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*Parishes and Provisional Districts  
Amendment Ordinance 1976*

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No. 40, 1976

AN ORDINANCE to vary the provision for the progression of provisional parishes to parishes.

WHEREAS the Parishes and Provisional Districts Ordinance 1961-1972 prescribed certain procedures inter alia for the formation and revocation of parochial units AND WHEREAS Ordinance No. 31 of 1971 provided for the automatic progression of provisional parishes to parishes AND WHEREAS it is now expedient to vary such provision 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 "Parishes and Provisional Districts Amendment Ordinance 1976".

(2) The Parishes and Provisional Districts Ordinance 1961-1972 is in this Ordinance referred to as the "Principal Ordinance".

(3) The Principal Ordinance as amended by this Ordinance may be cited as the "Parishes and Provisional Districts Ordinance 1961-1976" and in any reprint of that Ordinance clause 23 shall be amended accordingly.

2. The Principal Ordinance is amended:—

(a) By repealing clause 14A thereof.

(b) By deleting the proviso to clause 16 thereof.

(c) By inserting after clause 16 thereof the following clauses:

"16A. In the case of a proposal for the formation of a new parish or for the advancement of a provisional district or provisional parish to the status of a parish no further action shall be taken under this Ordinance unless the Standing Committee is satisfied that:

(a) At least the minimum stipend currently recommended shall be provided for the minister from local sources exclusive of any diocesan grant, together with an adequate travelling allowance.

(b) The following buildings are provided on church trust property namely:

(i) A residence for the minister;

(ii) One or more buildings with an adequate seating capacity and suitable for the celebration of divine service, the administration of the sacraments and the performance of any other rite or ordinance of the Church of England in Australia and for other parochial activities.

(c) The proposed parish is in a sound financial condition and is able to meet any debts.

(d) The average weekly attendance during the previous three months at the totality of all meetings for divine service held within the proposed parish was not less than fifty persons.

16B. (1) Proposals under clauses 15 and 17 of this Ordinance may be considered at any time notwithstanding the provisions of this clause and this clause applies notwith-

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standing anything contained in clauses 13-16 hereof both inclusive.

(2) After the expiration of 5 years and no later than 6 years from the date of creation of a provisional parish and thereafter from time to time as Standing Committee may determine but at intervals of not more than 5 years the Standing Committee shall enquire into the progress of such provisional parish for the purpose of determining whether it complies with the provisions of paragraphs (a), (b), (c) and (d) of clause 16A hereof and, if the Standing Committee is satisfied that such provisional parish does so comply, then the Standing Committee shall by resolution so declare.

(3) Upon the passing by the Standing Committee of the resolution referred to in sub-clause (2) hereof, the said provisional parish shall become a parish.

(4) The first period of 5 years referred to in sub-clause (2) of this clause shall be deemed to expire on the 15th day of October, 1976 or five years from the date of the creation of the provisional parish whichever is the later."

- (d) By inserting the figures and letters "16A, 16B," after the figure "16," in sub-clauses (1) and (2) of clause 19.
3. The provisions of clause 2(a) of this Ordinance shall not:
- (a) Affect the previous operation of the said clause 14A or anything duly suffered done or commenced to be done under the said clause; or
  - (b) Affect any right privilege obligation or liability acquired accrued or incurred under the said clause 14A.

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

ATHOL RICHARDSON,  
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney this 11th day of October, 1976.

R. J. BOMFORD,  
W. G. S. GOTLEY,  
Secretaries of Synod.

I assent to this Ordinance.

11/10/76.

M. L. LOANE,  
Archbishop of Sydney.