

THE ELECTION
OF MEMBERS OF THE SYNOD ORDINANCE 1985

AN ORDINANCE to repeal the Election of Synodsmen Ordinance 1980 and to make further provision for the election or appointment of lay members of the Synod.

WHEREAS it is expedient to repeal the Election of Synodsmen Ordinance 1980 and to make further provision for the election or appointment of lay members of the Synod
NOW THE SYNOD HEREBY DETERMINES:

Title

1. This Ordinance may be cited as "The Election of Members of the Synod Ordinance 1985".

Repeal

2. The Election of Synodsmen Ordinance 1980 is repealed.

Election of Members of the Synod

3. Every parish shall elect the number of lay members of the Synod prescribed by the Constitution at some convenient time not later than 31 May in an election year.

Certificate of Number of Communicants

4. Before 30 November in the year preceding an election year the Parish Priest of every parish shall forward to the Secretary of Synod a declaration and certificate in the form contained in the First Schedule to this Ordinance in respect of that parish.

Notification of Number of Lay Members of the Synod

5. Before 31 January in an election year, the Secretary of Synod shall (provided the declaration and certificate referred to in section 4 above has been received) notify the Parish Priest of every parish of the number of lay members of the Synod that the parish is entitled to elect in accordance with the provisions of section 10 of the Constitution.

Election by Vestry

6. In every parish to which Division I or Division III of Part II of the Parochial Administration Ordinance 1985 applies and in every parish comprising one congregation to which the said Ordinance does not apply, the lay members of the Synod representing the parish shall be elected at its Annual Vestry Meeting or at a Synod Election Meeting held in accordance with the provisions of section 18A of the Parochial Administration Ordinance 1985. Notice of any such meeting shall be given in the manner prescribed in section 19 of the Parochial Administration Ordinance 1985.

Voting

7. At every Vestry meeting at which an election for lay members of the Synod takes place the chair shall receive the votes of those persons present who are qualified to vote in accordance with section 13 of the Constitution and who wish to vote. The person or persons receiving the highest number of votes shall be declared duly elected. In the case of an equal vote the chair shall have a casting vote.

Election by Parish Council

8. In every parish to which Division II of Part II of the Parochial Administration Ordinance 1985 applies the following provisions shall apply:
 - (a) The lay members of the Synod representing the parish shall be elected by the Parish Council at a meeting to be held not later than 31 May in an election year.
 - (b) Notice that an election of lay members of the Synod will be held and that nominations for lay members of the Synod will be received shall be given at each service held in the parish on the two Sundays preceding the meeting at which the election is to take place.
 - (c) Nominations for lay members of the Synod may be made in writing signed by the nominee and any member of the parish who is a communicant and may be delivered to any member of the Parish Council at or before the meeting at which the election takes place or may be made by any member of the Parish Council at the meeting provided that the nominee has signified his or her consent to nomination.
 - (d) The election shall be made from amongst those members of the parish who have been nominated in accordance with paragraph (c) in such manner as the Parish Council shall determine provided that the Parish Council shall have regard to the desirability of each congregation being represented in the Synod.

Election by Other Means

9. In every parish comprising more than one congregation and to which The Parochial Administration Ordinance 1985 does not apply the lay members of the Synod representing the parish shall be elected in such manner as the election committee referred to in section 17 of this Ordinance shall determine.

Insufficient Nominations

10. Should there be no nomination or if the number of nominations is less than the number of lay members of the Synod to which the parish is entitled, the Parish Priest may before 30 June in an election year nominate and appoint such lay members of the Synod as may be necessary to make up the number of lay members of the Synod to which the parish is entitled.”

Registration or Reconstitution of Parishes

11. (1) In the case of the registration of a new parish or parishes consequent upon the approval of a registration proposal pursuant to the provisions of the Registration of Congregations and Parishes Ordinance 2011, the Parish Priest or Parish Priests of such parish or parishes as the case may be shall forward to the Secretary of Synod a declaration and certificate in the form contained in the First Schedule to this Ordinance not less than six weeks before the session of the Synod next following the day on which registration of the proposal was or was entitled to be effected.
- (2) The Secretary of Synod shall thereupon notify the Parish Priest or Parish Priests concerned of the number of lay members of the Synod that the parish is entitled to elect in accordance with the provisions of section 10 of the Constitution.
- (3) The nomination and election of lay members of the Synod shall thereupon take place in such parish or parishes in accordance with the provisions of this Ordinance as if there were a number of casual vacancies equal to the number of lay members of the Synod that such parish or parishes is or are entitled to elect in accordance with the provisions of section 10 of the Constitution.
- (4) The lay members of the Synod so elected or appointed shall hold office until 30 June in the election year next following their election or appointment.
- (5) Notwithstanding the provisions of this Ordinance, in a case to which this section applies the Election Committee referred to in section 17 of this Ordinance may give such directions as it may in any case determine with respect to the election of lay members of the Synod first occurring after the approval of a registration proposal. Such directions may include directions:
 - (a) as to the method by which the number of communicants of the parish shall be determined;
 - (b) fixing or abridging the time by which any of the steps required by this Ordinance are to be taken;
 - (c) determining by whom the first lay members of the Synod for the parish shall be elected; and

- (d) as to the holding of any meetings concerning the first election of lay members of the Synod for the parish and the time and form of any notice to be given in respect of such meetings.
- (6) The election of lay members of the Synod conducted in accordance with any directions of the Election Committee pursuant to subsection (5) of this section shall be as effective as if carried out in accordance with the provisions of this Ordinance.

