no further member indicates a wish to speak to the motion, the President may declare that the debate has ended, subject to the mover of the motion exercising or declining to exercise a right of reply under rule 4.11.”, and
 - (ii) renumber existing rule 4.10(1) as 4.10(2) and convert existing rule 4.10(2) into a rider to renumbered rule 4.10(2), and
 - (iii) omit the matter “When the President thinks that sufficient time has been allowed for debate on a motion, he” in renumbered rule 4.10(2) and insert instead –

“If the President thinks that sufficient time has been allowed for debate on a motion but there remains one or more members indicating a wish to speak to the motion, the President”, and
 - (iv) insert the words “or declining to exercise” after “exercising” in the rider to renumbered rule 4.10(2), and
- (j) in rule 4.11 –
 - (i) omit the matter “under rule 4.14(1) that a motion not be voted on.” in existing rule 4.11(1)(b) and insert instead the matter “, or”, and
 - (ii) reletter existing rules 4.11(1)(a) and (b) as 4.11(b) and (a) respectively, and
 - (iii) insert a new rule 4.11(1)(c) as follows –

“(c) a motion moved in a meeting of the Synod in Committee.”, and
 - (iv) omit the words “a right of reply has been exercised” in rule 4.11(2) and insert instead the words “the mover has exercised or declined to exercise their right of reply”, and
- (k) omit the matter after the word “Synod” in rule 4.12(2) and insert instead the matter “shall vote in accordance with the directions of the Secretary of the Synod”, and
- (l) omit the matter “, the House of Laity voting first” in rule 4.12(4) and insert the words “in accordance with the directions of the Secretary of the Synod, provided that the House of Laity is to vote first”, and
- (m) insert at the end of rule 4.16(2) the following –

“However a motion is not to be regarded as substantially the same as one which has been voted on during the same session if –

 - (a) the motion is a direct negative of the one voted on, and
 - (b) the one voted on was not passed.”, and
- (n) insert a new rule 4.18 as follows –

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“4.18 Proposed policies of the Synod

- (1) The Standing Committee or the Synod may designate a written statement as a proposed policy of the Synod. A statement designated by the Standing Committee as a proposed policy of the Synod must be clearly marked as such.
 - (2) The Synod may consider a proposed policy of the Synod only if a copy has been circulated to members present before consideration of the proposed policy commences in accordance with rule 4.18(3).
 - (3) For the purposes of considering a proposed policy of the Synod, the procedures for the making of ordinances under Part 5 (from and including rule 5.5 but excluding rules 5.7(3)(b), 5.9 and 5.10) apply as if the proposed policy were a proposed ordinance.”, and
- (o) in rule 5.4 –
- (i) insert a new rule 5.4(5) as follows –

“(5) If, during the time for questions, no further member indicates that he or she has a question, the President may declare that the time for questions has ended.”, and
 - (ii) renumber existing rule 5.4(5) as 5.4(6) and convert existing rule 5.4(6) into a rider to renumbered rule 5.4(6), and
 - (iii) omit the matter “When the President thinks that sufficient time has been allowed for questions, he” in renumbered rule 5.4(6) and insert instead –

“If the President thinks that sufficient time has been allowed for questions but there remains one or more members indicating a wish to ask a question, the President”, and
- (p) insert the words “of an ordinance with amendments” after the word “report” in rule 5.6(4), and
- (q) insert a new rule 5.6(5) as follows –

“(5) Upon the report of an ordinance without amendments being adopted by the Synod as a result of a motion without notice passed by the Synod, the mover of the proposed ordinance may move the motion under rule 5.7(1) unless 8 members object, in which case the mover is to immediately move the motion under rule 5.6(4).”, and

(r) omit rule 6.3(2) and insert instead –

“(2) A question may be asked by any member. A member called on by the President to do so is to make a brief statement informing the Synod of the subject matter of the question and hand the full text of the question to the Secretary of the Synod to be printed in the business paper for the next day of the session.”, and

(s) omit rules 6.3(5) and (6) and insert instead –

“(5) An answer to a question is to be read orally to the Synod by the President on the next day or as soon as convenient after the next day without the question being asked again. As soon as possible a written copy is to be posted on a notice board in a prominent position in or near the building in which the Synod is meeting. A written copy is also to be handed to the member asking the question upon request made to the Secretary of the Synod.

(6) If the answer includes statistics or other detailed material, the answer may be supplemented with data projected on a screen or a document which need not be read orally.

(7) Each question and reply is to be recorded in the minutes of the Synod.”, and

(t) insert a new rule 6.8 as follows –

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“6.8 Application of business rules

(1) Any question about the application of these rules, the form of motions and ordinances and the voting on motions and ordinances during a session of the Synod is to be decided by the President. The President’s decision on all such questions is final unless immediately altered as a result of a motion without notice agreed to by the Synod.

