

# Synod (Electronic Communications) Amendment Ordinance 2013

No 41, 2013

## Long Title

An Ordinance to facilitate electronic communications to members of the Synod and for related matters.

The Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the Synod (Electronic Communications) Amendment Ordinance 2013.

### 2. Amendment of the Synod Membership Ordinance 1995

The Synod Membership Ordinance 1995 is amended as follows –

(a) insert after clause 5 –

#### **5A. Consent to use of personal information by Registrar**

(1) Each person elected or appointed as a Parochial Representative, alternate for a Parochial Representative, Nominated Layperson or lay Nominated Indigenous Representative must give the following consent prior to notice of his or her election or appointment being given under this Ordinance to the Registrar –

“I consent to my name, contact details and any other personal information that is reasonably necessary for the proper administration of the Synod and the Diocese being collected, used and disclosed by the Registrar for these purposes.”

(2) The person who or the body which is required to give the Registrar notice of an election or appointment referred to in subclause (1) must retain, or cause to be retained, a written record of the consent.

(3) For the purposes of subclause (1), the proper administration of the Diocese includes any act or practice which is –

- (a) performed pursuant to or under an ordinance or resolution of the Synod or the Standing Committee, or
- (b) reasonably necessary to give effect to an ordinance or resolution of the Synod or the Standing Committee, or
- (c) a discharge of the duties or exercise of the powers and authorities of the Archbishop however arising,

and the proper administration of the Synod includes any act or practice which is undertaken by the Diocesan Secretary or a Secretary of the Synod in the course of administering the Synod.’, and

(b) insert after clause 6 –

“Part 3A – Synod Communications

#### **6A. Members of Synod to ensure Registrar holds current postal and email addresses**

(1) Each person who holds office as a member of the Synod *ex officio* must ensure that the Registrar holds a current postal and email address for that person.

(2) Each member of the Synod must ensure that each postal and email address held by the Registrar for the member remains current.

#### **6B. Synod communications may be sent by email**

(1) Subject to subclauses (2), (3) and (4), a Synod Communication may be sent to a member of the Synod at any email address held by the Registrar for the member instead of the member’s postal address.

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(2) If the Registrar does not hold an email address for a member of the Synod, any Synod Communication which would otherwise have been sent to the member by email is taken to have been duly sent to and received by the member.

(3) If an email address held by the Registrar for a member of the Synod is not current and a Synod Communication is sent to the member at that email address, the Synod Communication is taken to have been duly sent to and received by the member.

(4) The Standing Committee may make regulations from time to time prescribing –

- (a) the manner in which Synod Communications are to be sent to members of the Synod by email, and
- (b) any type of Synod Communication which must also be sent to members by post.

### **6C. Notifying information about members of the Synod to the Registrar**

(1) The Registrar may make provision for –

- (a) any notice required by ordinance to be given to the Registrar about a member of the Synod, and
- (b) any other information which is or may be held by the Registrar about a member of the Synod,

to be directly provided to or updated on a secure on-line database held by the Registrar.

(2) To the extent the Registrar makes the provision referred to in subclause (1) –

- (a) any notice required by ordinance to be given to the Registrar about a member of the Synod is taken to have been given to the Registrar, and
- (b) any other information about a Synod member is taken to be held by the Registrar,

if the notice or information is duly provided to or updated on the secure on-line database.

(3) In making the provision referred to in subclause (1), the Registrar must take reasonable steps to ensure that –

- (a) the information held by the Registrar on the database is secure, and
- (b) a person who provides a notice to or updates information on the secure on-line database is a person entitled to do so.”, and

(c) in clause 8A(2)(b) omit “and address of” and insert instead “of, and a postal and email address for, ”, and

(d) in clause 17 omit the matter from and including “specifying” and insert instead –  
“\_

- (a) specifying the name and date of election of the person elected to be a Parochial Representative; and
- (b) specifying a postal and email address for the person; and
- (c) specifying the Synod for which the person has been elected to be a Parochial Representative; and
- (d) certifying that the person has given the consent required by clause 5A and that a written record of the consent has been retained.”, and

(e) in clause 22A(2) –

- (i) omit “and address” in paragraph (b), and

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- (ii) omit paragraph (c) and insert instead –
  - “(c) specifying a postal and email address for the Qualified Person appointed as the alternate; and
  - (d) certifying that the appointment of the alternate has been approved by the parish council; and
  - (e) certifying that the Qualified Person appointed as the alternate has given the consent required by clause 5A and that a written record of the consent has been retained.”, and
- (f) in clause 27 omit “and address of” and insert instead “of, and a postal and email address for,”, and
- (g) in clause 28(1)(a) omit “notice of the name and address of its Chief Executive Officer” and insert instead “a notice”, and
- (h) in clause 29 –
  - (i) omit paragraph (b) and insert instead –
    - “(b) a notice has been given under clause 27; and”, and
  - (ii) omit “paragraph (b)” in paragraph (c) and insert instead “that notice”, and
- (i) in clause 34(1) insert “and a postal and email address for such persons” after “Synod”, and
- (j) in clause 36 omit paragraph (a) and insert instead –
  - “(a) the name of the person and the date on which the person retired as a Nominated Minister; and”, and
- (k) in clause 45 omit all the matter from and including “specifying” and insert instead –
  - “\_
  - (a) specifying the name of that person and the date of election; and
  - (b) specifying a postal and email address for that person; and
  - (c) specifying the Synod for which that person has been elected to be a Nominated Lay Person; and
  - (d) certifying that the person elected to be a Nominated Lay Person has given the consent required by clause 5A and that a written record of the consent has been retained.”, and
- (l) in clause 50C omit all the matter from and including “specifying” and insert instead –
  - “\_
  - (a) specifying the name of that person and the date of election; and
  - (b) specifying a postal and email address for that person; and
  - (c) specifying the Synod for which that person has been elected to be an Nominated Indigenous Representative; and
  - (d) if the person elected to be a Nominated Indigenous Representative is a Qualified Person, certifying that the person has given the consent required by clause 5A and that a written record of the consent has been retained.”, and
- (m) omit clause 53(2) and insert instead –
  - “(2) Two Qualified Persons, elected by the council of St Paul’s College from among themselves, must, subject to the giving of the notice under subclause (3), be summoned to the Synod.
  - (3) The Warden must cause a certificate of election to be delivered to each member of the council so elected and must give, or cause to be given, to the Registrar written notice –
    - (a) specifying the names of the persons elected and the date of election; and
    - (b) specifying postal and email addresses for those persons; and