Membership of Anglicare SA

11A

- (1) The election or appointment of a person pursuant to the provisions of this Ordinance and of any person elected or appointed to a position mentioned in sections 10(d2), 10(d3) or 10(e) of the Constitution shall not be effective until the person shall have signed an application for membership of Anglicare SA Limited in accordance with the requirements of the Constitution of Anglicare SA Limited.
- (2) A person referred to in subsection (1) shall cease to be a member of the Synod if, during the period of such membership, the person resigns as a member of Anglicare SA Limited.

Certificate of Election

- 12. A certificate of election or appointment of lay members of the Synod together with the declarations in the form of the Fifth Schedule to the Constitution duly completed by each person elected shall be forwarded to the Secretary of Synod within 7 days of the election or appointment. The certificate of election shall be in the form of the Second Schedule to this Ordinance.

Casual Vacancies

- 13. Upon receipt by the Secretary of Synod of notice from the Bishop that a person has ceased to be a lay member of the Synod the Secretary of Synod shall forthwith remove the name of such person from the register of members of the Synod and if such person was elected on behalf of a parish shall give notice to the Parish Priest of that parish to proceed with a fresh election to fill the vacancy.

Procedure

- 14. An election pursuant to section 13 of this Ordinance shall take place in accordance with the provisions of sections 6 to 10 inclusive of this Ordinance, provided that such election may take place at any Vestry meeting or meeting of the Parish Council as the case may be.

Entry in Register of Members

- 15. Upon receipt of the documents referred to in section 12 of this Ordinance the Secretary of Synod shall forthwith enter the name or names of the persons elected in the register of members of the Synod.

Alternate Lay Members of the Synod

- 15A (1) Subject to this section a parish may elect in preferential order a number of alternate lay members of the Synod not exceeding the number of lay members of the Synod which may be elected by the parish.
- (2) Where lay members of the Synod are elected by the Vestry such alternate lay members of the Synod shall be elected by the Vestry.
- (3) Where lay members of the Synod are elected by the Parish Council, such alternate members of the Synod shall be elected by the Parish Council.
- (4) The provisions of sections 6 to 10 inclusive and section 12 of this Ordinance shall apply mutatis mutandis to the election of alternate lay members of the Synod.
- (5) The Secretary of Synod shall keep a register of alternate lay members of the Synod.
- (6) In the event of the Bishop being informed by the Parish Priest or by the lay member of the Synod concerned of the inability of a lay member of the Synod to attend a session of the Synod, or being informed by the Parish Priest that a lay member of the Synod has ceased to be a lay member of the Synod and that it is impossible in the time available to fill the vacancy in accordance with section 13, the Bishop shall thereupon cause a summons to be issued to the person whose name stands first upon the certificate of election of alternate lay members of the Synod summoning him or her to attend that session of the Synod. Should he or she be unable to attend such session the Bishop shall cause such summons to be issued to the next person so named and so on.
- (7) The Bishop shall not cause any summons to be issued to any alternate lay member of the Synod within three days of the commencement of any session of the Synod.
- (8) An alternate lay member of the Synod shall hold office as a lay member of the Synod only for the duration of the session for which he or she received a summons.

Report to Synod.

16. At each session of the Synod the Secretary of Synod shall present the register of members of the Synod or an extract thereof comprising the names of all members of the Synod together with a supplementary report (if any) of any variations thereto or to be made thereto and a report of summonses issued to alternate lay members of the Synod.

Election Committee

17. If the Secretary of Synod shall be in doubt as to the effect or validity of any notice, certificate or declaration relating to the cessation of membership of the Synod or to the election or appointment of any lay members of the Synod the matter shall be referred to an election committee comprising the Dean, the Archdeacon of Adelaide and the Archdeacons whose decision thereon shall be final.

Interpretation

18. In this Ordinance -

"election year" means an election year referred to in section 14 of the Constitution;

"Parish Priest" means the member of the clergy licensed to the cure of souls in or for a parish and includes a locum tenens during a vacancy in the office.

THE FIRST SCHEDULE
(Section 4)

I,

of

.....

DO HEREBY CERTIFY that the number of persons who have communicated not less than three times during the past twelve months in the parish of

is

AND I DO HEREBY solemnly declare that the above certificate is to the best of my knowledge a true and correct return of communicants for the purpose of representation in Synod.

