

Deaconesses, Readers and Other Lay Persons Amendment Ordinance 2002

No 25, 2002

Long Title

An Ordinance to amend provisions in relation to the tenure of a deaconess or lay person under the Deaconesses, Readers and Other Lay Persons Ordinance 1981.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Deaconesses, Readers and Other Lay Persons Amendment Ordinance 2002.

2. Amendment

The Deaconesses, Readers and Other Lay Persons Ordinance 1981 (the "Principal Ordinance") is amended as follows:

- (a) by deleting clauses 16(1)(b) and 16(1)(c) and inserting instead the following -
- "(b) where that person is entitled to or is paid a stipend or salary or is entitled to any other benefit and that person is not an excluded person in terms of clause 16(1A) -
 - (i) at least -
 - (A) 3 months notice of termination of payment of such stipend or salary or entitlement to such benefit being giving by or on behalf of the person or persons who pay or provide the same, and
 - (B) 3 months notice of removal from the office or employment being given by the minister, or
 - (ii) payment of at least the amount corresponding to the stipend or salary or entitlement to other benefit that would have been payable during a 3 month period of notice of termination by the person or persons who pay or provide the same and notice of removal from the office or employment being given by the minister, and
 - (c) where that person is entitled to or is paid a stipend or salary or is entitled to any other benefit and that person is an excluded person in terms of clause 16(1A)(a) or (b) -
 - (i) notice of termination of payment of such stipend or salary or entitlement to such benefit being giving by or on behalf of the person or persons who pay or provide the same, and
 - (ii) notice of removal from the office or employment being given by the minister, and
 - (d) where that person is not entitled to and is not paid a stipend or salary and is not entitled to any other benefit, notice of removal from the office or employment being given by the minister."; and
- (b) by inserting a new clause 16(1A) as follows -
- "(1A) A deaconess or lay person is an excluded person for the purposes of clause 16(1) if that person -
 - (a) is guilty of serious misconduct such that it would be unreasonable for that person to continue in the office or employment during the 3 month period of notice referred to in clause 16(1)(b)(i), or
 - (b) is an employee who is excluded from the operation of section 170CM of the Workplace Relations Act 1996 by reason of serving a period of probation or qualifying period of employment, or
 - (c) is an employee who is for any other reason excluded from the operation of section 170CM of the Workplace Relations Act 1996."

3. Transitional

The amendments to the Principal Ordinance made under clause 2 do not apply in respect of the office or employment of any deaconess or lay person holding an authority issued pursuant to the Principal Ordinance before the commencement date of this Ordinance.

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

NM CAMERON
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 May 2002.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
28/5/2002