

Recognised Churches (Provisional Status) Amendment Ordinance 2007

(A report from the Standing Committee.)

Introduction

1. In 2005 the Policy 4 Committee (the committee) made various recommendations in a report to the Synod about reforms to the administrative structure of parochial and related ministry units. The Synod indicated its general support for the committee's proposals, including the introduction of a new category of "experimental ministry unit".

2. Experimental ministry units, as envisaged in the 2005 report to the Synod, are ministries that are not initially viable but which are growing or are likely to grow in the near future. Such ministries would be established by the relevant regional council with the basic costs of such ministries being underwritten by the regional council. The regional council would provide such support until the ministry was either classified as a parish or provisional parish or the ministry was discontinued and possibly something else tried.

3. In 2006 the Standing Committee formally brought within the ministry network of the Diocese a church at Pymont (the Pymont Community Church). A second church in East Chatswood (Hope Anglican Church) was brought within the diocesan ministry network in 2007. These ministries were not able to become parishes or provisional parishes since neither had property capable of being licensed as a church building. They were also not able to become recognised churches since neither met the criteria for recognition under the Recognised Churches Ordinance 2000. In order to bring these churches within the diocesan ministry network the Standing Committee passed special ordinances to enable both to effectively operate as provisional parishes without the need for property.

4. The committee considers that churches such as Pymont Community Church and Hope Anglican Church point to a need to be able to recognise the provisional status of a church under the Recognised Churches Ordinance 2000 (the Principal Ordinance).

5. This report outlines how this might be achieved using the principles accepted by the Synod in 2005 for experimental ministry units.

Amendment of the Recognised Churches Ordinance 2000

6. The committee's proposal for provisional recognised churches is achieved by amendments to the Principal Ordinance set out in a bill for the Recognised Churches (Provisional Recognition) Amendment Ordinance 2007.

7. The main amendment proposed is the insertion of a new Part 3A in the Principal Ordinance. Part 3A generally provides that the mechanism for recognising the provisional status of churches would be the same as that used to recognise churches under the Principal Ordinance generally subject to certain modifications.

Criteria for provisional recognition

8. The main modification under Part 3A is the criteria for recognition of provisional status of churches. These modified criteria are set out in clause 12B.

9. The criteria for recognition set out in paragraphs (a), (d) and (e) of clause 12B are the same used to recognise churches generally under the Principal Ordinance. These criteria require—

- the Archbishop's willingness to appoint an eligible person to be the church's minister if recognised,
- that there be satisfactory evidence that a substantial number of members of the church support the proposal for recognition, and
- the consent of the minister and the parish council if it is proposed to recognise a church which is a congregation of an existing parish.

10. However the criteria for recognition under paragraphs (b) and (c) of clause 12B differ from those used for recognition under the Principal Ordinance generally.

11. Clause 12B(b) requires the church, if provisionally recognised, being likely within a period of 5 years –

- to be able to pay or provide from its own resources the recommended minimum stipend and allowances, suitable housing arrangements for its minister and all amounts for assessments and other charges payable under the Assessments and Charges Ordinance 1975, and
- to have at least 80 members with two-thirds of that number attending the church regularly.

12. Clause 12B(c) requires that the regional council be willing and able to meet any shortfall in the payment by the church, if recognised, of all amounts payable for assessments and other charges under the Assessments and Charges Ordinance 1975. The substantive obligation to meet any shortfall in the payment of such amounts once the provisional status of a church is recognised is set out in a new clause 19A.

13. The modified criteria for recognition under clause 12B enable regional councils –

- to identify independent ministries in their region which are growing or have a real potential to grow, and
- to bring such ministries within the ministry network of the diocese, and
- to provide support, as necessary, in meeting the basic costs of bringing such ministries within the ministry network of the Diocese until such time as they are capable of becoming “fully” recognised under the Principal Ordinance or until such time as recognition of the provisional status ceases.

No appeal in relation to recognition of provisional status

14. Unlike proposals for recognition generally under the Principal Ordinance, there is no entitlement to appeal to the Standing Committee in relation a decision of a regional council or a failure of a regional council to make a decision about the recognition of the provisional status of a church (clause 12E).

Provisional recognised churches treated as provisional parishes

15. Subject to the particular attributes in Part 5 of the Principal Ordinance which apply to all recognised churches, provisional recognised churches are treated as if they are provisional parishes (clause 14(1)). In particular this means they do not have a right of nomination under the Nomination Ordinance 2006 and are entitled to send only 1 lay representative to the Synod.

Loss of provisional recognition

16. In addition to the circumstances by which recognised churches can already cease to be recognised under clause 20 of the Principal Ordinance, it is proposed that the provisional status of churches should cease to be recognised if both the regional bishop and the regional council (by resolution) determine that, in the circumstances, recognition should not continue (clause 20(2)).

Recommendations

17. The committee recommends that the Standing Committee receive this report and –

- (a) agree to promote the bill for the Recognised Churches (Provisional Status) Amendment Ordinance 2007 to the forthcoming session of the Synod “by request of the Standing Committee”, and

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- (b) approve of the printing of a suitable form of this report for members of the Synod, and
- (c) request that a copy of the bill and the report be circulated forthwith to the regional councils for their consideration and comment.

For and on behalf of the Standing Committee.

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Diocesan Secretary

26 July 2007