(2) In making a decision under rule 6.8(1), the President may have recourse to the rules, forms and practice of the Legislative Assembly of New South Wales.”;

- (u) substitute wherever appearing in the Schedule –
 - (i) “Chair” for “Chairman”,
 - (ii) “Chairs” for “Chairmen”;
- (v) delete rule 4.5(4) and insert a new rule 4.5A as follows –

“4.5A Incorporation of amendments in principal motion

If the mover of a principal motion (the ‘Mover’) notifies the Secretary of the Synod that –

- (a) having discussed a proposed amendment with the mover of the amendment, the Mover agrees to include the proposed amendment in the principal motion, or
- (b) the Mover wishes to move the principal motion in an amended form,

the motion in the amended form becomes the principal motion and is to be printed in a suitably marked form on the next day’s business paper.”; and

- (w) insert a new rule 2.2(4) as follows –
 - “(4) The Secretary of the Synod may approve any report or other material from a Diocesan Body or Organisation being made available to members.”

3. Amendment in relation to the Secretaries of Synod

(1) The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –

- (a) omit each reference to “Secretaries” in rules 2.1(a), 2.6(1)(a), 3.2(g), and in the heading to rule 2.2 and insert instead “Secretary”, and
- (b) omit the words “clerical and one lay member are to be elected as Secretaries” in rule 2.2(1) and insert instead “member is to be elected as Secretary”, and
- (c) omit each reference to “Secretaries of the Synod are” in rules 2.2(2), 5.4(8) and 5.7(3) and insert instead “Secretary of the Synod is”, and
- (d) omit each reference to “a Secretary” in rules 2.2(3) and 4.5 and insert instead the words “the Secretary”, and
- (e) omit the words “Secretaries of the Synod have” in rule 5.4(8) and insert instead the words “Secretary of the Synod has”.

(2) The Diocesan Secretary may, in reprinting any ordinance under clause 8 of the *Interpretation Ordinance 1985*, make such amendments to the ordinance as are incidental or consequential to the amendments in subclause (1).

4. Further amendment of the Conduct of the Business of Synod Ordinance 2000

The Schedule to the *Conduct of the Business of Synod Ordinance 2000* is amended as follows –

- (a) omit the words “is unable or is” in rule 2.4(4) and insert instead the words “are unable or are”, and
- (b) omit the words “a member to give” in rule 3.2(k) and insert instead the words “members to move or give notice of”, and
- (c) omit rule 3.3(e) with consequential relettering, and

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- (d) omit the first occurrence of the word “give” in relettered rule 3.3(f) and insert instead the words “move or give notice of”, and
- (e) omit the words “motion with or without notice” in rule 3.5 and insert instead the words “procedural motion”, and
- (f) insert the matter “, or if directed by the President, to stand near a microphone” after the word “place” in rule 4.2(1A), and
- (g) insert the words “or those motions to be considered at a time fixed by the Synod” after the words “proposed ordinance” in rule 4.5(1), and
- (h) insert the words “formally moved and” before both occurrences of the word “seconded” in rule 4.5(2), and
- (i) insert the words “in a suitably marked form” after the word “printed” in rule 4.5(4), and
- (j) insert the matter “, without making a speech,” after the word “may” in rule 4.6(2), and
- (k) omit the words “may ask the Synod to be allowed to” in rule 4.9(3) and insert instead the matter “may, with the permission of the Synod,” and
- (l) omit the words “present members” in rule 4.12(1) and insert instead “members present”, and
- (m) omit the words “with or without notice” in rule 4.17(1), and
- (n) omit the words “motion with or without notice” in rule 4.17(3) and insert instead “procedural motion”, and
- (o) insert the words “the title and” after the word “leaving” in rule 5.6(2), and
- (p) insert the words “who is” after the second occurrence of the word “member” in rule 6.1(4), and
- (q) omit the matter “rules 3.2(i) and 3.3(e)” in rule 6.2(1) and insert instead “rule 3.2(i)”, and
- (r) omit the matter “rules 3.2(j) and 3.3(f)” in rule 6.3(1) and insert instead “rule 3.3(e)”.

5. Transitional

Any person elected to an office or committee by the Synod under Part 2 of the Schedule to the *Conduct of the Business of Synod Ordinance 2000* at the 1st ordinary session of the 50th Synod is taken to be elected under the provisions of Part 2 as amended by this Ordinance.

6. Commencement

Clauses 2, 3, 4 and 5 commence on the later of the day of assent to this Ordinance and the day which next follows the last day of the 1st ordinary session of the 50th Synod.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

PJ COLGAN
Chairman of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 20 October 2014.

R WICKS
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
22/10/2014