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- (c) certifying that those persons have given the consent required by clause 5A and that a written record of such consents has been retained.”, and
- (n) in the Dictionary insert after the definition for “session of the Synod” –
  - “Synod Communication” means a summons, notice, document or other communication that is –
    - (a) required by ordinance or resolutions of the Synod or the Standing Committee to be sent or provided to one or more members of the Synod; or
    - (b) sent or provided to all members of the Synod or a class of members of the Synod by the Diocesan Secretary or a Secretary of the Synod in the course of administering the Synod.’

### 3. Amendment of the Synod Elections Ordinance 2000

The Schedule to the Synod Elections Ordinance 2000 is amended as follows –

- (a) in rule 3.2(2) –
  - (i) omit “, address” in paragraph (c), and
  - (ii) insert “, and a postal and email address for,” after “of” in paragraph (c), and
  - (iii) reletter paragraph (h) as paragraph (i) and insert a new paragraph (h) as follows –
    - “(h) if the nominee is a lay person, to contain a certification from at least one of the nominators that the nominee has consented to his or her name, contact details and any other personal information that is reasonably necessary for the proper administration of the Synod and the Diocese being collected, used and disclosed by the Registrar for these purposes, and”, and
  - (iv) omit “address” and insert instead “email address” in relettered paragraph (i), and
- (b) in rule 3.2(3) omit “address” and insert instead “postal or email address for”, and
- (c) in rule 3.2(5) omit “address referred to in rule 3.2(2)(h)” and insert instead “email address referred to in rule 3.2(2)(i)”, and
- (d) in rule 3.2(6) omit “and addresses of” in paragraph (a) and insert instead “of, and the postal and email addresses for,”, and
- (e) insert a new rule 3.2(8) as follows –
  - “(8) For the purposes of rules 3.2(2)(h) and 7.2(1A), the proper administration of the Diocese and the proper administration of the Synod have the meanings given in clause 5A(3) of the Synod Membership Ordinance 1995.”, and
- (f) in rule 6.1(3) omit “address” and insert instead “email address” in paragraph (d), and
- (g) in rule 6.2(3) –
  - (i) omit “address” in paragraph (b)(ii) and insert instead “email address”, and
  - (ii) omit “and address of” in paragraph (b)(iii) and insert instead “of, and the postal and email address for,”, and
- (h) in rule 6.3(1) omit “address” and insert instead “email address”, and
- (i) insert a new rule 7.2(1A) as follows –
  - “(1A) Any member of the Standing Committee who nominates a lay person for election to fill a casual vacancy under rule 7.2(1) must certify to the Standing Committee that the nominee has consented to his or her name, contact details and any other personal information that is reasonably necessary for the proper administration of the Synod and the Diocese being collected, used and disclosed by the Registrar for these purposes.”, and

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- (j) in rule 7.2(3)(a) omit “clause” and insert instead “rule”.

### **4. Amendment of the Archbishop of Sydney Election Ordinance 1982**

The Archbishop of Sydney Election Ordinance 1982 is amended as follows –

- (a) in clause 5(3) –
  - (i) omit “and the place at which” in paragraph (d), and
  - (ii) insert “and the place, postal address or email address at which nominations can be delivered for this purpose” after “given” in paragraph (d), and
- (b) in clause 7(2) omit paragraphs (e) and (f) and insert instead –
  - “(e) specify an email address for service of notices on the nominators and a postal and email address for service of notices on the nominee, and
  - (f) be given to the specified person at the specified place, postal address or email address referred to in paragraph (d) of clause 5(3) not later than 5.00 pm on the day which is 42 days before the day on which the meeting of the Synod shall commence.”, and
- (c) in clause 7(4A) –
  - (i) omit “sent by post to the” and insert “sent to the postal or email”, and
  - (ii) omit “sent by post to one” and insert “sent to one”, and
- (d) in clause 7(5) insert after the first occurrence of “person” –
  - “at the specified place, postal address or email address”.

### **5. Commencement**

Except for this clause, this Ordinance commences on 1 January 2014.

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

R TONG  
Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney on 14 October 2013.

CJ MORONEY  
R WICKS  
Secretaries of Synod

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
17/10/2013