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*Sydney Church Ordinance Further Amendment  
Ordinance 1983*

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No. 34, 1983

AN ORDINANCE to amend the Sydney Church Ordinance 1912-1980.

WHEREAS it is expedient to amend the Sydney Church Ordinance 1912-1980 (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 Further Amendment Ordinance 1983"

(2) The Principal Ordinance as amended by this Ordinance may be cited as the "Sydney Church Ordinance 1912-1983" and in any reprint of that Ordinance Section 1 shall be amended accordingly.

2. The Principal Ordinance is amended by omitting Section 6.

3. The Principal Ordinance is amended by omitting from Section 4 the word "male".

4. The Principal Ordinance is amended:—

(a) by omitting the first sentence of subsection (1) of Section 14 and by inserting instead the following sentence:—

"Site plans, building plans and specifications of all buildings intended for a Church or Hall or Parsonage, house or other building for the use of members of the Anglican Church of Australia shall be approved in writing by the Archbishop or his appointee before tenders are called for the construction thereof.";

(b) by inserting after subsection (2) of Section 14 the following subsection:—

"(3) The Archbishop may from time to time appoint Architectural Panels to advise him or, at his request, to act as his appointee under this Section. Such Panels shall include qualified persons from relevant professions and industries. Such Panels if appointed shall prepare and make available guidelines for Church Committees embodying the requirements necessary to obtain the Archbishop's approval".

5. The Principal Ordinance is amended by omitting from Section 20 the words "such times as he shall think fit" and by inserting instead the word "times".

6. The Principal Ordinance is amended by omitting Section 22 and by inserting instead the following section:—

"22. Subject to any regulations made hereunder, applications for such sanction as aforesaid shall be made —

(a) in the case of a Parish having only one Church, by the Minister and Parish Council but, if there is no Parish Council, then by the Minister and the Churchwardens of that Church; or

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- (b) in the case of a Parish having more than one Church, by the Minister and Church Committee of the Church concerned but, if there is no Church Committee, then by the Minister and the Churchwardens of that Church.”.
7. The Principal Ordinance is amended:—
- (a) by omitting subsection (9) of Section 36 and by inserting instead the following subsection:—
- “(9) Make such recommendations as it may wish on any matter connected with the business of the Church, including any matter which it is appropriate for the Parish Council to deal with.”;
- (b) by omitting subsection (9) of Section 36A and by inserting instead the following subsection:—
- “(9) Make such recommendations as it may wish on any matter connected with the business of the Church or Parish, including any matter which it is appropriate for the Church Committee or Parish Council to deal with.”.
8. The Principal Ordinance is amended:—
- (a) by inserting after the words “election or appointment” where secondly occurring in the proviso to subsection (1) of Section 38 the words “(or within such further period as may be approved by the Registrar or the Archdeacon of the area within which the Parish is situated where such person is absent or incapacitated)”;
- (b) by inserting after the words “election or appointment” where secondly occurring in the proviso to Section 45 the words “(or within such further period as may be approved by the Registrar or the Archdeacon of the area within which the Parish is situated where such person is absent or incapacitated)”.
9. The Principal Ordinance is amended:—
- (a) by omitting from subsection (1) of Section 38A the words “other than the principal Church”;
- (b) by inserting in subsection (1) of Section 38A after the words “parishioners of” where secondly occurring the words “the same or”;
- (c) by omitting from subsection (2) of Section 38A the words “other than the principal Church”.
10. The Principal Ordinance is amended:—
- (a) by omitting Section 40 and the heading thereto and by inserting instead the following sections and headings:—

**“Tenure of office**

40. (1) An elected Churchwarden of a Church ceases to hold office as such a Churchwarden, otherwise than by virtue of Section 39, on the election at a subsequent Vestry Meeting of any Churchwarden of the Church, not being a Vestry Meeting convened pursuant to Section 39.

