

THE BISHOPRIC OF THE MURRAY ORDINANCE 2023

A **measure** for an ordinance to provide for the Election of a Bishop and other matters.

WHEREAS it is expedient to provide for the election of a Bishop of the Diocese and other matters **NOW THE SYNOD HEREBY DETERMINES:**

1. Title

1. This Ordinance may be cited as "The Bishopric of The Murray Ordinance 2023".

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Structure

**ELECTION OF A BISHOP
SAFE MINISTRY
CONDITIONS OF SERVICE**

ELECTION OF A BISHOP

2. Vacancy of the See

- 2.1 The See of The Murray shall become vacant if the Bishop:
- (a) Resigns the Bishop's Office by giving not less than six months' notice in writing to the Metropolitan of the Province and to Diocesan Council. The notice shall specify the date when it is intended for the resignation to take effect and the See shall become vacant on the date specified in the letter.
 - (b) Becomes permanently incapacitated, dies, or
 - (c) Shall be deprived by competent authority.
- 2.2 The date on which the See shall become vacant, in the case of the events specified in Sections 2.1 (b) and (c), is the date the event occurs.

3. The Bishop Nomination Committee

Composition

- 3.1 The Bishop Nomination Committee (the Committee), shall consist of:
- (a) The Administrator, ex officio.
 - (b) The Chancellor, ex officio.
 - (c) Five members of Clergy and Five Lay members of Synod along with Two members of Clergy and Two Lay members of Synod as reserves elected in accordance with Section 3.2.
 - (d) The Synod Secretary who shall be the secretary of the committee and is ineligible to be elected under Section (c) and shall be a non-voting member.

Election of Members

- 3.2 The elected members shall be elected at the first session of each Triennial Synod in accordance with Section 12 of the Standing Orders for the Conduct of Synod Business Ordinance, these shall act in the order they come in the poll. A Ballot must be held even if the nominations do not exceed the number required.
- 3.3 Should the Committee be in session at the time of the first session of each Triennial Synod then the election of the new Committee shall take place at the first session of Synod after the installation of the new Bishop for the balance of the Triennium.

Convening

- 3.4 The Committee must hold its first formal meeting for the purposes of this ordinance on a date fixed by the Administrator as soon as is reasonably practicable after the occurrence of the relevant event under Section 2.1. In the case of Section 2.1 (a) this shall be the date notice is given:
- (a) The Administrator will take the chair at the beginning of the meeting.
 - (b) The members of the Committee will, at that meeting, elect one of their number to be the chair of the Committee (who may, but need not, be the Administrator).
 - (c) If the chair is unable to attend a meeting of the Committee, the remaining members of the Committee present at a meeting of the Committee may elect someone to act in the office.

Vacancies

- 3.5 Any member of the Committee:
- (a) who ceases to be a member of Synod, resigns, dies, or
 - (b) whose name is considered for nomination as Bishop, or their immediate family,
- shall cease to be a member and the vacancy shall be filled from the reserves. Diocesan Council has the power to fill any vacancies.
- 3.6 In the event of the Chair of the Committee being nominated and accepting nomination, the committee shall elect one of its members to chair the Committee.

Quorum

- 3.7 Seven members shall form a quorum provided there are at least two lay, and two clerical members present.

Nominations

- 3.8 The Administrator shall invite all members of Synod to submit formal nominations of members of Clergy to be considered by the Committee by giving notice to all members of Synod in accordance with the following requirements:
- (a) the date by which nominations must be made by members of Synod, being not less than 4 weeks after notice is given to the members of Synod.
 - (b) a nomination –
 - i. must be made in writing using the form in Appendix A; and
 - ii. must be signed by 4 members of Synod.
- 3.9 In addition to any member of Clergy nominated under Section 3.8, the Committee may consider any other member of Clergy nominated by members of the Committee themselves.
- 3.10 Any member of Clergy nominated under Sections 3.8 and 3.9 must consent in writing to the nomination using the form in Appendix B. The Synod Secretary shall be responsible for obtaining such consents.
- 3.11 The Nominations shall be held in secret by the Synod Secretary until the nominations are closed.

Process

- 3.12 The Committee shall consider as a minimum these five areas of competence/expertise for each candidate:
- (a) Theological focus
 - (b) Pastoral focus
 - (c) Leadership and Management focus
 - (d) Spirituality
 - (e) Health check
- 3.13 The Committee shall determine its own procedure; however, the Committee may hold a series of consultations to allow the members of Synod to have a say about the Diocese and the characteristics being sought in a new Bishop early in the vacancy.
- 3.14 The Chair of the Committee will have a deliberative but not a casting vote.
- 3.15 The Committee shall prepare a Candidates Information Pack for the Nominees.

Diocesan Profile

3.16 The Committee may meet annually to update the Diocesan Profile in consultation with Diocesan Council even if not in session.

Nomination to Synod

3.17 The Committee shall nominate not less than two and not more than four members of Clergy to a special election session of Synod to be called in accordance with Section 5.1.

