

Sydney Church Ordinance Amendment Ordinance 1984

No. 35, 1984

AN ORDINANCE to amend the Sydney Church Ordinance 1912/1983.

5 WHEREAS It is expedient to amend the Sydney Church Ordinance 1912-1983 (hereinafter called the "Principal Ordinance") NOW the Synod of the Diocese of Sydney HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:

- 1. (1) This Ordinance may be cited as the "Sydney Church Ordinance Amendment Ordinance 1984".
- 10 (2) The Principal Ordinance as amended by this Ordinance may be cited as the "Sydney Church Ordinance 1912-1984" and in any reprint of that Ordinance Section 1 shall be amended accordingly.

2. The Principal Ordinance is amended by omitting Section 15 and by inserting instead the following Section:

15 "15. (1) No building erected on Church Trust Property and intended to be used regularly for the celebration of Divine Service or the administration of the Sacraments or part of any such building intended to be used for any such purposes shall be used for any such purposes unless the same has been licensed for such purposes or consecrated as a Church. Application for such license or sentence of consecration shall be made by the Minister or the Trustee or Trustees thereof.

(2) Subject to subsection (4), no building or part of any building shall be so licensed or consecrated as a Church until:

- 25 (a) the site upon which the building is erected has been vested in the Church Property Trust or such other Trustee or Trustees or body corporate as may be approved by the Archbishop-In-Council; and
- 30 (b) the building or such part thereof 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.

35 (3) Where the site upon which a building is erected has been leased, with the approval of the Archbishop-In-Council, to the Church Property Trust or such other Trustee or Trustees or body corporate as aforesaid, such building or part thereof may be licensed as a Church if 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.

40 (4) Where a building or part of a building has been so licensed or consecrated as a Church, the license or sentence of consecration may be revoked by the Archbishop if:

- (a) the Minister (if any) of the Parish within which the building

Handwritten signature

Handwritten signature

Handwritten signature

R.H.K.

R.H.K.

Sydney Church Ordinance Amendment Ordinance 1984

[Handwritten initials and marks]

or part of a building is situated consents thereto in writing; and

(b) a majority of the members of the Parish Council (or persons exercising the powers of a Parish Council) of the said Parish consents thereto in writing.

5

(5) Where a building or part thereof ~~is~~ erected on Church Trust Property in a Parish is licensed or consecrated as a Church, no other building or part of a building erected on Church Trust Property in that Parish which is not so licensed or consecrated shall be used for the celebration of Divine Service or the administration of the Sacraments without the license of the Archbishop.

10

(6) Where a building or part thereof ~~is~~ erected on Church Trust Property in a Parish is licensed or consecrated as a Church, the Archbishop may license any other building or part thereof in that Parish to be used temporarily or from time to time as a Church if requested so to do by the Minister (if any) of the parish within which the building is situated, and a majority of the members of the Parish Council (if any) or persons exercising the powers of the Parish Council of the Parish. The licence (unless revoked pursuant to subsection (4)) shall be for the period specified in the licence and any building (or part thereof) so licensed shall be deemed to be a Church of such Parish for the purposes of this Ordinance during that period."

15

20

3. Section 18 of the Principal Ordinance is amended by the deletion of that Section and the insertion of the following:

25

"18. (1) A Church may be used for any one or more of the following purposes:

- (a) the celebration of Divine Service, the administration of the Sacraments and the performance of the Rites and Ordinances of the Anglican Church of Australia;
- (b) the giving of religious instruction in accordance with the Fundamental Declarations and Ruling Principles of the Anglican Church of Australia;
- (c) the conduct of a Vestry Meeting;
- (d) such other purpose or purposes, being similar to or different from any purpose referred to in (a), (b) or (c), as the Archbishop may approve in writing from time to time either generally or in any particular case or classes of cases;

30

35

40

and for no other purpose or purposes.

(2) A person shall not use a Church for a purpose permitted pursuant to paragraph (a), (b), (c) or (d) of subsection (1), except with the consent of the Minister (if any) for the time being thereof or, in the absence of the Minister, with the consent of the Archbishop."

45

[Handwritten initials]

[Handwritten initials]

[Handwritten initials]

Sydney Church Ordinance Amendment Ordinance 1984

4. The Principal Ordinance is amended by the insertion of the following new Section after Section 36A:

"36B (1) Notwithstanding any other provision contained in this Ordinance, the Archbishop-in-Council may, if ~~X~~ considers proper to do so at the request of the Minister and the Churchwardens of two or more churches in a Parish, permit a combined Annual Vestry Meeting of all or some Churches in a Parish (being Churches the Churchwardens of which have made such request) to deal with all or some of the matters referred to in Section 36A as the Archbishop-in-Council considers proper, and for such purpose give such directions as may be considered appropriate. Permission may be so given for a fixed period or indefinitely and subject to such regulations as the Standing Committee may from time to time promulgate.

(2) The Churchwardens of any Church in a Parish may apply to the Archbishop-in-Council to discontinue or vary the permission referred to in subsection (1) and the Archbishop-in-Council shall make such decision on such application as then seems to ~~X~~ appropriate in the circumstances."

20 ~~X~~ Paragraph (1) of subsection (8) of clause 36A of the Principal Ordinance is amended —

- (a) by omitting the word "or" and inserting instead the matter " "; and
- (b) by inserting the words "or nine" after the word "six".

25 ~~X~~ The Principal Ordinance is amended —

- (a) by inserting in Section 56A before the figures "38A" the matter "36B,";
- (b) by inserting in Section 56B before the figures "38A" the matter "36B,";
- (c) by omitting from Sections 56A and 56B the word "in" wherever it follows the word "Bishop" and by inserting instead the word "of"; and
- (d) by inserting the following Section after Section 56B.

"56C. All acts of the Bishop of Parramatta on the advice of the Parramatta Anglican Regional Council and of the Bishop of Wollongong on the advice of the Wollongong Anglican Regional Council pursuant to this Ordinance must be notified to the Registrar of the Diocese."

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

he/ [Signature]

hiny/ [Signature]

5/8 The Principal Ordinance is amended by adding to clause 3 (3) the words "or part of a building" after the word "building" in two places.

[Signature]

[Signature]

[Signature]

Chairman of Committees

[Signature]

[Signature]

Sydney Church Ordinance Amendment Ordinance 1984

WE CERTIFY that this Ordinance was passed by the Synod of the Diocese of Sydney on this 10th day of October 1984.

[Handwritten signatures]

Secretaries of Synod

I ASSENT to this Ordinance.

[Handwritten signature: Donald Robinson]

Archbishop of Sydney 5

10 /10/1984

[Handwritten initials]