

Parochial Administration Ordinance 2021

A Measure for an Ordinance to provide for the definition, recognition and administration of Parishes Provisional Parishes and Parochial Districts in the Diocese.

WHEREAS it is expedient to provide for the definition, recognition and administration of Parishes, Provisional Parishes and Parochial Districts and other Administrative Units in the Diocese.

THE SYNOD DETERMINES:

Title

1. This Ordinance may be cited as the “Parochial Administration Ordinance 2021”.

Repeal

- 2.1 The Parochial Administration Ordinance 2001 is hereby repealed, but such repeal shall not affect any act, deed or thing lawfully done under the Parochial Administration Ordinance 2001 prior to the passing of this Ordinance.
- 2.2 The Recognition of Parishes (Pastoral Districts) Ordinance 2001 is hereby repealed but such repeal shall not affect any act, deed or thing lawfully done under the Recognition of Parishes (Pastoral Districts) Ordinance 2001 prior to the passing of this Ordinance.

Application

3. This Ordinance applies to Parishes, Provisional Parishes, Parochial Districts, and other administrative units that may arise, whether or not Synod holds any Parish Trust Property on their behalf. Insofar as the provisions of this Ordinance may affect the management and use of trust property generally, it shall only affect Parish Trust Property held for or on behalf of any Parish.

Structure

4. This Ordinance is divided into parts as follows:

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Definitions

5. In this Ordinance wherever the context so permits:

“Anglican Church of Australia” means the Anglican Church of Australia constituted by the constitution referred to in The Anglican Church of Australia Constitution Act, 1961 of the State of South Australia (as amended) and by whatever name such Church shall for the time being be known.

“Authorised Officers of Synod” means the Bishop, the Chancellor, the Area Archdeacons, the Registrar and, where the use of the seal is required, members of Synod elected by the Synod in accordance with the constitution.

“Catechesis” means teaching of the faith.

“Constitution” means the Constitution of the Diocese of The Murray of The Anglican Church of Australia.

"Communicant" means a member of the Church who takes Holy Communion at least three times in the year.

A “Faith Community” means a group of members of the Church in the Diocese of The Murray who meet regularly for worship in a building licensed for such purposes by the Bishop; or to whom the Bishop has given permission for regular worship in another location.

“In writing” includes any electronic communication capable of being printed.

“Licence” means a licence under the seal of the Bishop and “licensed” has a corresponding meaning.

“Mission” means spreading the Gospel, making Christian disciples and baptising them in the name of the Father, Son and Holy Spirit and any other activity consistent with the Gospel.

“Ordinance” means and includes any ordinance or legislative enactment of the Synod passed in accordance with the provisions of the Constitution.

“Priest in Charge” means the Clerk in Holy Orders for the time being holding the licence of the Bishop for the cure of souls in a Parish.

“Parish Trust Property” means property, or any estate or interest therein, which is vested in the Synod and is held by the Synod for or on behalf of any Parish upon the terms of any trust deed vesting such an interest in Synod.

“Pastoral Care” means feeding a Faith Community so that they can grow and mature in faith, while also caring for the vulnerable, looking for the lost, including the lapsed and those who do not know and believe in the Gospel and Jesus Christ.

“Stewardship” means the appropriate use and reception of time, talents, property, and money.

"Superannuation Payment" means a payment to an approved fund under the Superannuation Guarantee (Administration) Act 1992 (Cth).

"Synod" means the Synod of the Diocese of The Murray of The Anglican Church of Australia Incorporated.

PART I: PARISHES AND RECOGNITION

Parishes

6. A Parish shall consist of:

6.1 At least one Faith Community, as defined in Section 5, and

6.2 No more than eight Faith Communities, unless exempted by the Bishop.

Divisions

7. Parishes shall be categorized as follows:

7.1 Parish:

- (a) A Parish is a Parish with full entitlements.
- (b) A Parish must be able to pay the applicable stipend package of a Priest in Charge and all other amounts including the assessment payable to the Diocese on a sustainable basis.
- (c) If, at any time after 3 years from the adoption of this Ordinance, a Parish:
 - i. Is unable to sustain the requirements of Section 7.1 (b), or
 - ii. After two consecutive years, it fails to fulfil the quorum requirements for an Annual Meeting thus requiring a second meeting to be held.

the Parish becomes a Provisional Parish. However, if the Parish can convince the Diocesan Council that its financial situation is improving, or demonstrate the numbers are increasing, an extension of up to two years may be granted for such a period as the Diocesan Council thinks fit.

7.2 Provisional Parish:

- (a) A Provisional Parish is a Parish which:
 - i. has been moved to that status by Diocesan Council under Section 7.1 (c) with its Synod membership adjusted accordingly, or
 - ii. is a new Parish recognized under Section 11, or
 - iii. is a Parochial District approved under Section 7.3 (b) to progress towards full status, upon which its Synod membership will be adjusted accordingly.
- (b) A Provisional Parish must be able to pay at least 50% of the applicable stipend package and all other amounts including the assessment payable to the Diocese on a sustainable basis.
- (c)
 - i. A Provisional Parish may seek to become a Parish under Section 7.1 when it can fulfil the requirements of Section 7.1 (b) and not be indebted to the Diocese.
 - ii. When the conditions in Section 7.2 (c) i. are satisfied, the Provisional Parish can petition Synod to have its status elevated to Parish whereupon its Synod representation will be adjusted accordingly.
- (d) If, at any time after 3 years from the adoption of this Ordinance, a Provisional Parish:
 - i. Is unable to sustain the requirements of Section 7.2 (b), or
 - ii. After two consecutive years, it fails to fulfil the quorum requirements for an Annual Meeting thus requiring a second meeting to be held.

the Provisional Parish becomes a Parochial District. However, if the Provisional Parish can convince the Diocesan Council that its financial situation is improving, or demonstrate the numbers are increasing, an extension of up to two years may be granted for such a period as the Diocesan Council thinks fit.

7.3 Parochial District:

- (a) A Parochial District is a Parish which:
 - i. Is a church plant, not associated with an existing Parish, or
 - ii. Has been moved to that status by Diocesan Council under Section 7.2 (d) with its Synod membership adjusted accordingly.

- (b) A Parochial District may petition Synod, with the support of Diocesan Council, to become a Provisional Parish if it can demonstrate that the District has a plan and the capacity to become a Parish. In reaching its decision, Diocesan Council must investigate the impact, if any, of the change on any other Parish in which case the Parish Council of that Parish must be consulted.
- (c) If a Provisional Parish becomes a Parochial District as a consequence of Section 7.2 (d):
 - i. And the Priest in Charge is still in office, the position of Priest in Charge falls vacant meaning that the provisions of Section 58 are triggered, and the entitlements of the clergyman cease within 90 days of the event, and
 - ii. The Parish Council may be replaced with a new Council pursuant to Section 17.3.
 - iii. Should this situation occur responsibility for sacramental worship and pastoral care of the remaining Anglicans would fall to the bishop.
 - iv. The Bishop should assume responsibility for pastoral care for the priest.
- (d) A Parochial District shall have at least 10 Communicant members of the Church resident in the area who meet at least 12 times in a year for worship. The Bishop must be invited to attend one of those services.

7.4 New Models:

- (a) A New Model is any ministry model that does not rely on physical locations such as an online model.
- (b) A New Model will comply with this Ordinance as applicable. If there is a question as to what provisions of this Ordinance apply to a New Model, the Diocesan Council will decide the question.

- 8. Any Parish, however classified in Section 7 may refer to themselves publicly as a Parish in the wider community.

