

# Miscellaneous Amendments Ordinance 2001

No 32, 2001

## Long Title

An Ordinance to make miscellaneous amendments to various ordinances of the Synod and the Standing Committee of the Synod of the Diocese of Sydney.

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

### 1. Name

This Ordinance is the Miscellaneous Amendments Ordinance 2001.

### 2. Amendment of the Anglican Church Property Trust Diocese of Sydney Ordinance 1965

The Anglican Church Property Trust Diocese of Sydney Ordinance 1965 is amended as follows -

- (a) in clause 4E(1) the matter "Elections Ordinance 1970" is deleted and the matter "Synod Elections Ordinance 2000" is inserted instead, and
- (b) clause 19 is deleted and the following is inserted instead -  
**"19. Name of Ordinance**  
This ordinance is the Anglican Church Property Trust Diocese of Sydney Ordinance 1965."

### 3. Amendment of the Arundel House Council Ordinance 1977

The Arundel House Council Ordinance 1977 is amended as follows -

- (a) clause 1 is deleted and the following is inserted instead -  
**"1. Name of Ordinance**  
This ordinance is the Arundel House Council Ordinance 1977", and
- (b) clause 6(b) is deleted and the following is inserted instead -  
"(b) part 7 of the Synod Elections Ordinance 2000 applies in relation to any casual vacancy, and".

### 4. Amendment of the Church Administration Ordinance 1990

The Church Administration Ordinance 1990 is amended as follows -

- (a) clause 1 is deleted and the following is inserted instead -  
**"1. Name of Ordinance**  
This ordinance is the Church Administration Ordinance 1990.", and
- (b) clause 11(1)(j) is deleted and the following is inserted instead -  
"(j) to elect a qualified person or persons to audit the statements and accounts of the churchwardens (clause 17A),", and
- (c) clause 12(1)(j) is deleted and the following is inserted instead -  
"(j) to elect a qualified person or person to audit the statements and accounts of the churchwardens (clause 17A),", and
- (d) after clause 17 the following new clause is inserted -  
**"17A. Auditor of the statements and accounts of the churchwardens**  
(1) Subject to clause 17A(2), a person is qualified to be elected or appointed to audit the statements and accounts of the churchwardens of a church if that person is 21 years of age or older.  
(2) A person is not qualified to be elected or appointed to audit the statements and accounts of the churchwardens of a church if -
  - (a) the person is a churchwarden of that church, or
  - (b) the person was a churchwarden of that church at any time during the financial year or other period to which those statements and accounts relate.  
(3) A person who has been elected or appointed to audit the statements and accounts of the churchwardens of a church ceases to hold that office upon that person being elected or appointed as a churchwarden of that church.", and
- (e) clause 28(1)(h) is deleted and the following is inserted instead -  
"(h) to appoint a qualified person or persons to fill any vacancy in the office of auditor of the statements and accounts of the churchwardens of any church in the parish (clause 17A), and".

### 5. Amendment of the Church Discipline Ordinance 1996

In paragraph (b) of the definition of "Unacceptable Behaviour" in clause 2(1) of the Church Discipline Ordinance 1996 the word "of" is inserted immediately after the words "in the case".

### 6. Amendment of the Continuing Education for Ministers Ordinance 1989

The Continuing Education for Ministers Ordinance 1989 is amended as follows -

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- (a) clause 1 is deleted and the following is inserted instead -  
    **"1. Name of Ordinance**  
    This ordinance is the Continuing Education for Ministers Ordinance 1989.", and
- (b) in clause 7(2) the matter "the Casual Vacancies Ordinance 1935" is deleted and the following matter is inserted instead -  
    "part 7 of the Synod Elections Ordinance 2000".

### 7. Amendment of the Deaconesses, Readers and Other Lay Persons Ordinance 1981

The Deaconesses, Readers and Other Lay Persons Ordinance 1981 is amended as follows -

- (a) clause 2 is deleted and the following is inserted instead -  
    **"2. Name of Ordinance**  
    This ordinance is the Deaconesses, Readers and Other Lay Persons Ordinance 1981.", and
- (b) clause 16(1)(b) is deleted and the following is inserted instead -  
    "(b) subject to clause 16(1)(c), notice of removal from the office or employment being given by the minister, and", and
- (c) clause 16(1)(c) is deleted and the following is inserted instead -  
    "(c) where that person is entitled to or is paid a stipend or salary or is entitled to any other emolument or perquisite -
  - (i) at least 3 months notice of termination of payment of such stipend or salary or entitlement to such emolument or perquisite being given by or on behalf of the person or persons who pay or provide the same, and
  - (ii) at least 3 months notice of removal from the office or employment being given by the minister."