DATED this day of 2

Parish Priest

THE SECOND SCHEDULE
(section 12)

I CERTIFY that at a meeting duly convened and held in accordance with The Election of Members of the Synod Ordinance 1985 on the _____ day of _____ 2 the following were elected to serve as lay members of the Synod and (if applicable) alternate lay members of the Synod for the parish of

Name	Address
Lay members of the Synod	

.....	of
.....	of
.....	of
.....	of
.....	of

Alternate lay members of the Synod

.....	of
.....	of
.....	of
.....	of
.....	of

(* and that on the _____ day of _____ 2 I appointed

Name	Address
------	---------

.....	of
.....	of

to serve as lay members of the Synod for the said parish) and I forward herewith the declarations in the form of the Fifth Schedule to the Constitution as required by the said Ordinance.

DATED this _____ day of _____ 2

Chair/Parish Priest

*To be completed by the Parish Priest only if the required number of lay members of the Synod have not been elected by the Vestry or Parish Council as the case may be.

Legislative History

Passed on 22nd September 1985.

Amended on 16th September 1988, Sections 1, 16, Second Schedule and new Section 15A.

Amended 14th September 1990 by the Annual Vestry Meeting Amendment Ordinance 1990, sections 3, 4, 5, 6 and 8

Amended 14th September 1990 by the Ordinances Publication Ordinance Amendment Ordinance 1990 -

Title - Section 1, Second Schedule

Amended 29 May 1999 – Sections 3, 4, 5, 6, 8, 11, and new section 10

Amended 5 April 2014: Insertion of new section 11A – Membership of Anglicare-SA and Amendment of section 12 – Certificate of Election

Amended 16th October 2021: sections 3, 4, 5, 6, 8, 10, 11 and Second Schedule; effective 1st November 2021

Revisions under the Ordinances Publication Ordinance 2004

- (1) Title – “Synodsmen” deleted and “Members of the Synod” substituted
- (2) Preamble – “synodsmen” deleted and “members of the Synod” substituted (in two places)
- (3) Section 1 - “Synodsmen” deleted and “Members of the Synod” substituted
- (4) Section 3 Title - “Synodsmen” deleted and “Members of the Synod” substituted
- (5) Section 3 - “synodsmen” deleted and “members of the Synod” substituted
- (6) Section 5 Title - “Synodsmen” deleted and “Members of the Synod” substituted
- (7) Section 5 - “synodsmen” deleted and “members of the Synod” substituted
- (8) Section 6 - “synodsmen” deleted and “members of the Synod” substituted
- (9) Section 7 - “synodsmen” deleted and “members of the Synod” substituted, and “chairman” replaced by “chair” in two places
- (10) Section 8(a) - “synodsmen” deleted and “members of the Synod” substituted
- (11) Section 8(b) - “synodsmen” deleted and “members of the Synod” substituted in two places
- (12) Section 8(c) - “synodsmen” deleted and “members of the Synod” substituted, and “or her” inserted after “his”
- (13) Section 9 - “synodsmen” deleted and “members of the Synod” substituted
- (14) Section 10 - “synodsmen” deleted and “members of the Synod” substituted in three places
- (15) Section 11(2) - “synodsmen” deleted and “members of the Synod” substituted
- (16) Section 11(3) - “synodsmen” deleted and “members of the Synod” substituted in two places
- (17) Section 11(4) - “synodsmen” deleted and “members of the Synod” substituted
- (18) Section 11(5) - “synodsmen” deleted and “members of the Synod” substituted
- (19) Section 11(5)(c) - “synodsmen” deleted and “members of the Synod” substituted
- (20) Section 11(5)(d) - “synodsmen” deleted and “members of the Synod” substituted
- (21) Section 11(6) - “synodsmen” deleted and “members of the Synod” substituted
- (22) Section 12 - “synodsmen” deleted and “members of the Synod” substituted
- (23) Section 13 - “synodsmen” deleted and “member of the Synod” substituted
- (24) Section 15A(1) Title - “Synodsmen” deleted and “Members of the Synod” substituted
- (25) Section 15A(1) - “synodsmen” deleted and “members of the Synod” substituted in two places
- (26) Section 15A(2) - “synodsmen” deleted and “members of the Synod” substituted in two places
- (27) Section 15A(3) - “synodsmen” deleted and “members of the Synod” substituted in two places
- (28) Section 15A(4) - “synodsmen” deleted and “members of the Synod” substituted
- (29) Section 15A(5) - “synodsmen” deleted and “members of the Synod” substituted
- (30) Section 15A(6) - “synodsmen” deleted and “member of the Synod” substituted in four places, “synodsmen” deleted and “members of the Synod” substituted, “or her” inserted after “him”, and “or she” inserted after “he”
- (31) Section 15A(7) - “synodsmen” deleted and “member of the Synod” substituted
- (32) Section 15A(8) - “synodsmen” deleted and “member of the Synod” substituted in two places, and “or she” inserted after “he”
- (33) Section 16 - “synodsmen” deleted and “members of the Synod” substituted in two places
- (34) Section 17 - “synodsmen” deleted and “members of the Synod” substituted
- (35) Section 18 - “clergyman” deleted and “member of the clergy” substituted
- (36) Second Schedule - “synodsmen” deleted and “members of the Synod” substituted in seven places, and “Chairperson” deleted and “Chair” substituted