

THE DIOCESAN COUNCIL ORDINANCE 2021

A Measure for an Ordinance to provide for the appointment and regulation of the affairs of the Diocesan Council and its Executive.

WHEREAS it is expedient to provide for the appointment of a Diocesan Council of the Diocese and its Executive and to regulate the affairs thereof

NOW THE SYNOD HEREBY DETERMINES:

Title

1. This Ordinance may be cited as "The Diocesan Council Ordinance 2021".

Composition

- 2.1 The Diocesan Council comprises the following Communicant members:
 - (a) The Bishop ex officio.
 - (b) The Vicar General ex officio.
 - (c) The Chancellor ex officio
 - (d) Five members of the Clergy and five Lay Members of Synod elected by Synod.
 - (e) Two other persons appointed by the Bishop, in consultation with the Diocesan Appointments Committee, who shall be members of this Diocese.
 - (f) Diocesan Council may appoint up to four other persons in line with the Diocesan Skills Matrix.
- 2.2
 - (a) The following will attend all meetings of the Diocesan Council at the invitation of the Diocesan Council with the right to speak but not to vote.
 - i. The Registrar.
 - ii. The Chair of the Finance Audit and Investment Committee if not already a member of this Council.
 - (b) The Chair of any other Diocesan Committee if they are not already a member of this Council may attend any meeting of the Diocesan Council at the invitation of the Diocesan Council with the right to speak but not to vote.
- 2.3 Unless Members appointed under Sections 2.1 (e) and (f) are already a member of Synod they shall become members of Synod pursuant to Section 6 (f) of the constitution for the duration of their appointment. Lay members shall, if not a current member of Synod, submit a declaration in the form of Schedule 3 of the Constitution.
- 2.4 All members of Diocesan Council shall comply with Safe Ministry Requirements and 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 replaces it.

Election, and Appointments of Members

- 3.1 At the first session of each triennial Synod, the persons referred to in Section 2.1 (d) of this Ordinance shall be elected by ballot and shall hold office until their successors be appointed.
- 3.2 Within fourteen days of the first day of the first session of each triennial Synod the Bishop shall appoint the persons referred to in Section 2.1 (e) of this Ordinance and shall hold office for such period as the Bishop may determine or until the close of the first session of the triennial Synod next following the appointment, whichever shall happen first.
- 3.3 When appropriate, the Diocesan Council may appoint the persons referred to in Section 2.1 (f) of this Ordinance for such period as the Diocesan Council may determine or until the close of the first session of the triennial Synod next following the appointment, whichever shall happen first.
- 3.4 Any member elected or appointed under sections 2.1 (d) (e) & (f) shall serve a maximum of two consecutive terms at any one time.

Disqualification

4. Where a member of the Diocesan Council:
 - 4.1 Was elected pursuant to Section 2.1 (d) of this ordinance, and either ceases for any reason to be a member of the Synod, or is absent from three consecutive meetings of the Diocesan Council without leave of absence: or
 - 4.2 Was appointed pursuant to Section 2.1 (e) or (f) of this ordinance and is absent from three consecutive meetings of the Diocesan Council without leave of absence: or
 - 4.3 Is a member ex officio pursuant to Sections 2.1 (a), (b), and (c), of this ordinance and ceases to hold office by virtue of which he became, and is, a member; -
the member thereupon ceases to be a member of the Diocesan Council, and the vacancy thus created shall be filled pursuant to Section 5 of this ordinance.

Casual Vacancies

5. Casual vacancies in the Diocesan Council shall be filled:
 - 5.1 Where the vacancy occurs because an ex officio member ceases for any reason to hold his office - by the filling of that office.
 - 5.2 Where the vacancy occurs in the membership of a member of the Clergy or Lay Member of Synod elected by the Synod pursuant to Section 2.1 (d) - by the Diocesan Council from the membership of Synod.
 - 5.3 Where the vacancy occurs in the membership of a person appointed by the Bishop pursuant to Section 2.1 (e) - by the Bishop.
 - 5.4 Where the vacancy occurs in the membership of a person appointed by Diocesan Council pursuant to Section 2.1 (f) - by the Diocesan Council.