### 8. Amendment of the Investment of Church Trust Property Ordinance 1990

The Investment of Church Trust Property Ordinance 1990 is amended as follows -

- (a) clause 1(a) is deleted and the following is inserted instead -  
    "(a) 'authorised deposit-taking institution' means a body corporate which is authorised to carry on banking business in Australia under clause 9(3) of the Banking Act 1959.", and
- (b) clause 5(d) is deleted and the following is inserted instead -  
    "(d) deposit with any authorised deposit-taking institution.", and
- (c) in clause 5(h)(ii) the word "Bank" is deleted and the word "bank" is inserted instead, and
- (d) in clause 5(i) the word "Bank" is deleted and the words "authorised deposit-taking institution" are inserted instead, and
- (e) clause 5(j) is deleted, and
- (f) clause 12 is deleted and the following is inserted instead -  
    **"12. Name of Ordinance**  
    This ordinance is the Investment of Church Trust Property Ordinance 1990."

### 9. Amendment of the Parish Disputes Ordinance 1999

In clause 13(e) of the Parish Disputes Ordinance 1999 the matter "9(4)" is deleted and "9(6)" is inserted instead.

### 10. Amendment of the Presentation and Exchange Ordinance 1988

Clause 1 of the Presentation and Exchange Ordinance 1988 is amended by deleting the matter "1998" and inserting "1988" instead.

### 11. Amendment of the Standing Committee Ordinance 1897

The Standing Committee Ordinance 1897 is amended as follows -

- (a) in clauses 1A(4)(d) and 1B(1) the matter "Elections Ordinance 1970" is deleted and the matter "Synod Elections Ordinance 2000" is inserted instead, and
- (b) clause 11 is deleted and the following is inserted instead -  
    **"11. Name of Ordinance**  
    This ordinance is the Standing Committee Ordinance 1897."

### 12. Amendment of the Sydney Anglican Home Mission Society Ordinance 1981

The Sydney Anglican Home Mission Society Ordinance 1981 is amended as follows -

- (a) clause 1(1) is deleted and the following is inserted instead -  
    "(1) This ordinance is the Sydney Anglican Home Mission Society Ordinance 1981.", and
- (b) in clause 6(1) the matter "the Casual Vacancies Ordinance 1935" is deleted and the matter "part 7 of the Synod Elections Ordinance 2000" is inserted instead, and

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- (c) in clause 7 the matter "Casual Vacancies Ordinance 1935 and the Elections Ordinance 1970 shall apply" is deleted and the matter "Synod Elections Ordinance 2000" is inserted instead.

### 13. Amendment of the Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923

The Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923 is amended as follows -

- (a) in clause 4(1) the matter "the Casual Vacancies Ordinance 1935" is deleted and "part 7 of the Synod Elections Ordinance 2000" is inserted instead, and
- (b) clause 18 is deleted and the following is inserted instead -

**"18. Name of the Ordinance**

This ordinance is the Sydney Church of England Grammar School Constitution Consolidation and Amendment Ordinance 1923."

### 14. Amendment of the Tara Anglican Girls' School Ordinance 1956

The Tara Anglican Girls' School Ordinance 1956 is amended as follows -

- (a) in clause 6A(3) the matter "the Casual Vacancies Ordinance 1935" is deleted and the matter "part 7 of the Synod Elections Ordinance 2000" is inserted instead, and
- (b) clause 14 is deleted and the following is inserted instead -

**"14. School Chapels and Chaplains Ordinance**

The School Chapels and Chaplains Ordinance 1975 applies to the School.", and

- (c) clause 15 is deleted and the following is inserted instead -

**"15. Name of Ordinance**

This ordinance is the Tara Anglican Girls' School Ordinance 1956."

### 15. Transitional

A deaconess or lay person who holds a licence or authority under the Deaconesses, Readers and Other Lay Persons Ordinance 1981 as at the date of assent to this Ordinance retains that licence or authority subject to the terms and conditions on which the same was issued and may continue to do or perform all or any of the things that the person has been authorised to do and perform thereby.

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

N M CAMERON  
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 13 August 2001.

M A PAYNE  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
14/8/2001