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(2) An appointed Churchwarden of a Church ceases to hold office as such a Churchwarden, otherwise than by virtue of Section 39, on the appointment, pursuant to Section 37, of his or her successor.

(3) Nothing in subsection (1) or (2) operates so as to prevent a Churchwarden from exercising or performing any right, power or duty which, pursuant to this Ordinance or any other lawful authority, he or she may be entitled or required to exercise or perform after the time at which the Churchwarden ceases to hold office by virtue of subsection (1) or (2).

(4) Churchwardens shall continue to hold office notwithstanding the destruction or delicensing of their Church, but such Churchwardens shall cease to hold office seven days after the signing by the Archbishop of a notice to the Registrar and to such Churchwardens that they are to cease to hold office.

**Act of the Churchwardens**

40A. Any act done by a majority of the Churchwardens of a Church shall be deemed to be the act of the Churchwardens of that Church.”;

- (b) by inserting in Section 47 after the word “until” the words “the commencement of”.

11. The Principal Ordinance is amended:—

- (a) by omitting the heading to Section 49 and by inserting instead the following heading:—

**“Chairman and voting”;**

- (b) by inserting in subsection (1) of Section 49 after the word “shall” the words “, except as provided by subsection (4),”;

- (c) by inserting after subsection (3) of Section 49 the following subsections:—

(4) The Minister shall, in relation to any matter concerning his stipend or allowances, vacate the chair and the members shall elect a Chairman to preside during any discussion or determination of the matter. The Chairman shall have a casting vote only. The Minister shall not vote in relation to any matter concerning his stipend or allowances.

(5) A member shall not vote in relation to any matter concerning any stipend, salary, wages, allowance or other remuneration paid or to be paid to the member by determination of the Churchwardens or the Council or Committee.

12. The Principal Ordinance is amended:—

- (a) by inserting in Section 3 before subsection (1) the following subsection:—

“(1A) “Anglican Church of Australia” means the Anglican Church of Australia within the State of New South Wales.”;

- (b) by omitting subsection (4) of Section 3;

- (c) by omitting subsection (6) of Section 3 and by inserting instead the following subsection:—

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- “(6) “Financial year” means the period from 1st January to the following 31st December.”;
- (d) by omitting from Section 3, from the heading to Section 3A, from Section 3A, from the heading to Section 3B and from Sections 3B, 4, 10, 15, 17, 18, 20, 29, 34, 38, 45 and 53 the words “Church of England in Australia” wherever occurring and by inserting instead the words “Anglican Church of Australia”;
  - (e) by omitting from subsection (1) of Section 14 the words “Church of England” and by inserting instead the words “Anglican Church of Australia”;
  - (f) by omitting from Section 18 the words “Church of England” where secondly occurring and by inserting instead the words “Anglican Church of Australia”;
  - (g) by omitting from subsection (1) of Section 38 the matter “, (3) and (4)” and by inserting instead the matter “and (3)”;
  - (h) by omitting from Section 56B the matter “36A” and by inserting instead the matter “38A”;
  - (i) by omitting Section 62.

13. The Principal Ordinance is amended by inserting the following Section after Section 43.

43A. Notwithstanding anything in this Ordinance, on application from the Churchwardens of all Churches in a Parish having more than one Church, the Archbishop-in-Council may permit a Parish Council to be elected by a Combined Vestry Meeting of the Parishioners of the whole Parish convened by the Minister and upon application by the Churchwardens of any Church in such Parish, may from time to time revoke or vary such permission.

14. The Principal Ordinance is amended by inserting after the number “43” in Sections 56A and 56B the number “43A”.

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

N. M. CAMERON  
Deputy Chairman of Committees

WE CERTIFY that this Ordinance was passed by the Synod of the Diocese of Sydney on this 11th day of October 1983.

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

I ASSENT to this Ordinance.

DONALD ROBINSON  
Archbishop of Sydney

11/10/1983