Transitional

- 9.1 The Faith Communities and Parishes mentioned in Appendix A of this Ordinance shall be deemed to be recognized by Synod upon this Ordinance becoming effective.
- 9.2 A Parish will have 3 months to seek the Bishop's approval for a new name of their Parish if they so wish.
- 9.3 All former Pastoral Districts will initially be categorized as designated in Appendix A.

Register of Parishes and Faith Communities

- 10.1 A Register of Parishes and Faith Communities shall be held by the Diocese.
- 10.2 The Registrar shall amend the Register from time to time in accordance with information provided by Synod or Parishes.
- 10.3 Parishes are to advise the Registrar of any changes in Faith Communities every three years.

Conditions for Recognition of New Parishes

- 11.1 New Parishes can be admitted as a Provisional Parish or a Parochial District upon receipt by the Registrar of a Certificate in the form of the Fourth Schedule to the Constitution.
- 11.2 Upon receipt of the Certificate, the Diocesan Council shall enquire and consider
 - (a) The requirements for and the proposed method of providing for pastoral care and sacramental ministry in the Parish.
 - (b) The financial viability of the proposed Parish and any Parish affected by the recognition of such Parish.
 - (c) The view of the clergy, the Churchwardens and Parish Councils of existing Parishes which would be directly affected by the recognition of such Parish.

- 11.3 The Diocesan Council shall report to Synod the result of its enquiry and consideration together with a recommendation (or not) for approval of a Provisional Parish.
- 11.4 The Diocesan Council may admit a Parish as a Parochial District. The Parish may then petition the Synod at a later date to have its status elevated in accordance with Section 7.3 (b).
- 11.5 Formation of a new Parish does not end the recognition of a Parish previously recognized by Synod unless termination of the recognition of a Parish forms part of the proposal.
- 11.6 The Diocesan Council may approve a New Model Parish without receipt of a Certificate in the form of the Fourth Schedule to the Constitution under such terms as it deems appropriate. If the New Model Parish subsequently wishes to change its status, a Certificate in the form of the Fourth Schedule to the Constitution must be supplied.

Termination of Recognition

- 12. Synod shall not terminate the recognition of any Parish unless the Diocesan Council has considered a proposal for such a termination and alternate arrangements if necessary have been made for the Governance and sacramental ministry and Pastoral Care of the area.

Changing Parishes

- 13.1 A Faith Community may petition the Bishop to change Parish following a resolution of a Special Meeting of the Faith Community if:
 - (a) It can demonstrate compatibility with the destination Parish and
 - (b) It can demonstrate the change will not affect the viability of its current Parish.
 - (c) The views of the Clergy and the Churchwardens of the Parishes directly affected are sought.
 - (d) The Parish Councils of both its existing and destination Parish agree.
 - (e) The Bishop and Diocesan Council agrees.

Approval will not be given if the move creates a Parish with more than 8 Faith Communities or if the Priest in Charge in the destination Parish has not served in that Parish for a period of at least 24 months.

- 13.2 Once Approved:
 - (a) The official joining date of the Faith Community in the destination Parish shall be the date of the next Annual Meeting of the destination Parish.
 - (b) The Secretary of the current Parish shall remove from the Parish Roll the names of the members of the Faith Community which have moved.
 - (c) The Secretary of the destination Parish shall update their Parish Roll to include the names of the members of the Faith Community which have moved.
 - (d) Any lay member of Synod from the Faith Community moving ceases to be a member of Synod upon the approval of the move.
 - (e) The move will not create a new Parish.
 - (f) A Faith Community which has moved may not move again of its own choosing for five years.

Naming and Renaming of Parishes

- 14.1 The names of Parishes should reflect the Region they exist in.
- 14.2 Any change of name requires a good reason and must be approved by the Bishop and Synod.
 - (a) Diocesan Council has the power to approve a request for a change of name of any existing Parish recognized by the Synod.
 - (b) The approval of the name of new Parishes is part of the recognition process.
- 14.3 The name of any Faith Community must reflect its worship location.

Enquiry

- 15. The Diocesan Council may conduct enquiries pursuant to this Part in such manner as it may from time to time determine and report to Synod.

PART II: THE PARISH LEADERSHIP

Parish Ministry Leadership Team

- 16.1 Every Parish shall work towards having a Parish Ministry Leadership Team consisting of:
- (a) Parish Leader (Priest in Charge)
 - (b) Pastoral Care Leader
 - (c) Evangelism Leader
 - (d) Catechetical Leader
 - (e) Stewardship Leader
- 16.2 The Parish Ministry Leadership Team is responsible for assisting Parish Council and each Faith Community in initiating, planning, organising, and carrying out liturgical, pastoral, educational and Mission activity of the respective body.
- 16.3 Apart from the Parish Leader, the other members may be Lay or Clerical. All Lay members must be communicant.
- 16.4 Only the Parish Leader is required to be on the Parish Council. Other members of the Parish Ministry Leadership Team have a right of audience at Parish Council but no voting rights. Other members of the Parish Ministry Leadership Team must attend Parish Council when requested.
- 16.5 The educational requirements and qualifications for members of the Parish Ministry Leadership Team shall be prescribed by the Bishop.
- 16.6 Nothing in this Ordinance prevents Parishes co-operating and sharing the roles in Section 16.1.
- 16.7 For a Parochial District, a neighbouring Parish is encouraged to volunteer assistance to allow the Parochial District to fulfill its duties.

Parish Council

- 17.1 For every Parish, there shall be a Parish Council for the management of property and the affairs of the Parish.
- 17.2 The Parish Council shall consist of the following voting members:
- (a) Priest in Charge.
 - (b) Any fulltime assistant member of the clergy appointed to the Parish.
 - (c) Peoples Churchwardens from the Faith Communities elected according to Section 40.3 (a).
 - (d) Two Parish Councillors elected by members of the Parish according to Section 43.3
 - (e) One Priest Churchwarden and one Parish Councillor appointed by the Priest in Charge in accordance with Sections 40.3 (b) and 43.4.
 - (f) Parish Treasurer Ex-Officio appointed under Section 23.3
 - (g) Parish Secretary Ex Officio appointed under Section 23.1
- 17.3 For a Parochial District:
- (a) The Parochial Council may be appointed by the Bishop and Diocesan Council.
 - (b) At least half the members shall come from the area of the Parochial District.
 - (c) If the Bishop does not appoint a Chair, the Area Archdeacon or his nominee shall chair the Council.

- 17.4 Parish Council must select from its own membership:
- (a) A Safe Ministry Officer or Coordinator to ensure all Safe Ministry Requirements are met.
 - (b) A Workplace Health and Safety Officer who will work with the Local Churchwardens to ensure compliance with Workplace Health and Safety requirements.
 - (c) A Complaints Officer to receive any grievances concerning the Parish.
- 17.5 All members of Parish Council, apart from the Priest in Charge and any fulltime assistant member of the Clergy, shall serve a maximum of six consecutive years at any one time unless the Bishop approves an extension.

Attendance

- 18.1 Should a Peoples Churchwarden be unable to attend a meeting of Parish Council, a Local Churchwarden from the Faith Community may attend in place of the Peoples Churchwarden and shall have all the voting and other rights at that meeting.
- 18.2 Local Churchwardens may attend any Parish Council meeting and speak to issues relating to their Faith Community.

Meetings

- 19.1 The Priest in Charge shall call meetings of the Parish Council which must be no less frequent than once in every two months. Parish Councils may meet by electronic means, but at least two meetings each year must be face to face.
- 19.2 The agenda items should include:
- (a) Attendance and Apologies.
 - (b) Further Agenda items.
 - (c) Minutes from previous meeting.
 - (d) Business Arising.
 - (e) Correspondence.
 - (f) Report from the Parish Ministry Leadership Team.
 - (g) Finance Report.
 - (h) Business arising out of items (f) & (g).
 - (i) Workplace Health and Safety, Risk Management and Safe Ministry matters.
 - (j) Grievances.
 - (k) Reports and Recommendations from the Faith Communities.
 - (l) Other matters.

Quorum

20. One half of the members of the Parish Council shall constitute a quorum.

Powers and Duties

- 21.1 The Parish Council together with the Priest in Charge is responsible for the Worship, Mission and Pastoral Care of the parish. The Parish Council will work to fund and fulfil these responsibilities and, subject to the provisions of this Ordinance, shall have the following powers and duties:
- (a) Coordinate the Mission activities and Pastoral Care of the local faith communities.
 - (b) Develop and monitor a business plan for the Parish and Faith Communities.
 - (c) The insuring, maintenance (including repairs), lease or rental (where applicable) rates, taxes and other like outgoings of all Churches, halls, schools, and other buildings including the Rectory and any other Parish Trust Property and so much of the telephone, internet and other charges (if any) as is not attributable to private use of the Rectory or other dwelling house occupied by the Priest in Charge.

- (d) The payment of all amounts owing and payable in respect of amounts borrowed by the Parish (whether for capital or interest and whether secured upon Parish Trust Property or not).
- (e) In all cases not specifically provided for in any Ordinance of Synod, the maintenance and control of all Parish Trust Property.
- (f) The preservation and safe custody of all registers, records, documents, plate, and other valuables of the Parish.
- (g) The payment of stipends, travelling, superannuation and allowances to the Priest in Charge and any other clergy, if applicable, serving in the Parish. These amounts shall not, without the express approval of the Bishop and the Diocesan Council, be less than the relevant stipend, travelling, superannuation and allowances for the time being determined in accordance with any ordinance of Synod.
- (h) The payment of Diocesan assessments, insurance premiums and all other expenses payable to the Diocese by the Parish.
- (i) The management of the financial affairs of the Parish and the appropriating and application of all voluntary contributions and of any moneys raised or held by any organisation connected with the Parish.
- (j) The determination of the amount to be provided by each Faith Community in the Parish to meet the expenses of the Parish.
- (k) The provision of all things necessary for proper worship, liturgy, and the administration of the Sacraments.
- (l) The payment of fees and travelling allowances of any Clergy relieving the Priest in Charge during such annual or other leave as the Priest in Charge may be entitled to take pursuant to any ordinance of Synod.
- (m) Confirmation of the minutes of the Annual Meeting and any Special Meeting of a Faith Community within the Parish.
- (n) Such other powers and duties provided for in this or in any other ordinance or as may be referred to it by a Faith Community or by Synod.
- (o) Such other powers and duties as shall be incidental to the Constitution and any ordinance.

21.2 Subject to the overriding powers of the Parish Council in Section 21.1, the Parish Council may from time-to-time delegate to the Faith Communities or other governing bodies of any organisations connected with the Parish all or any of the powers and duties specified in Section 21.1 (c) and (k) insofar as they affect the Faith Community or organisation concerned.

Local Governance Training

- 22.1. Synod, at its own expense, will arrange for appropriate training of members of Parish Council to help them fulfil their responsibilities in accordance with any relevant Diocesan Policy or statutory requirements.
- 22.2. Within 12 months of availability of the training all voting members of Parish Council must be accredited as having satisfactorily completed the training referred to in Section 22.1. A member may apply to the Bishop seeking an extension in time.
- 22.3. This training is optional for Local Churchwardens, but they can participate if they wish.
- 22.4. The accreditation remains in force for 3 years-
- 22.5. This accreditation may be transferred, should a member change Parish, upon showing evidence to the Parish Secretary.

Administration Arrangements

- 23.1 The Parish Secretary may be elected at the Annual Meeting of the Parish. Should the meeting fail to elect a Parish Secretary then the position shall be filled by Parish Council.
- 23.2 All Parishes shall have a Parish email account to which all Diocesan Notices will be sent. The Parish Secretary and Parish Treasurer shall have access to this.
- 23.3 The Parish Treasurer shall be appointed by the Parish Council as required.
- 23.4 The Parish Treasurer is responsible for oversight of any bookkeeping service the Parish may be utilising and ensuring all the Parish's statutory obligations to the following are met:
- (a) The Australian Taxation Office, apart from payroll for clerical appointments.
 - (b) Australian Charities and Not for Profit Commission. The Parish Treasurer may delegate this to the Parish Secretary.
 - (c) ReturntoWorkSA are met, or their successors, for anyone, other than clergy, in paid employment by the Parish.
- 23.5 Parish Council shall cause proper accounts to be kept of all moneys received and disbursed by it. Parish Council shall cause such accounts and the accounts of all moneys received and disbursed by the Faith Community or other governing body of any Faith Community or organisation connected with the Parish to be audited by an auditor or auditors appointed by it. The Parish Council shall obtain and shall furnish a copy of the audited accounts of monies received and disbursed by it to each Faith Community and Synod.
- 23.6 No auditor is to be associated with any member of Parish Council.
- 23.7 The Parish and its respective Faith Communities shall operate with one bank account and associated Clergy RPE accounts.
- 23.8 Officeholders are entitled to reimbursement of expenses.
- 23.9 Diocesan Council may approve any honorarium currently in force upon application by the Parish.

Parish Council as Agent of Synod

24. Except as this Ordinance expressly or impliedly otherwise provides, a Parish Council shall be the agent of Synod. A Parish Council has the authority to execute carry out and perform all of Synod's duties, powers or trusts connected with the administration of Parish Trust Property held by the Synod for or on behalf of the Parish. If Parish Council neglects or refuses to act as agent then Synod or the Diocesan Council on its behalf may, if it shall think fit, appoint another person or persons to do so.

Guidance

- 24A. Diocesan Council shall provide guidance to assist Parishes with the roles in this Part.

PART III: FAITH COMMUNITIES

Faith Communities

- 25.1 Each Faith Community shall, with the Priest in Charge, be responsible for Mission as well as liturgical, pastoral, educational, evangelistic work of the Church and shall exercise such powers and duties as are further prescribed by this Ordinance and are necessary for the welfare and work of the Faith Community as distinct from the Parish as a whole.
- 25.2 Any organisation associated with a Faith Community must be led by a member of the Church unless exempted by Parish Council.

PART IV: MEETINGS

Annual Meeting

- 26.1. In each Parish, all Faith Communities shall meet as one in March on or before the 20th of March each year, such meeting shall be called the Annual Meeting and shall be called by the Priest in Charge or in a vacancy, by a Locum or the Area Archdeacon.

- 26.2. Each Faith Community, when required, shall meet to elect their Local and Peoples Churchwardens prior to the Annual Meeting.
- 26.3. Nominations, when required, shall be sought for election to office of Parish Secretary and Parish Councillors at the Annual Meeting.
- 26.4. Faith Communities may submit items of business to be discussed at the Annual Meeting, this should reach the Parish Secretary as soon as is practicable, but no later than the end of February each year:
- 26.5. All reports must be made available to members seven days prior to the Annual Meeting.

Annual Meeting Procedure

- 27.1 At every Annual Meeting, members of the Parish in attendance and desiring to vote shall complete the sign in sheet in the form of SCHEDULE A of this Ordinance. This must be retained by the Parish Secretary for 5 years.
- 27.2 The business transacted shall be:
 - (a) Consideration and finalisation of the minutes of the preceding Annual Meeting and of every other Special Meeting which may have been held since the preceding Annual Meeting unless otherwise confirmed by the Parish Council.
 - (b) Apologies shall be recorded.
 - (c) The reception of reports by the Priest in Charge, the Churchwardens, members of the Synod and others (if any).
 - (d) The reception of an audited statement of accounts of the Parish Council.
 - (e) The reception of an audited statement of the financial affairs of any organisations connected with each Faith Community (if any).
 - (f) Consideration of a budget of income and expenditure for the Parish submitted by the Parish Council.
 - (g) The election of all or such of the following officers as shall be required:
 - i. Parish Councillors.
 - ii. Synod Representatives
 - iii. Parish Secretary
 - (j) Consideration of recommendations (if any) from the Parish Council.
 - (k) Business submitted by Faith Communities.
 - (l) Any other business which the Chairman in his discretion shall permit to be discussed.
- 27.3 Within 14 days of the Annual Meeting, the Parish Secretary shall forward to the Registry, using the appropriate forms, the parochial statistics and the details of persons elected or appointed to positions and any other document required by the Synod.

Special Meetings

- 28.1 The Priest in Charge or the Local Churchwarden of a Faith Community may call meetings between Annual meetings.
- 28.2 If the Local Churchwarden calls the meeting, the agenda must be approved by the Priest in Charge. Should there be a vacancy in the office of Priest in Charge, the approval may be given by the Area Archdeacon or the Bishop.
- 28.3 The business to be transacted at a Special Meeting shall be that specified in the notice convening the same and no other business.

- 28.4 Special Meetings may be held:
- (a) Combined if the subject matter affects the whole Parish.
 - (b) Separate if the subject matter relates to a Faith Community.
- 28.5 Members attending need to complete the sign in sheet in the form of SCHEDULE A of this Ordinance. The Local Churchwarden, if necessary, must forward this to the Parish Secretary within 14 days. This must be retained for 5 years.

Informal Meetings

29. Each Faith Community may meet informally to discuss matters of interest:
- 29.1 An informal meeting is to be chaired by the Local Churchwarden.
 - 29.2 Minutes are not required to be taken but if desired, they may be taken, and should be suitably recorded.
 - 29.3 The Priest in Charge or his nominee is to be given the opportunity to attend.
 - 29.4 Informal meetings may make non-binding recommendations to Parish Council.
 - 29.5 Quorum rules do not apply.
 - 29.6 This meeting is open to all people associated with the Faith Community.

Notice of Meeting

30. A minimum of 14 days' notice is required for the convening of an Annual Meeting or a Special Meeting under Section 28. Notice may be given by email or post to members and if practicable shall be read at all services on the two Sundays prior to the meeting is to be held. Such notice shall be signed by the Priest in Charge or Churchwardens and shall specify the time and place of the meeting and the general nature of the business which the meeting will consider.

Quorum

- 31.1 At every Annual Meeting, or Special Meeting of all Faith Communities meeting together, fifteen Communicant members shall constitute a quorum not including the Priest in Charge and any licensed clergy.
- 31.2 At any Special Meeting of a single Faith Community, five communicant members shall constitute a quorum not including the Priest in Charge and any licensed clergy.
- 31.3 If a quorum shall not be present at any Annual Meeting or at any adjournment, the meeting shall be adjourned for not more than fourteen days as the Priest in Charge or in his absence the majority of the communicant members of the Faith Communities present shall decide.
- 31.4 A Special Meeting at which a quorum is not present shall lapse.

Voting

32. At every meeting of the Parish Council or of a Faith Community where a quorum is present the votes of a majority of the persons present and qualified to vote shall decide every question. In the case of an equality in votes cast the chair shall have a casting vote.

Attendance by Bishop

- 33.1 The Bishop or his nominee shall be entitled to attend and vote at any meeting of a Parish Council or of a Faith Community.
- 33.2 The Bishop may at any time by notice in writing addressed to the Priest in Charge, a Churchwarden or the Parish Secretary require to be notified of all meetings of the Parish Council or a Faith Community for such period as the notice shall specify or until further notice and he shall be given notices of such meetings accordingly.

Chair

- 34.1 At all meetings of the Parish Council, the Priest in Charge may preside as Chair or nominate a substitute. In their absence, the meeting may choose one of its members to preside as Chair.
- 34.2 In the case of a Faith Community, in the absence of the Priest in Charge, the Local Churchwarden may chair in his place.

Minutes

35. Minutes shall be kept of all proceedings of the Parish Council and of all Faith Communities apart from informal meetings. Minutes shall be available at all reasonable times for inspection by any member of the Parish Council or the Faith Community as applicable.

Regulation of Business

36. Subject to the express provisions of this Ordinance, the Parish Council and the Faith Community respectively may from time to time adjourn any Meeting and may regulate the conduct of its business as it shall see fit.

Disputes

37. The Diocesan Council may settle and determine all doubts and disputes that may arise with reference to any elections or transaction of business by Churchwardens, Faith Communities and Parish Councils. The Diocesan Council may from time to time make and alter rules not inconsistent with the provisions of this Ordinance for the conduct of elections and the transaction of business and may also settle and determine all doubts and disputes.

PART V: CHURCHWARDENS, PARISH COUNCILLORS, AND OTHER OFFICERS

Churchwardens

- 38.1. Churchwardens shall be Communicant members of the Faith Community or Parish and shall be not less than eighteen years of age.
- 38.2. Faith Communities shall have one Local and one Peoples Churchwarden; however, Faith Communities with no Parish Trust Property may choose to have only a Local Churchwarden.
- 38.3. Parishes shall have one Priest Churchwarden.
- 38.4 The duties of Churchwardens are defined in Section 42

Churchwardens in New Faith Communities

39. Upon formation of a new Faith Community, where no Churchwardens have already been appointed, Churchwardens being communicant members of the Church shall be appointed in the first instance by the Bishop. These Churchwardens hold office until the next Annual Meeting when the election of Churchwardens falls due.

Election and Appointment of Churchwardens

- 40.1 All Churchwardens are elected or appointed for a term of 3 years.
- 40.2 All Churchwardens may only hold office for six consecutive years at any one time unless otherwise authorised by the Bishop.
- 40.3 In the year of the first session of Synod in each Triennium prior to the Annual Meeting:
 - (a) each Faith Community shall elect the Local and Peoples Churchwardens in accordance with Section 26.2.
 - (b) At or within 7 days of the Annual Meeting the Priest in Charge shall appoint one Priest Churchwarden.
- 40.4 If at any meeting a Churchwarden should fail to be elected, then the Priest in Charge shall be at liberty to appoint a Churchwarden.
- 40.5 All Churchwardens must comply with Safe Ministry Requirements.

Casual Vacancies

- 41.1 In the event of a casual vacancy in the office of Churchwarden occasioned by death or resignation or in the event of the Bishop certifying that a Churchwarden is unable or refuses to act in accordance with lawful instructions:
- (a) The Parish Council may proceed to fill the vacancy for the balance of the term for a Churchwarden elected under Sections 40.3, however any Local and Peoples Churchwarden must come from the respective Faith Community.
 - (b) The Priest in Charge may proceed to fill the vacancy for the balance of the term for a Priest Churchwarden.
 - (c) These appointments do not count as part of the consecutive terms condition under Section 40.2.
- 41.2 If, on any occasion when there is a vacancy in the office of Priest in Charge, the appointment of the Priest Churchwarden may be made by the Parish Council, but the person so appointed shall not take office unless and until the appointment has been ratified by the Bishop.

Duties of the Churchwardens

42. All Churchwardens shall have those duties prescribed in the Book of Common Prayer and:
- 42.1 The common duties of the Local and Peoples Churchwardens are:
- (a) To be an integral part of the leadership of the Faith Community co-operating with the Priest in Charge in the initiation, conduct and development of the work of God and His Church within the Faith Community and Parish.
 - (b) To be the executive officers of the Faith Community in respect of matters pertaining to the Faith Community to which they are appointed.
 - (c) To maintain order in the Church and Church grounds.
 - (d) To ensure that all things pertaining to the celebration of divine service are provided and to see that everything is fit and proper for the due performance thereof.
 - (e) To make available all documents and records for the inspection of the Area Archdeacon or Bishop and to supply them with any information or explanations when requested.
 - (f) To report to the Bishop any serious neglect or failure on the part of Clergy in the fulfilment of their pastoral duties and liturgical and canonical responsibilities
 - (g) To perform such duties as are prescribed by this or any other ordinance.
 - (h) Subject to any direction of the Parish Council to receive and bank and disburse moneys on behalf of the Parish.
- 42.2. The separate duties of Local and Peoples Churchwardens are:
- (a) In the case of the Local Churchwarden:
 - i. to chair local meetings
 - ii. to deal with the Workplace Health and Safety requirements and Safe Ministry as they relate to the Faith Community in conjunction with the Parish Workplace Health and Safety Officer and Parish Safe Ministry Officer.
 - (b) In the case of a Peoples Churchwarden, to represent the Faith Community on Parish Council and help fulfill roles assigned to Parish Council.
 - (c) Where a faith community only elects or appoints one Local or Peoples Churchwarden, the duties in (a) and (b) of this section are combined.

42.3 The duties of a Priest Churchwarden are:

- (a) To be an integral part of the leadership of the Parish co-operating with the Priest in Charge in the initiation, conduct and development of the work of God and His Church within the Parish.
- (b) To be on Parish Council and help fulfill roles assigned to Parish Council.
- (c) A support person for the Priest in Charge and any other Clergy serving in the Parish.
- (d) To perform such duties as are prescribed by this or any other ordinance.

Parish Councillors

- 43.1 Parish Councillors are to be an integral part of the leadership of the Parish co-operating with the Priest in Charge in the initiation, conduct and development of the work of God and His Church within the Parish.
- 43.2 Parish Councillors represent all the Faith Communities on Parish Council and help fulfill roles assigned to Parish Council.
- 43.3 At the Annual Meeting, two Parish Councillors shall be elected.
- 43.4 At or within 7 days of the Annual Meeting the Priest in Charge shall appoint one Parish Councillor.
- 43.5 These may be elected or appointed from any Faith Community whether that Faith Community holds Parish Trust Property or not.
- 43.6 Vacancies shall be filled by Parish Council; these appointments do not count as part of the consecutive terms condition under Section 17.5.

Other Officers

- 43A. The Priest in Charge shall have the right to appoint organists, vergers, servers of the sanctuary, superintendents and other officers of any Sunday School and any other officers he may deem advisable subject to Safe Ministry Requirements, and he shall have the right to dismiss any such officers, but the salaries and/or allowances (if any) of all such officers shall be determined from time to time by the Parish Council and be approved by Diocesan Council.

PART VI: SYNOD

Synod Representation

44. Pursuant to Section 6 (e) of the Constitution:
- 44.1 Each Parish is entitled to Synod Representation of six Lay Members of Synod.
- 44.2 Each Provisional Parish is entitled to Synod Representation of two Lay Members of Synod.
- 44.3 Each Parochial District is entitled to Synod Representation of one Lay Member of Synod if they so desire.
- 44.4 New Models shall have no Lay Synod representation while they remain in that Division. However, they may apply to Diocesan Council for one Lay Member of Synod with Observer Status.
- 44.5 This section comes into force for the start of the next triennium in 2024.
- 44.6 All Lay Members of Synod shall be Communicant members of the Parish over 18 years of age and shall comply with Safe Ministry Requirements.
- 44.7 All Lay Members of Synod are required to submit a declaration in accordance with the Third Schedule of the Constitution upon election or appointment to Synod for each Triennium.
- 44.8 Lay Members of Synod shall be elected at the Annual Meeting in accordance with the Election of Lay Members of Synod Ordinance.

Report to Synod

45. Every Parish, Provisional Parish, Parochial District, and New Model Parish shall provide an annual report on their activities to Synod.

PART VII: PARISH ROLL

Parish Roll

- 46.1 The Parish Secretary with the advice of the Priest in Charge shall keep a Parish Roll for the purpose of pastoral ministry, outreach, and general membership of the Parish, and shall from time to time amend or register the name and contact details of any person on such Roll.
- 46.2 No one shall be added to the Roll without consent. Consenting to be added to the Parish Roll implies acceptance of access to the roll in accordance with Section 46.3.
- 46.3 Information about a person's entry in the Roll shall be made available:
- (a) to the Bishop, Priest in Charge, the Parish Secretary, and the Parish Ministry Leadership Team, or
 - (b) to a third party if Parish Council approves an application for access and suitably records the request and conditions of access in the minutes of Parish Council.
 - (c) Access under (b) above shall be limited to names and contact details only.
- 46.4 The use of the information is subject to the Diocesan Privacy Policy and the general law.
- 46.5 Parish Council is to ensure that the Roll is kept up to date and reviewed every three years.
- 46.6 Parishes must make sure that the Roll is available and maintained when the position of Parish Secretary is vacant, or the Parish Secretary is unavailable.

PART VIII: APPROPRIATION OF PROPERTY

Parish Trust Property: Licensed for Worship

47. Synod with the consent of the Parish Council shall be at liberty to set apart any portion of Parish Trust Property for a Church mission hall or other building intended to be licensed by the Bishop for worship and for any other purposes not being inconsistent with the Declaration of Trust pursuant to which the land is vested in Synod. Synod with the consent of the Parish Council may also consent to revoke any such setting apart. The name of the Church mission hall or other building erected or to be erected upon any portion of the Parish Trust Property shall be determined by the Parish Council unless such name is included in the Declaration of Trust and is also subject to approval by the Bishop.

Rectory and Other Purposes

48. Synod with the consent of the Parish Council shall be at liberty to set apart any other portion of Parish Trust Property for a rectory, school, hall, cemetery or for any other purpose consistent with the Declaration of Trust. The Synod with the consent of the Parish Council shall be at liberty from time to time to revoke such setting apart or to vary the purpose for which any such other portion of the Parish Trust Property shall have been set apart provided that the purpose shall not be a purpose inconsistent with the Declaration of Trust.

Use by other Christian Denominations

49. For the purposes of this Ordinance the use of a Church mission hall, other building, any portion thereof or any other portion of Parish Trust Property by other Christian denominations shall not of itself be a purpose inconsistent with a Declaration of Trust.

Transitional

50. Any Parish Trust Property set apart for the purposes specified in Section 53 or 54 of this Ordinance at the time such property becomes subject to the provisions of this Ordinance shall be deemed to have been so set apart pursuant to the provisions of this Ordinance.

PART IX: LICENSING OF CHURCH BUILDINGS

Petition

51. Upon the petition of the Priest in Charge and the Churchwardens of a Faith Community, the Bishop may license a building on Parish Trust Property for worship. The form of petition shall be prescribed by the Bishop.

Revocation of Church Licence

52. Subject to prior notice to the Priest in Charge and the Parish Council, the Bishop may revoke any Church licence issued under Section 51. The revocation shall be in writing and shall state the reasons for the same and a copy shall be tabled at the next Session of the Synod.

Public Worship in unlicensed Buildings or locations on any Parish Trust Property

- 53.1 Any building or location on any Parish Trust Property may be used at any time:
- (a) for public worship, with the prior approval of Parish Council, or the Priest in Charge and of the Bishop or Area Archdeacon, and
 - (b) for the administration of the Sacraments, with the prior approval of the Bishop.

Public Worship in locations outside of Parish Trust Property

- 53.2 Any building or location on any other property may be used, with the prior permission of the owner or occupier, at any specified time:
- (a) for public worship, with the prior approval of Parish Council, or the Priest in Charge and of the Bishop or Area Archdeacon, and
 - (b) for the administration of the Sacraments, with the prior approval of the Bishop.

PART X: THE USE OF CHURCHES AND CHURCH BUILDINGS

Uses of and Authority to Officiate in Licensed Buildings

- 54.1 A building licensed by the Bishop shall only be used for:
- (a) Public Worship and administration of the Sacraments and other Rites and Ceremonies of the Church according to the Use of The Anglican Church of Australia.
 - (b) The giving of religious instruction according to the principles of The Anglican Church of Australia.
 - (c) And such other purposes as the Bishop, the Priest in Charge, and the Parish Council may approve.
- 54.2 No person other than the Priest in Charge, the Bishop or his Commissary shall officiate at the Public Worship or administer the Sacraments or other Rites and Ceremonies in any building licensed by the Bishop unless the following consents are first obtained:
- (a) For any other Clergy or lay reader licensed by the Bishop, that of the Priest in Charge.
 - (b) For any other person, those of the Priest in Charge and the Bishop.

Except that if the Priest in Charge has been suspended from his office or is incapable through illness or injury of giving such consent then the consent of the Bishop alone shall suffice.

Consent for use of buildings and Parish Trust Property

- 55.1 Any Parish Trust Property comprising of a building or land may be used for any legal purpose with the consent of the Priest in Charge, or Parish Council.
- 55.2 Any use which involves renting, leasing, agistment or requiring any other written agreement is subject to Section 61.

Priest in Charge to have Access

56. The Priest in Charge shall have access to the Church and other buildings used for parochial purposes at all times and may officiate at Public Worship, administer the Sacraments and perform all other Rites and Ceremonies of the Church according to the Use of The Anglican Church of Australia without hindrance except as hereinafter provided and shall for such purposes have the keys of the Church and other buildings used for parochial purposes.

Rectory

57. Parish Councils may rent out the Rectory if vacant and not required for use by Clergy.

Deprivation of Rights

58. In the event that the Priest in Charge shall be legally divested of his office, he shall by that act forfeit and be absolutely deprived of all and singular his rights privileges and interest in or respecting all property of the Parish.

School

59. In case a school shall be conducted on any portion of the Parish Trust Property, the regulations governing the conduct of such school shall be such as shall from time to time be approved of by the Diocesan Council.

PART XI: MANAGEMENT OF PROPERTY

Control by Parish Council

60. The Parish Council shall be responsible for the management and control of Parish Trust Property unless otherwise specified in this or any other ordinance.

Leasing of Parish Trust Property

61.1 Synod with the consent of the Parish Council shall be at liberty to rent or lease:

- (a) any building or other land not for the time being set apart for the purpose referred to in Section 47.
- (b) any other land whether set apart for a purpose under Section 48 or otherwise not for the time being required to be used for the purpose (if any) for which the same shall have been set apart.

provided however that no Parish Trust Property shall be let for a period exceeding twenty-one years without the consent of the Bishop.

61.2 Any leasing of a building or land on Parish Trust Property must be subject to a signed agreement. Occupation is to commence from the date of signing unless otherwise agreed.

61.3 All agreements must be signed by the authorised Officers of Synod, on behalf of Synod and the Parish Council.

61.4 Any agreement not signed according to Section 61.3 may be invalid and, if appropriate, rectified at the expense of the Parish.

61.5 The proceeds of any rental or lease shall go to the Parish for ministry purposes in the Parish.

Mortgaging of Parish Trust Property

62.1 Upon receiving a Parish Council resolution duly passed by it and certified in manner in the appropriate form requesting or giving consent to Synod, Synod may in its discretion mortgage any Parish Trust Property for such amount and upon such terms and conditions as shall seem fit other than

- (a) property for the time being set apart for use as a cemetery; or
- (b) property upon which any consecrated Church is erected.

62.2 The amount raised on mortgage under Section 62.1 shall be applied for purposes either expressly stated in the resolution or if no such purposes shall have been stated for purposes in connection with the extension or development of the work of The Anglican Church of Australia within the Diocese of The Murray. Moneys raised on mortgage and applied for purposes in connection with the extension or development of the work of The Anglican Church of Australia within the Diocese selected by Synod shall not be deemed to be "amounts borrowed by the Parish" within the meaning of Section 21.1 (d) of this Ordinance.

Sale or Transfer of Parish Trust Property

63. Where it is desired to sell or transfer any Parish Trust Property the following provisions shall apply:
- 63.1 The Parish Council on whose behalf the property is held shall first resolve in the form of Appendix C that Synod be requested to sell or transfer such property. Subject to Section 66.1, such resolution shall specify the purpose or purposes (not being a purpose or purposes inconsistent with the Declaration of Trust pursuant to which the property is vested in Synod) for which the purchase money shall be applied and may specify any terms and conditions of the proposed sale or transfer. If the resolution does not specify any minimum price or by whom the minimum price shall be determined the Parish Council shall have power to determine the same at a subsequent time.
- 63.2 A copy of the resolution and notice of the date of the meeting of the Parish Council at which confirmation of the resolution is to be considered shall be read at each service in the Parish held on two consecutive Sundays immediately following the meeting at which the resolution is passed and may be emailed or posted to all members on the Parish Roll. Members of the Parish or Faith Community shall be invited to make submissions.
- 63.2 Any objections to the resolution by members of the Parish or groups of members of the Parish shall be transmitted in writing to the Priest in Charge or the Parish Secretary to reach them before the meeting of the Parish Council at which confirmation of the resolution is to be considered.
- 63.3 Any such objections shall be considered by the Parish Council at a meeting held not less than three weeks after the meeting at which the resolution was passed and the Parish Council shall confirm, modify or rescind the resolution.
- 63.4 The resolution so confirmed shall be effective for a period of twelve calendar months from the date of approval by Synod.
- 63.5 Nothing in this Section prevents a Special Meeting being called in relation to the sale or transfer of Parish Trust Property but that Special Meeting must be held before the meeting held in accordance with Section 63.4.

Resolution of Parish Council

- 64.1 Upon receiving from the Parish Council a resolution in the form of Appendix C duly passed and confirmed pursuant to Section 63 and certified in accordance with Section 64.2 together with a copy of any objections to the resolution, Synod may in its discretion sell or transfer any Parish Trust Property for such an amount and such terms and conditions as shall appear fit to Synod. Subject to Section 66.1, the purchase money shall be applied for the purpose or purposes stated in the resolution and approved by Synod.
- 64.2 No such resolution shall be considered by Synod unless accompanied by a certificate under the hand of the Priest in Charge or other the person or persons presiding at the meetings of the Parish Council at which the resolution was passed and confirmed and countersigned by not less than two members of the Parish Council that such resolution was duly passed in the form of Appendix C, confirms that the provisions of Section 63 have been complied with and certifying whether or not there were any objections to the resolution.