Meetings, Quorum, Voting and Secretary

- 6.1 The Diocesan Council shall meet at least every quarter and not less than six times during each calendar year and at such times and places or by electronic means as the Bishop, or in his absence, the Vicar General, shall determine. One of which may coincide with the Annual Session of Synod.
- 6.2 The first meeting of the Diocesan Council after first session of each triennial Synod must be face to face or a combination of both face to face and electronic means and thereafter at least half the meetings should be face to face or a combination of both face to face and electronic means.
- 6.3 The Bishop or, in his absence, the Vicar General, or if there be none present, a person elected by the meeting shall preside at every meeting of the Diocesan Council.
- 6.4 Nine members of the Diocesan Council shall form a quorum.
- 6.5 At every meeting of the Diocesan Council when a quorum is present, the votes of a majority of the persons present, either in person or online, and qualified to vote shall decide every question. In the case of an equality in votes cast the Chair has a casting vote.
- 6.6 The Registrar of the Diocese shall be the Secretary of Synod and the Diocesan Council.

Records

7. The Diocesan Council shall keep proper records of its proceedings and shall furnish to the Synod an annual report of its activities and such other reports as the Synod may from time to time require, together with a full annual account of the income and expenditure of all funds under the control and management of the Synod.

Executive Committee

- 8.1 There shall be an Executive Committee of the Diocesan Council which shall consist of the Bishop, Vicar-General, Chancellor and up to 4 members of Diocesan Council appointed by Diocesan Council at the first meeting of Diocesan Council after first session of each triennial Synod.
- 8.2 The Executive Committee of the Diocesan Council shall meet, either by electronic means or in person, between the regular meetings of that Council when the Bishop directs.
- 8.3 Subject to Section 8.6, the Executive Committee shall have the powers and authorities necessary to deal, validly and effectively, with the day-to-day matters of administration and detail that may be dealt with by the Diocesan Council, but shall refer to the Council matters that, in the opinion of the Executive Committee, ought to be referred to the Diocesan Council pursuant to Section 8.4 as required. The Executive shall not make a decision within 10 days of a scheduled meeting of Diocesan Council.
- 8.4 The Diocesan Council shall issue and maintain Standing Instructions to the Executive Committee with respect to those matters that must be reserved for the consideration of the Diocesan Council and those Instructions shall be binding on the Committee.
- 8.5 No action or decision taken by the Executive Committee shall be invalid by reason of its not having been authorised, or fully authorised, by the Standing Instructions.
- 8.6 The Executive Committee shall keep a record of its decisions and report on decisions taken between meetings of Diocesan Council to the next meeting of Diocesan Council for ratification.

Governance Training

- 9.1 The Diocese shall provide to members of Diocesan Council, governance training specific to the Diocese, by an expert in the field.
- 9.2 This must be done on a regular basis.

Diocesan Council Appointments

10. The Diocesan Council shall:
 - 10.1 Appoint the Registrar of the Diocese who shall continue to hold office until:
 - (a) resignation, or
 - (b) retirement, or
 - (c) the Diocesan Council shall declare such office to be vacant.
 - 10.2 Appoint the Synod Solicitor or Solicitors and the Church Advocate (if any) and they shall hold office until:
 - (a) retirement, or
 - (b) resignation, or
 - (c) the Diocesan Council shall declare such office to be vacant.
 - 10.3 From time to time make Regulations for Sub Committees of Diocesan Council and Officers.

Definitions

11. In this Ordinance:
“Member of this Diocese” means a communicant member of the Church over the age of 18 who associates with the Church within the boundaries of the Diocese.

Repeal

12. The Diocesan Council Ordinance 2001 is hereby repealed but such repeal shall not affect any act, deed or thing lawfully done under the Diocesan Council Ordinance 2001 prior to the passing of this Ordinance.

I certify that this Ordinance was passed by the Synod of the Diocese of The Murray on the

X DM Jones

Registrar

I hereby assent to this Ordinance

X +Keith The Murray

Bishop

Date: 3 June 2022