3.18 A name shall not be included for nomination to the Synod unless

- (a) the person concerned has.
 - i. consented, and
 - ii. agrees to a National Register Check, and
- (b) a majority of the Clerical and a majority of the Lay members of the Committee agree to such nomination.

3.19 The Committee shall

- (a) Present to the Election Synod a statement about each nominee.
- (b) Issue the Statements to members of Synod at least one week prior to the meeting of Synod.
- (c) Shall invite each nominee to provide a 15-minute sermon by video on a biblical text selected by the Nomination committee.

4. Confidentiality

4.1 No member of Synod shall at any time:

- (a) Disclose any information concerning the proceedings of the Bishop Nomination Committee or the Election Synod or the names of the candidates or the details of any ballot.
- (b) Distribute any information provided by the nominees without permission.

4.2 Failure to do so shall cause the member to lose their seat on Synod for the current and next triennium.

5. Election Synod

Call of Synod

5.1 The Administrator shall cause a call of the Election Synod to be made within six calendar months of the vacancy of the See and three months thereafter, if necessary, for the purpose of electing a Bishop.

Attendance

5.2 During the deliberations of the Election Synod, only members and officers shall be allowed to be present except by special leave of Synod. Any cleric nominated and their immediate family shall not be entitled to be present or to vote at the Election Synod.

Process at Synod

5.3 Synod shall commence with a celebration of the Eucharist seeking the guidance of The Holy Spirit. A sermon shall be preached at this service.

Confidentiality Declaration

5.4 When members of Synod have gathered after the Eucharist the following declaration shall be read aloud by them and the Administrator.

"I do hereby solemnly declare that in the election of a Bishop for this Diocese I shall record my vote only for such as upon my conscience I believe to be worthy and fit for the holy office of Bishop, and I do further solemnly declare that I shall not at any time reveal to any person the figures involved in any ballot, nor any information likely to cause harm, embarrassment or distress to any member of Synod, nominee, speaker or diocesan official, but only such information as is authorised by the Synod to be published".

5.5 The Administrator shall then announce that a vacancy of the See has occurred. The Administrator shall state the cause thereof and explain the procedure to be followed in filling the vacancy, namely: that Synod shall receive the names submitted to it by the Nomination Committee and proceed to the election. The Administrator shall give such further advice to Synod as is appropriate.

Nominees

5.6 The Nomination Committee shall then report to Synod of the nominations being submitted to Synod.

5.7 The Administrator shall cause the 15 minutes Sermons of the Nominees to be played, the order to be chosen by lot at the Synod.

5.8 Synod shall then resolve itself into a committee of the whole for the purpose of discussing the candidature of those who have been nominated. After discussion Synod shall resume.

- (a) At any time during these proceedings of the Committee any 10 members of the clergy or any 10 lay members of Synod standing together may require that the House of Clergy and the House of Laity meet separately to discuss the candidature of those who have been nominated.
- (b) At any such meetings the House of Clergy shall be chaired by a member of that House elected by the House of Clergy and the House of Laity shall be chaired by a member of that House elected by the House of Laity.
- (c) Following any such meetings the Chairs of the respective Houses shall report to the Committee on the result of the deliberations of their respective House.

Voting

5.9 All election votes shall be by secret ballot. Where any majority of votes is required, it shall be of those present and entitled to vote.

5.10 A discrete time of Prayer is to be held before taking a vote on the election of a Bishop and after the presentation of nominations.

5.11 The names on the list shall then be balloted for, each voter recording a vote for one person only. The candidate obtaining two-thirds of the votes of each house shall be the Bishop-elect.

5.12 After each ballot, the percentage of the vote that each candidate received from each house shall be combined and averaged (to determine which candidate is removed). Then the candidate with the lowest combined and averaged percentage of votes shall be removed from the list. Thus, removing one nomination per ballot. Should more than one candidate tie with the least combined and averaged percentage of votes, then none should be removed in that round of balloting.

- 5.13 If after three ballots as in Section 5.11, no candidate receives the requisite majority and if one of the candidates shall have obtained most votes in each house and if Synod decides in the affirmative, it shall be permissible to move that such candidate be elected Bishop. If this motion is carried by a two thirds majority in each house voting by secret ballot, then that person shall be the Bishop-elect.
- 5.14 If no such motion is agreed to or if no candidate receives the requisite majority, then Synod shall be adjourned until such time as the Nomination Committee shall have prepared another set of nominations for Synod.

6. Failure to Elect

6. If Synod shall fail on three successive occasions to elect a Bishop, the power and authority to elect a Bishop is given to the members of the House of Bishops for the time being of the General Synod of the Anglican Church of Australia, subject to any conditions Synod may think fit to impose, and the election shall be made by them in such manner as they shall determine. However, any member of the Clergy that was voted on in any of the three Election Synods shall be ineligible for appointment.

7. Process after Election

Notification of Election

- 7.1 When any person shall have been duly elected by Synod that person shall forthwith be informed of the fact by the President who shall at the same time ask for that person's acceptance of this office.

Declination of Election

- 7.2 If the person elected by Synod shall decline to accept the See, the proceedings shall commence again and be picked up at the point of the declination.