Extension of Time

- 65.1 The Parish Council may by resolution passed within two calendar months prior to the expiration of the period determined pursuant to Section 63.5 apply to Synod for an extension of not more than 12 calendar months to the period so determined.
- 65.2 Upon receiving from the Parish Council, a resolution duly passed pursuant to Section 65.1 and certified in accordance with Section 65.3, together with a statement of the reason or reasons for the application Synod may in its discretion extend by not more than 12 calendar months the period determined pursuant to Section 63.5.

- 65.3 No such resolution shall be considered by Synod unless accompanied by a certificate in the form of Appendix C under the hand of the Priest in Charge or other the person presiding at the meeting of the Parish Council at which the resolution was passed and countersigned by not less than two members of the Parish Council that such resolution was duly passed.

Terms and Conditions

66. Pursuant to Section 64.1 the following terms and conditions apply:
- 66.1 Where it is approved that Parish Trust Property will be sold, an amount equal to 25% of the net proceeds of the sale shall be retained by Synod for the purposes of the See Fund unless Diocesan Council approves that in a particular case this shall not apply, or where a specific purpose is proposed and approved, apply only on the balance of the proceeds, if any, after the completion of that proposal.
- 66.2 An application for exemption for the See Fund contribution in Section 66.1 with supporting documents must accompany the resolution duly passed and confirmed pursuant to Section 63 of this Ordinance.

Recognition of Parish terminated

67. Notwithstanding any other provision in this Ordinance, if Synod holds Parish Trust Property on behalf of a Parish whose recognition by the Synod has been terminated, the Synod may upon the request of the Area Archdeacon lease sell or transfer any such Parish Trust Property and may apply the proceeds of such leasing sale or transfer to the See Fund for purpose of The Anglican Church of Australia within the Diocese of The Murray.

Faculties

- 68.1 No building shall be erected or placed on Parish Trust Property; and no building erected on Parish Trust Property shall be altered, added to, demolished, or removed from Parish Trust Property without the written consent of the Bishop, Area Archdeacon and Diocesan Council. Applications for such consents shall be made in writing by the Parish Council.
- 68.2 No fittings, furniture or ornaments shall be installed, placed in, removed, altered, or added to from any building licensed for worship erected on Parish Trust Property without a faculty from the Bishop.
- 68.3 A faculty shall be granted by the Bishop in accordance with any guidelines he may issue from time to time provided always that no faculty will be granted without the consent of the Area Archdeacon, the Priest in Charge and Parish Council.
- 68.4 Any erection, placement, installation, alteration, addition, demolition, or removal contrary to the provisions of this Section shall be removed or made good as the Bishop requires and in accordance with any directions or modifications which he may direct.

Insurance

- 69.1 Subject to Section 69.4 all buildings, fences and other improvements being erected on Parish Trust Property and all personal property and money held on behalf of the Parish shall be insured and kept insured to the satisfaction of the Diocesan Council in such amounts as the Diocesan Council may from time to time prescribe.
- 69.2 Parish Councils shall advise the Registrar of the values they require on properties they manage by 30 June of each year.
- 69.3 All such policies of insurance effected pursuant to Section 69.1 shall be in the name of Synod for the benefit of the Parish and shall be placed in the keeping of the Secretary of Synod provided that if any such buildings or improvements should be mortgaged such policies may if required also be in the name of the mortgagee and may be held by such mortgagee.

- 69.4 The Diocesan Council in the name of Synod and on behalf of and at the expense of the Parish shall effect policies of insurance in respect of:
- (a) The property mentioned in Section 69.1 upon the conditions agreed to by the Diocesan Council.
 - (b) The liability of Synod or any officers of the Synod or of the Parish for personal injury or damage to property.
 - (c) Personal injury by accident to voluntary workers.
 - (d) Professional Indemnity for the Bishop, the Diocesan Council and its sub-Committees, the Chancellor, the Registrar, and all members of the Clergy licensed to a parochial appointment.
 - (e) Directors and Officers Liability for the Bishop, the Diocesan Council and its sub-Committees, the Chancellor, the Registrar, all members of the Clergy licensed to a parochial appointment, all Churchwardens, all members of Parish Councils, and committees of management and all officers of Parish organisations.
 - (f) Other risks identified by the Diocesan Council.

The insurance premiums paid or payable by Synod on behalf of the Parish pursuant to this Section shall be paid on demand by the Parish Council to Synod.

- 69.5
- (a) The Parish Council shall be entitled in the name and on behalf of Synod to settle any claim or apply and expend the whole or any part of the proceeds received from any policy of insurance effected pursuant to Section 69.1 to replace, repair or rebuild the lost or damaged property or for any other purpose whatsoever where the aggregate amount of such claim or such proceeds does not exceed the amount fixed from time to time by the Diocesan Council for the entering into by the Parish of any agreement, contract or arrangement in accordance with Section 70.
 - (b) In all other cases the settlement of any insurance claim and the application and expenditure of any proceeds received therefrom shall be determined by the Diocesan Council which shall have regard to any expressed wish of the Parish Council.

Contracts by Parish

70. The Parish Council shall not enter into any agreement, contract or arrangement at any time for the maintenance of property subject to the provisions of this Ordinance or for the erection of any building on Parish Trust Property for an amount in excess of the amount fixed from time to time by the Diocesan Council without the prior written consent of the Diocesan Council.

Rights, duties, and powers conferred on Diocesan Council

71. The several rights duties and powers conferred upon Synod pursuant to Parts VIII and XI of this Ordinance may at any time be exercised by a majority of two-thirds of the Diocesan Council and, if so exercised, shall in all things have the same force and effect as if they were exercised by the Synod.

PART XII: SAFE MINISTRY

Safe Ministry

- 72.1 Appendix B lists the requirements for Safe Ministry Training. These requirements may be amended by the Bishop and Diocesan Council as the need arises or in line with any Provincial System.
- 72.2 All Clearances require renewal every three years unless the Bishop otherwise determines.
- 72.3 If a person is current with some or all of the requirements in Appendix B in another Diocese in the Province of South Australia, these may be used upon showing proof to the Registrar. If more than two years has elapsed since the training, the Registrar shall advise the applicant that it is due for renewal within 12 months.

- 72.4 Each Parish shall maintain a Safe Ministry Register containing the names and contact details of all Church workers and office bearers in and for the Parish.
- (a) This Register shall also keep track of the training required and taken by each individual.
 - (b) This Register is to be kept and maintained by the Parish Safe Ministry Officer and made available to the Registry when required.
 - (c) In the absence of the Parish Safe Ministry Officer, the Register shall be held and maintained by the Parish Secretary.

Code of Conduct

73. All Church workers 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 replaces it.

PART XIII: GENERAL PROVISIONS

Amending and Review

- 74.1 This Ordinance shall be reviewed every 5 years and amended, if necessary.
- 74.2 This does not prevent any amendment of this Ordinance by the Synod at any session should the need arise.

Declaration

- 75.1 All people, apart from the Priest in Charge, upon their first appointment to one of the roles listed in Part III and V of this Ordinance shall sign a declaration in the form of Schedule B of this Ordinance. These declarations shall be kept securely by the Parish Secretary.
- 75.2 This declaration remains in force for as long as the person remains a communicant member of the Parish.

Difficulties

- 76.1 Should a Parish experience a difficulty in the application of any aspect of this Ordinance, they must contact the Bishop and Diocesan Council for guidance.
- 76.2 If necessary, Diocesan Council may grant a local variation for a specific period, this is to be reported to Synod.

MODEL TRUST DEED

TO ALL TO WHOM THESE PRESENTS SHALL COME, THE SYNOD OF THE DIOCESE OF THE MURRAY OF THE ANGLICAN CHURCH OF AUSTRALIA INCORPORATED (hereinafter called "the Synod") SENDS GREETING:

WHEREAS by virtue of the provisions of Section 4 of The Church of England Trust Property Act 1971 the trust property described or referred to in the Schedule annexed hereto is now or continues to be vested in the Synod **AND WHEREAS** it has been considered desirable to declare the trusts upon which the Synod holds the said property NOW KNOW YE AND THESE PRESENTS WITNESS that the Synod DOTH HEREBY ACKNOWLEDGE AND DECLARE:

1. That subject to the provisions of Clause 2 of this Deed it holds the said property solely as trustee for and on behalf of the Members of The Anglican Church of Australia comprising the Parish of or such other Parish or body as the Synod may from time to time determine.
2. That it holds the said property upon and for the several trusts conditions and purposes set forth and described in an Ordinance of the Synod and known as "The Parochial Administration Ordinance 2021" and any ordinance amending or replacing the same from time to time in force.
3. That the provisions of this Deed may be altered added to or revoked by Ordinance of the Synod.

And that it holds the said property upon and for no other trusts intents or purposes whatsoever.

IN WITNESS whereof **THE SYNOD OF THE DIOCESE OF THE MURRAY OF THE ANGLICAN CHURCH OF AUSTRALIA INCORPORATED** hath hereunto affixed its seal

(date)

**SEALED WITH THE COMMON SEAL of
THE SYNOD OF THE DIOCESE OF THE
MURRAY OF THE ANGLICAN
CHURCH OF AUSTRALIA
INCORPORATED by us the undersigned
being persons duly authorised to use the
said Seal.**

THE SCHEDULE
(to be attached)

SCHEDULE B

Declaration pursuant to Section 75

THE SYNOD OF THE DIOCESE OF THE MURRAY OF THE ANGLICAN CHURCH OF AUSTRALIA INCORPORATED

I.....

of.....

DO HEREBY DECLARE

1. That I have been appointed or elected to the role of:

.....

For the Parish of

2. That I hereby accept the office of to which I have been elected or appointed pursuant to the Parochial Administration Ordinance and promise to perform the duties thereof honestly, impartially, faithfully and to the best of my judgement and ability and in accordance with and subject to the Constitution, Ordinances and other enactments of the Synod and Diocesan Council.

3. I further commit to abide by all the safe ministry requirements as required.

Signature..... Witness.....

Date.....

This declaration remains in force for as long as the person remains a communicant member of the Parish.

APPENDIX A
Register of Faith Communities and Parishes

Parish	Faith Community		Status
Mount Gambier	Mount Gambier Mount Schank Port McDonnell		Parish
The Lower Limestone Coast	Millicent Penola Kalangadoo	Beachport	Parish
Onkaparinga Valley	Hahndorf Balhannah	Woodside Lobethal	Parish
The Upper Limestone Coast	Naracoorte Lucindale Padthaway		Parish
The Murray	Murray Bridge Meningie	Tailem Bend Karoonda Lameroo	Parish
Southern Suburbs	Aberfoyle Park Morphett Vale	Christies Beach O'Halloran Hill	Parish
Mount Barker District¹	Blakiston Mount Barker Mylor	Echunga Macclesfield	Parish
South Coast	Mt Compass Port Elliot	Goolwa Victor Harbor	Parish
Strathalbyn	Meadows Strathalbyn	Milang Langhorne Creek	Parish
The Riverland	Renmark Berri Barmera Loxton	Monash Waikerie Morgan	Parish
Western Fleurieu	McLaren Vale Aldinga Yankalilla	Seaford Delamere Willunga	Parish
Kingston-Robe	Kingston SE	Robe	Provisional Parish
Mannum - Mount Pleasant	Mannum	Mount Torrens Mount Pleasant	Provisional Parish
Tatiara	Bordertown	Keith	Parochial District

¹ Change of name approved by Diocesan Council 9/4/2022

APPENDIX B
Safe Ministry Requirements

Who needs to do what?

Apart from Licensed Clergy

DHS Working With Children Check (WWCC), National Police Check (NPC),
Safe Ministry Training (SMT), Child Safe Environments “Through Their Eyes” (CSE),
Safe Ministry Check Questionnaire (SMSQ)

WWCC, NPC, SMT, CSE, SMSQ

- Ordination Candidates
- Licensed Lay Ministers
- Director of Music, Choir Leader, Organists.
- Churchwardens
- Sunday School Teachers
- Youth Group Leaders
- Pastoral Carers, Hospital & Nursing Home Visitors
- Child Care/Crèche, Play Group Leaders & Helpers
- Mothers’ Union Families Equip Co-ordinator
- Parish Leadership Team members not covered by the Clergy Service Ordinance.

NPC – All Op-Shop Volunteers

WWCC, NPC, SMT

- Sacristan/Servers
- Eucharistic Assistants
- Diocesan Councillors
- Parish Secretary
- Parish Treasurer
- Synod Members

WWCC, NPC, SMT

- Op-Shop Manager
- Op-Shop Assistant Manager

WWCC, NPC

- Guild President
- Mother’s Union President

Additional requirements

- All Church Workers must follow the national code for personal behaviour and the practice of pastoral ministry as outlined in the document *Faithfulness in Service*

This is subject to Change

APPENDIX C

Sale of Land

A. FORM OF RESOLUTION (to be passed and confirmed by the Parish Council) (Section 63)

That this Parish Council request the Synod to sell (or transfer) the land situated (*sufficient detail must be given here to positively identify the piece of land*) being Parish Trust Property and contained in the Certificate of Title Book Volume Folio, that the purchase money used for (*here insert the proposal/s*)

and

(*here specify any terms and conditions of the proposed sale or transfer, if desired*).

B. FORM OF CERTIFICATE (to be submitted to the Diocesan Council) (Section 64)

DIOCESE OF THE MURRAY

CERTIFICATE FOR SALE OF LAND

We, the undersigned certify that

- a) the following resolution was passed at a meeting of the Parish Council of held on (*date*)....., and confirmed at a meeting of the same Council on (*date*)²

“that this Parish Council requests the Synod to sell (or transfer) the land situated (sufficient detail must be given here to positively identify the piece of land) being Parish Trust Property and contained in the Certificate of Title Book Volume Folio³, that the purchase money used for (here insert the proposal/s) and (here specify any terms and conditions of the proposed sale or transfer, if desired).

- b) the provisions of Section 63 and 66 of the Parochial Administration Ordinance 2021 have been complied with, and

- c) * there were no objections to the resolutions.

* objections to the resolutions were received and copies of the same enclosed.

(* delete whichever does not apply)

Signed⁴

..... Priest in Charge or Chair of Meetings

.....

Council Member

Council Member

C. EXTENSION OF TIME (Section 65)

DIOCESE OF THE MURRAY

CERTIFICATE FOR SALE OF LAND – EXTENSION OF TIME

We, the undersigned certify that the following resolution was passed at a meeting of the Parish Council of held on (*date*).....:

That Parish Council in accordance with Section 65 of the Parochial Administration Ordinance 2021, request the Synod to grant a 12-month extension for the sale of property approved by Synod on (*date*).....

Signed

..... Priest in Charge or Chair of Meetings

.....

Council Member

Council Member

² Minimum 3 weeks between meetings

³ Should be found on rate notices, if unsure contact Registry.

⁴ (being present at both meetings)

Section 38.2 amended 3/6/2022
Section 43 amended 3/6/2022
Section 44.8 added 3/6/2022
Section 46 amended 3/6/2022
Section 72.4 added 3/6/2022
Section 5 amended 2/06/2023
Section 17 amended 2/6/2023
Section 42.2 amended 2/6/2023
Section 65.2 amended 2/6/ 2023