

AN ORDINANCE to provide for the delegation of certain powers of Synod during the recesses of Synod.

The Synod of the Diocese of Newcastle ordains directs and rules as follows:

SHORT TITLE

1. This Ordinance may be cited as the “**Synod (Delegation of Powers) Ordinance 2009.**”

DEFINITION

2. In this Ordinance

1902 Constitutions means the Constitution set out in the Schedule to the *Anglican Church of Australia Constitution Act 1902*;

1961 Constitution means the Constitution set out in the Schedule to the *Anglican Church of Australia Constitution Act 1961*;

Diocesan Council means the Diocesan Council of the Diocese;

Diocese means the Diocese of Newcastle;

Synod means the Synod of the Diocese.

DELEGATION TO DIOCESAN COUNCIL

3. Subject to this Ordinance and to Article 7 of the **1902 Constitutions**, Diocesan Council may, during any recess of Synod and acting as Synod, exercise any power or function of Synod under Articles 2(1) and 3(2) of the **1902 Constitutions**.

LIMITATION OF DELEGATION

4. (1) Notwithstanding section 3, Diocesan Council shall not
 - (a) enact any ordinance relating to the election or tenure of the Bishop of the Diocese;
 - (b) enact any ordinance relating to the appointment, tenure or removal from office of a member of the clergy;
 - (c) enact any ordinance with respect to the creation, combination or abolition of a parish or a geographically defined area of ministry;
 - (d) exercise any of the powers of Synod under Articles 28, 40, 41, 44, 45, 52 or 67 of the **1961 Constitution**.; or
 - (e) enact any ordinance or repeal any ordinance or exercise any power the effect of which is to negate any Ordinance or resolution enacted or passed by the immediately preceding session of Synod;
- (2) Any Ordinance proposed to be made by Diocesan Council pursuant to the power delegated under section 3, at any stage prior to the granting of assent
 - (a) may be referred to Synod by the Bishop; and
 - (b) must be referred to Synod by the Bishop upon request in writing of any 5 members of Diocesan Council,
 and, if so referred, assent must be withheld.

REPORT TO SYNOD

5. Where Diocesan Council pursuant to this Ordinance

- (a) enacts an Ordinance; or
- (b) exercises any other power of Synod

it shall, at the next session of Synod report such action to Synod and lay before Synod any Ordinance or other instrument made in the exercise of Synod's powers.

CONSEQUENTIAL AMENDMENT OF THE DIOCESAN COUNCIL ORDINANCE 1929

6. The ***Diocesan Council Ordinance 1929*** is amended by deleting paragraph 10(b) and inserting the following

- (b) to discharge the powers and functions that from time to time may be delegated to it under the ***Synod (Delegation of Powers) Ordinance 2009*** or any other Ordinance or resolution of Synod;