

PROVINCIAL SYNOD CONSTITUTION

(As published in the Summary of Proceedings of the Thirtieth Provincial Synod - February 1994)

Provincial Synod to be Constituted. Metropolitan

1. The Provincial Synod shall be constituted of the Bishops of all Dioceses within the State of New South Wales and of clerical and lay representatives of the Church in the said Dioceses. And such Synod shall be called "The Provincial Synod of the Province of New South Wales". And the Bishop of Sydney for the time being shall be known and designated as Metropolitan.

To consist of three houses

2. The Provincial Synod shall consist of three Houses, namely the House of Bishops, the House of Clergy and the House of Laity. The three Houses shall sit together in full Synod and shall deliberate and transact business therein and shall vote together unless a vote by Houses is required by not less than three members of the House of Bishops or by ten members of the House of Clergy or by ten members of the House of Laity.

In the event of a vote by Houses being required, all questions shall be put first to the House of Laity, then to the House of Clergy and finally to the House of Bishops and no question shall be deemed to be resolved in the affirmative by Provincial Synod unless it is so resolved by a vote of the majority of those present in each of the three Houses.

A House by a majority of its own members voting may decide to consider separately any matter in debate whereupon further discussion of the matter shall be postponed until there has been an opportunity of separate consideration.

Representatives of Dioceses

3. Each Diocese having under 31 clergymen duly licensed to officiate within it shall be entitled to send to any future Synod two clerical and two lay representatives.

And each Diocese having above 30 and under 51 such clergymen shall be entitled to send three representatives of each order as aforesaid.

And each Diocese having above 50 and under 71 such clergymen shall be entitled to send four representatives of each order as aforesaid.

And each Diocese having above 70 and under 96 such clergymen shall be entitled to send five representatives of each order as aforesaid.

And each Diocese having above 95 and under 121 such clergymen shall be entitled to send six representatives of each order as aforesaid.

And each Diocese having above 120 and under 146 such clergymen shall be entitled to send seven representatives of each order as aforesaid.

And each Diocese having above 145 and under 176 such clergymen shall be entitled

to send eight representatives of each order as aforesaid.

And each Diocese having above 175 and under 206 such clergymen shall be entitled to send nine representatives of each order as aforesaid.

And each Diocese having above 205 and under 236 such clergymen shall be entitled to send ten representatives of each order as aforesaid.

And each Diocese having above 235 and under 266 such clergymen shall be entitled to send eleven representatives of each order as aforesaid.

And each Diocese having above 265 such clergymen shall be entitled to send twelve representatives of each order as aforesaid.

When Synod to Meet

4. Sessions of the Provincial Synod shall be convened by the Metropolitan -
 - (a) at such times as he may determine;
 - (b) at such times as he may be requested in writing so to do by a majority of the other Bishops of the said Dioceses.

Provided that a period exceeding five years shall never be allowed to intervene between any two sessions and that the Metropolitan shall convene Synod accordingly.

Manner of Convening Synod

5. For the purpose of holding any Session of the Provincial Synod the Metropolitan shall by writing under his hand and seal summon the Bishop of each of the said Dioceses to meet at such time and place as the Metropolitan may determine and each of the said Bishops including the Metropolitan shall summon the representatives of his Diocese to meet at such last mentioned time and place.

President of Synod, &c.

6. The Metropolitan, or in his absence the Bishop who is present senior in consecration shall be President of the House of Bishops and of the Provincial Synod. And the President may with the concurrence of the Synod adjourn the same. And the President may take part in any discussion and vote on any question or matter arising therein.

Rules for Business, &c.

7. The Provincial Synod shall have power to make rules for the conduct of all business coming before it, and to make rules for trying the validity of the election or appointment of any person claiming to be a member thereof.

Powers of Synod

8. The Provincial Synod shall have power to make ordinances upon and in respect of all matters and things concerning the order and good government of the church in the Province. Provided that no Ordinance save as is next hereinafter provided shall be binding upon the church in any Diocese, unless and until such Ordinance shall be

accepted by the Church in such Diocese by an Ordinance of its Synod. Provided however that any Rule or Ordinance passed by any Diocesan Synod to which the Bishop of that Diocese shall not assent may be the subject of reference by such Diocesan Synod to the Provincial Synod, and the decision of the Provincial synod with reference thereto shall be binding on the Church in the Diocese so referring such Rule or Ordinance.

Alteration of the Articles, &c. of the Church

Note: The Provincial Synod Constitution Amendment Ordinance, 1970, No. 2, has not yet been passed by the New South Wales Parliament.

9. That no rule ordinance or determination of the Provincial Synod shall make any alteration in the Articles Liturgy or Formularies of the Church except in conformity with any alteration which may be made therein by any competent authority of the Church of England in England.

Nothing in Contravention of the Laws

10. No rule ordinance or determination of the Provincial Synod shall be made in contravention of any law or statute in force for the time being in the said State.

Synod may delegate Powers

11. The Provincial Synod may appoint Committees either under special instructions or under such general regulations as shall from time to time be laid down by the Synod for the purpose of carrying into effect any Ordinances and Rules which have been passed by the Synod.

Quorum

12. The presence of at least three bishops of the House of Bishops and fifteen clerical representatives of the House of Clergy and fifteen lay representatives of the House of Laity representing at least two Dioceses shall be necessary to constitute a quorum.

Defects and Errors as to Elections &c. not to Vitate Proceedings

13. No rule ordinance or determination of the Provincial Synod shall be vitiated by reason of the non-election or non-appointment or non-summoning of any person necessary to be elected appointed or summoned thereto respectively or of any informality in or respecting any such election appointment or summoning.

Absence, &c. of the Metropolitan

14. In the case of the death, absence from the State or incapacity of the Metropolitan the functions of the Metropolitan under this Constitution shall be exercised by the Senior Bishop of the said Dioceses present in the State and able and willing to act, seniority being seniority of consecration.

15. deleted 1970.

Alteration of the Constitution

16. The Provincial Synod may from time to time pass Articles and Provisions altering this Constitution saving Clauses 9 and 10 thereof. Provided that no such article or provision shall have any force or effect unless and until it has been assented to by

each of the said Dioceses by an Ordinance of its Synod.

17. deleted 1970.