Confirmation

- 7.3 The Administrator shall report to the Metropolitan of the Province of South Australia the result of any election to seek and obtain the confirmation required by the Constitution of the Province and by the Constitution of the Anglican Church of Australia or by any Canon of the General Synod that may be for the time being in force and binding on this Diocese.

Occupation of the See

- 7.4 The Bishop-elect shall make a declaration, in the form of the First Schedule, that he accepts as binding upon himself the Constitution of The Anglican Church of Australia and the Canons and Determinations of the General Synod for the time being in force and binding on the Diocese, the Constitution of the Diocese, the Ordinances of Synod and Regulations of Diocesan Council.
- 7.5 Subject to that person's consecration, if necessary, the Bishop-elect shall be the Bishop of the See of The Murray and, subject to the Constitution and Ordinances for the time being in force, the Bishop shall be entitled as from the date of enthronement to have and exercise all the powers and authorities which a Bishop of The Anglican Church of Australia may lawfully exercise within a diocese, and shall for all purposes be the successor of the last preceding Bishop.

8. Procedure

8. The failure to take any step of procedure referred to in this Ordinance or the fact that a summons or other notice required to be given to a member has not been given or has not had attached to it the material required to be attached is not a ground for questioning and does not invalidate or affect the election.

SAFE MINISTRY

9. Safe Ministry

- 9.1 The Bishop shall comply with and be prepared to enforce all Safe Ministry requirements in force Nationally and in the Province of South Australia.
- 9.2 The Bishop must follow the national code for personal behaviour and the practice of pastoral ministry as outlined in the General Synod document “Faithfulness in Service”, or any document that succeeds it.
- 9.3 The Bishop shall abide by any Provincial or Diocesan Policy on Clergy supervision and have a pastoral supervisor and commit to 10 sessions per year. This is to be funded 50% by the Bishop and 50% by Synod.
- 9.4 The Bishop shall have a Ministry Review every 3 years, to be conducted at an agreed time between the Bishop and the Bishop Nomination Committee.

CONDITIONS OF SERVICE

10. Stipend

10. So much of the stipend and allowances of the Bishop as are not provided for by endowments and other means shall be a diocesan expense within the meaning of The Audit and Assessment Ordinance 2023 or its successor and shall be determined by Diocesan Council from time to time and at such times as Diocesan Council may determine.

11. Transition and Repeal

11. The following transitional arrangements will occur.
 - 11.1 The current members of the Bishop Election Committee will continue as the Bishop Nomination Committee for the current triennium.
 - 11.2 Section 12.1 (b) of the Standing Orders for the Conduct of Synod Business Ordinance is amended by replacing the words “The members of the Election Committee for the Bishop” with “The members of the Nomination Committee for the Election of a Bishop”.
12. The Election of a Bishop Ordinance 2001 is hereby repealed but such repeal shall not affect any act, deed or thing lawfully done under the Election of a Bishop Ordinance 2001 prior to the passing of this Ordinance.

Appendix A Nomination Form

The following members of Synod hereby nominate Rt Revd./Revd.

..... currently holding the position of
..... in the Diocese of
..... to be the next Bishop of The Murray.

Name	Signature
.....
.....
.....
.....

Date:

Appendix B: Consent to Nomination

I, Rt Revd./Revd. having been nominated for the position of Bishop of The Murray hereby consent to the nomination.

- ♣ I understand that this nomination may not get to the Election Synod.
- ♣ I understand and consent that should I get nominated to the Election Synod that the Nomination Committee will cause a National Register Check to be done.
- ♣ I will treat any information received in confidence.

My Contact Details are:

Address

Phone Number:

Email address:

Signed:

Date:

THE FIRST SCHEDULE

(Section 7.4)

I having been duly elected or appointed as Bishop of the See of The Murray DO HEREBY DECLARE

1. That I accept as binding the Constitution of The Anglican Church of Australia and the Canons and Determinations of the General Synod for the time being in force and binding on the Diocese, the Constitution of the Synod of the Diocese of The Murray of the Anglican Church of Australia Incorporated (Synod), the Ordinances of Synod and Regulations of Diocesan Council.
2. That I will hold the said Office under and subject to all terms, stipulations, and provisions of the Trusts of the said See from time to time in force and will well and faithfully observe and perform the same and conform thereto in every respect.
3. That I will submit and conform to any sentence lawfully passed upon me and that I undertake and agree to give up to the Synod for the time being on demand of the Administrator, the Synod or other trustee possession of such real and personal estate and effects as I may hold or be entitled to by virtue of my office at the time if and when sentenced according to the Constitution of The Anglican Church of Australia to suspension from office, expulsion from office, deprivation of rights or emoluments appertaining to office or deposition from holy orders and that in the event of such sentence I shall hold such real and personal estate and effects as tenant at will of the Synod.
4. That I will abide with and uphold all Safe Ministry requirements in force Nationally and in the Province of South Australia.

IN WITNESS whereof I have hereunto set my hand and seal thisday ofin the year of our Lord.....

in the presence of: